

UNITED NATIONS



OFFICIAL RECORDS OF THE GENERAL ASSEMBLY
NINTH SESSION

ANNEXES

21 SEPTEMBER — 17 DECEMBER

1954

NEW YORK

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The appendix to this volume lists documents of the session which were printed separately and were therefore not reproduced in the annex fascicules.

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18	Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.
19	Methods which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter : report of the Collective Measures Committee.
20 (and 68)	Regulation, limitation and balanced reduction of all armed forces and all armaments : report of the Disarmament Commission.
21	Admission of new Members to the United Nations : (a) Report of the Committee of Good Offices ; (b) Admission of Laos and Cambodia.
22	Treatment of people of Indian origin in the Union of South Africa : report of the United Nations Good Offices Commission.
23	The question of race conflict in South Africa resulting from the policies of <i>apartheid</i> of the Government of the Union of South Africa : report of the United Nations Commission on the Racial Situation in the Union of South Africa.
24	Appointment of members of the Peace Observation Commission.

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26	Programmes of technical assistance : report of the Economic and Social Council.
27	Report of the United Nations High Commissioner for Refugees.
28	Freedom of information : report of the Economic and Social Council.
29	Question of organizing an international professional conference to prepare the final text of an International Code of Ethics for the use of information personnel : report of the Secretary-General.
30	Forced labour : report of the Economic and Social Council.
31	Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter : reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories : (a) Information on economic conditions ; (b) Information on other conditions ; (c) Transmission of information ; (d) Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories.
32	Cessation of the transmission of information under Article 73 e of the Charter : report of the Committee on Information from Non-Self-Governing Territories : (a) Communication from the Government of Denmark concerning Greenland ; (b) Other communications.
33	Election to fill vacancies in the membership of the Committee on Information from Non-Self-Governing Territories.
34	Question of South West Africa : report of the Committee on South West Africa.
35 (and 52)	The Togoland unification problem : special report of the Trusteeship Council.
36	Financial reports and accounts, and reports of the Board of Auditors : (a) United Nations, for the financial year ended 31 December 1953 ; (b) United Nations Children's Fund, for the financial year ended 31 December 1953 ; (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financial year ended 30 June 1954 ; (d) United Nations Korean Reconstruction Agency, for the financial year ended 30 June 1954 ; (e) United Nations Refugee Emergency Fund, for the period 1 March 1952 to 31 December 1953.
37	Supplementary estimates for the financial year 1954.
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 - (e) United Nations Administrative Tribunal ;
 - (f) United Nations Staff Pension Committee.
- 40 Headquarters of the United Nations : report of the Secretary-General.
- 41 Scale of assessments for the apportionment of the expenses of the United Nations : report of the Committee on Contributions.
- 42 Report of the Negotiating Committee for Extra-Budgetary Funds.
- 43 Administrative and budgetary co-ordination between the United Nations and the specialized agencies : reports of the Advisory Committee on Administrative and Budgetary Questions.
- 44 Review of audit procedures of the United Nations and the specialized agencies : reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions.
- 45 Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account.
- 46 United Nations Joint Staff Pension Fund :
- (a) Annual report of the United Nations Joint Staff Pension Board ;
 - (b) Acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund : report of the Secretary-General ;
 - (c) Admission of staff members of the Interim Commission for the International Trade Organization to membership in the United Nations Joint Staff Pension Fund : report of the United Nations Joint Staff Pension Board ;
 - (d) Revision of the administrative rules of the United Nations Joint Staff Pension Fund : report of the United Nations Joint Staff Pension Board.
- 47 System of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations : reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions.
- 48 Awards of compensation made by the United Nations Administrative Tribunal : advisory opinion of the International Court of Justice.
- 49 Report of the International Law Commission on the work of its sixth session.
- 50 International criminal jurisdiction : report of the 1953 Committee on International Criminal Jurisdiction.
- 51 Question of defining aggression : report of the Special Committee on the Question of defining Aggression.
- 52 The future of the Trust Territory of Togoland under United Kingdom (and 35) Trusteeship.
- 53 Organization of the Secretariat.
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- 55 Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly.
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- 57 The Tunisia question.
- 58 Draft International Covenants on Human Rights.
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- 60 Amendment to the rules of procedure of the General Assembly ; proposal for a new rule concerning corrections of vote.

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62	Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus.
63	Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China.
64	Draft articles on the continental shelf.
65	Economic development of fisheries and question of fishery conservation and regulation.
66	Establishment of a world food reserve.
67	International co-operation in developing the peaceful uses of atomic energy : report of the United States of America.
68 (and 20)	Conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen and other weapons of mass destruction.
69	Prohibition of propaganda in favour of a new war.
70	Complaint of acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts.
71	Complaint of violation of the freedom of navigation in the area of the China seas.
72	Complaint of detention and imprisonment of United Nations military personnel in violation of the Korean Armistice Agreement.
73	Commemoration of the tenth anniversary of the United Nations in 1955.

APPENDIX

DOCUMENTS PRINTED SEPARATELY

<i>Document No.</i>	<i>Title</i>
A/2661	Expanded Programme of Technical Assistance for the economic development of under-developed countries : first report of the Advisory Committee on Administrative and Budgetary Questions to the ninth session of the General Assembly.
A/2721	Audit reports relating to expenditure by specialized agencies for technical assistance funds allocated from the special account : note by the Secretary-General.



Question of the representation of China in the General Assembly

DOCUMENT A/RESOLUTION/200

[*Resolution 903 (IX)*]

Resolution adopted by the General Assembly at its 473rd plenary meeting on 21 September 1954

The General Assembly

Decides not to consider, at its ninth regular session during the current year, any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 473rd plenary meeting, on 21 September 1954, the General Assembly adopted the draft resolution submitted by the United States of America (A/L.177). For the final text, see document A/RESOLUTION/200, above.

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<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/L.176	Union of Soviet Socialist Republics: draft resolution		Incorporated in the verbatim record of the 473rd plenary meeting, para. 34
A/L.177	United States of America: draft resolution		<i>Ibid.</i> , para. 40
A/RESOLUTION/200	Resolution adopted by the General Assembly at its 473rd plenary meeting, on 21 September 1954	1	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 903 (IX)



Agenda item 1: Opening of the session by the Chairman of the delegation of India
Agenda item 2: Minute of silent prayer or meditation

[No documents]



Agenda item 3: Appointment of a Credentials Committee

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A/2880	Second report of the Credentials Committee	2
A/RESOLUTION/202	Resolution adopted by the General Assembly at its 495th plenary meeting on 21 October 1954	2
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DOCUMENT A/2752

First report of the Credentials Committee

[Original text: English]
[13 October 1954]

1. At its 473rd plenary meeting, held on 21 September 1954, the General Assembly, in accordance with rule 28 of the rules of procedure, appointed a Credentials Committee consisting of the following Member States: Burma, El Salvador, France, Lebanon, New Zealand, Pakistan, Union of Soviet Socialist Republics, United States of America and Uruguay.

2. The Committee held two meetings, on 6 and 12 October 1954.

3. Mr. Antonio Alvarez Vidaurre (El Salvador) was unanimously elected Chairman of the Committee.

4. The representative of the Union of Soviet Socialist Republics moved that the credentials of the representatives of the Government of the Republic of China should not be recognized as valid since these credentials did not conform to rule 27 of the rules of procedure of the General Assembly.

5. The Chairman ruled the motion of the representative of the USSR out of order in view of the resolution adopted by the General Assembly at its 473rd plenary meeting on 21 September 1954 on the question of the representation of China in the General Assembly (A/RESOLUTION/200).

6. The representative of the USSR challenged the Chairman's ruling. Statements on the question were made by the representatives of Burma, the United States of America, Uruguay, New Zealand and Lebanon.

7. The Chairman put his ruling to the vote. The ruling was upheld by 7 votes to 2.

8. The Committee found that the Governments of the following Member States had submitted to the Secretary-General credentials for their representatives satisfying the requirements of rule 27 of the rules of procedure of the General Assembly: Afghanistan, Argentina, Australia, Belgium, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Israel, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

9. The Committee further decided to meet at a later stage to examine the credentials, when they had been submitted to the Secretary-General, of representatives of the following Member States which had hitherto transmitted only cables or letters from their permanent missions or delegations: Bolivia, Iraq, Lebanon and Turkey.

10. The Committee proposed that in the meanwhile the representatives of the States mentioned in paragraph 9 should be seated provisionally with the same rights as the other representatives.

11. At the request of the representative of the USSR, a separate vote was taken on the credentials of the representatives of the Government of the Republic of China. By 7 votes to 2, the Committee found that these credentials satisfied the requirements of rule 27 of the rules of procedure of the General Assembly.

12. The representative of Pakistan explained that he had voted in the affirmative in view of the resolution adopted by the General Assembly at its 473rd plenary meeting, on 21 September 1954, on the question of the

representation of China in the General Assembly (A/RESOLUTION/200).

13. The representatives of Uruguay and Burma wished to place on record their abstention on the credentials of the representatives of the Government of Guatemala, though they would not ask for a separate vote thereon.

14. The report was then approved by 7 votes to none, with 2 abstentions.

Recommendation of the Credentials Committee

15. The Credentials Committee recommends that the General Assembly should adopt the following resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/202 below.]

DOCUMENT A/2880

Second report of the Credentials Committee

[Original text: English]
[16 December 1954]

1. In accordance with the decision taken at its 25th meeting on 12 October 1954 the Credentials Committee met again on 16 December 1954. Representatives of the following Member States on the Committee participated in the meeting: Burma, El Salvador, France, New Zealand, Pakistan, Union of Soviet Socialist Republics, United States of America and Uruguay.

2. Mr. Miguel Rafael Urquía was unanimously elected Chairman of the Committee, in the absence of Mr. Antonio Alvarez Vidaurre.

3. The Committee found that, since its last meeting, the Governments of the four remaining Member States,

namely, the Governments of Bolivia, Iraq, Lebanon and Turkey, had submitted to the Secretary-General credentials for their representatives satisfying the requirements of rule 27 of the rules of procedure of the General Assembly.

Recommendation of the Credentials Committee

4. The Credentials Committee recommends to the General Assembly the adoption of the following resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/282 below.]

DOCUMENT A/RESOLUTION/202

[Resolution 807 A (IX)]

Resolution adopted by the General Assembly at its 495th plenary meeting on 21 October 1954

CREDENTIALS OF REPRESENTATIVES TO THE NINTH SESSION OF THE GENERAL ASSEMBLY

The General Assembly

Approves the first report of the Credentials Committee.

DOCUMENT A/RESOLUTION/282

[Resolution 807 B (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting on 17 December 1954

CREDENTIALS OF REPRESENTATIVES TO THE NINTH SESSION OF THE GENERAL ASSEMBLY

The General Assembly

Approves the second report of the Credentials Committee.

ACTION TAKEN BY THE GENERAL ASSEMBLY

1. At its 495th plenary meeting, on 21 October 1954, the General Assembly adopted the draft resolution submitted by the Credentials Committee in its first report (A/2752). For the final text, see document A/RESOLUTION/202, above.

2. At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the Credentials Committee in its second report (A/2880). For the final text, see document A/RESOLUTION/282, above.

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A/RESOLUTION/202	Resolution adopted by the General Assembly at its 495th plenary meeting on 21 October 1954	2	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 807 A (IX)</i>
A/RESOLUTION/282	Resolution adopted by the General Assembly at its 514th plenary meeting on 17 December 1954	2	<i>Ibid.</i> , resolution 807 B (IX)



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- Agenda item 4: Election of the President**
Agenda item 5: Constitution of the Main Committees and election of officers
Agenda item 6: Election of Vice-Presidents
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[No documents]



Agenda item 7: Notification by the Secretary-General under Article 12, paragraph 2, of the Charter

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DOCUMENT A/2732

Letter dated 21 September 1954 from the Secretary-General to the President of the General Assembly

[Original text: English]
[21 September 1954]

In accordance with the provisions of Article 12, paragraph 2, of the Charter of the United Nations and with the consent of the Security Council, I have the honour to send you herewith a notification to the General Assembly listing matters relative to the maintenance of international peace and security which are being dealt with by the Security Council.

(Signed) Dag HAMMARSKJOLD
Secretary-General

**NOTIFICATION BY THE SECRETARY-GENERAL UNDER ARTICLE 12,
PARAGRAPH 2, OF THE CHARTER**

In accordance with the provisions of Article 12, paragraph 2, of the Charter and with the consent of the Security Council, I have the honour to notify the General Assembly of matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and also of matters with which the Security Council has ceased to deal.

The matters relative to the maintenance of international peace and security which are being dealt with by the Security Council, and which have been discussed during the period since my last notification, are as follows:

1. Appointment of a Governor for the Free Territory of Trieste.
2. The Palestine question.
3. Letter dated 29 May 1954 from the acting permanent representative of Thailand to the United Nations addressed to the President of the Security Council.
4. Cablegram dated 19 June 1954 from the Minister for External Relations of Guatemala addressed to the President of the Security Council.
5. Letter dated 8 September 1954 from the representative of the United States of America addressed to the President of the Security Council.

During this period, the Security Council has not discussed the following matters of which it remains seized:

1. The Iranian question.
2. Special agreements under Article 43 of the Charter and the organization of the armed forces to be made available to the Security Council.
3. The general regulation and reduction of armaments and information on the armed forces of the United Nations.
4. The Egyptian question.
5. The Indonesian question.
6. The India-Pakistan question.
7. The Czechoslovak question.
8. The question of the Free Territory of Trieste.
9. The Hyderabad question.
10. Identical notifications dated 29 September 1948 from the Governments of the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, addressed to the Secretary-General.
11. International control of atomic energy.
12. Complaint of armed invasion of Taiwan (Formosa).
13. Complaint of bombing by air forces of the territory of China.
14. Complaint of failure by the Iranian Government to comply with provisional measures indicated by the International Court of Justice in the Anglo-Iranian Oil Company case.
15. Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons.
16. Question of a request for investigation of alleged bacterial warfare.

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DOCUMENT A/2667

Provisional agenda of the ninth session

[Original text: English]
[23 July 1954]

TO CONVENE AT HEADQUARTERS, NEW YORK,
ON TUESDAY, 21 SEPTEMBER 1954, AT 3 P.M.

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| <ol style="list-style-type: none"> 1. Opening of the session by the Chairman of the delegation of India. 2. Minute of silent prayer or meditation. 3. Appointment of a Credentials Committee. 4. Election of the President. 5. Constitution of the Main Committees and election of officers. 6. Election of Vice-Presidents. 7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter. 8. Adoption of the agenda. 9. Opening of the general debate. 10. Report of the Secretary-General on the work of the Organization. 11. Report of the Security Council. 12. Report of the Economic and Social Council. 13. Report of the Trusteeship Council. | <ol style="list-style-type: none"> 14. Election of three non-permanent members of the Security Council. 15. Election of six members of the Economic and Social Council. 16. Election of members of the International Court of Justice : <ol style="list-style-type: none"> (a) Election of a member of the Court to fill the vacancy caused by the death of Sir Benegal Rau ; (b) Election of five members of the Court. 17. The Korean question : <ol style="list-style-type: none"> (a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea (resolution 376 (V) of 7 October 1950). (b) Report of the United Nations Agent General for Korean Reconstruction (resolution 410 (V) of 1 December 1950). 18. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (resolutions 302 (IV) of 8 December 1949 and 720 (VIII) of 27 November 1953). |
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19. Methods which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter: report of the Collective Measures Committee (resolution 703 (VII) of 17 March 1953).
20. Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission (resolution 715 (VIII) of 28 November 1953).
21. Admission of new Members: report of the Committee of Good Offices (resolution 718 (VIII) of 23 October 1953).
22. Treatment of people of Indian origin in the Union of South Africa: report of the United Nations Good Offices Commission (resolution 719 (VIII) of 11 November 1953).
23. The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa: report of the United Nations Commission on the Racial Situation in the Union of South Africa (resolution 721 (VIII) of 8 December 1953).
24. Appointment of members of the Peace Observation Commission (resolution 696 (VII) of 6 November 1952).
25. Economic development of under-developed countries:
 - (a) Question of the establishment of a Special United Nations Fund for Economic Development: summary by the Secretary-General of comments of Governments on the report of the Committee of Nine, report of Mr. Raymond Scheyven and report of the Economic and Social Council (resolution 724 B (VIII) of 7 December 1953);
 - (b) Question of establishment of an international finance corporation: report of the Economic and Social Council (resolution 724 C I (VIII) of 7 December 1953);
 - (c) International flow of private capital for the economic development of under-developed countries (Economic and Social Council resolution 512 B (XVII) of 30 April 1954);
 - (d) Land reform (Economic and Social Council resolution 512 C I (XVII) of 30 April 1954).
26. Programmes of technical assistance: report of the Economic and Social Council.
27. Report of the United Nations High Commissioner for Refugees (resolutions 428 (V) of 14 December 1950 and 728 (VIII) of 23 October 1953).
28. Freedom of information: report of the Economic and Social Council (resolution 736 A (VIII) of 28 November 1953).
29. Question of organizing an international professional conference to prepare the final text of an International Code of Ethics for the use of information personnel: report of the Secretary-General (resolution 736 B (VIII) of 28 November 1953).
30. Forced labour: report of the Economic and Social Council (resolution 740 (VIII) of 7 December 1953).
31. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:
 - (a) Information on economic conditions;
 - (b) Information on other conditions;
 - (c) Transmission of information;
 - (d) Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories (resolutions 647 (VII) of 10 December 1952 and 744 (VIII) of 27 November 1953).
32. Cessation of the transmission of information under Article 73 e of the Charter: report of the Committee on Information from Non-Self-Governing Territories (resolutions 222 (III) of 3 November 1948, 448 (V) of 12 December 1950 and 747 (VIII) of 27 November 1953):
 - (a) Communication from the Government of Denmark concerning Greenland;
 - (b) Other communications.
33. Election to fill vacancies in the membership of the Committee on Information from Non-Self-Governing Territories (resolution 646 (VII) of 10 December 1952).
34. Question of South West Africa: report of the Committee on South West Africa (resolution 749 (VIII) of 28 November 1953).
35. The Togoland unification problem: special report of the Trusteeship Council (resolution 750 (VIII) of 8 December 1953).
36. Financial reports and accounts, and reports of the Board of Auditors:
 - (a) United Nations, for the financial year ended 31 December 1953;
 - (b) United Nations Children's Fund, for the financial year ended 31 December 1953;
 - (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financial year ended 30 June 1954;
 - (d) United Nations Korean Reconstruction Agency, for the financial year ended 30 June 1954.
37. Supplementary estimates for the financial year 1954.
38. Budget estimates for the financial year 1955.
39. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly:
 - (a) Advisory Committee on Administrative and Budgetary Questions;
 - (b) Committee on Contributions;
 - (c) Board of Auditors;
 - (d) Investments Committee: confirmation of the appointment made by the Secretary-General;
 - (e) United Nations Administrative Tribunal;
 - (f) United Nations Staff Pension Committee.
40. Headquarters of the United Nations: report of the Secretary-General (resolution 780 (VIII) of 9 December 1953).
41. Scale of assessment for the apportionment of the expenses of the United Nations: report of the Committee on Contributions (resolution 765 (VIII) of 27 November 1953).
42. Report of the Negotiating Committee for Extra-Budgetary Funds (resolution 759 (VIII) of 5 October 1953).
43. Administrative and budgetary co-ordination between the United Nations and the specialized agencies: reports of the Advisory Committee on Administrative and Budgetary Questions.
44. Review of audit procedures of the United Nations and the specialized agencies: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions (resolution 768 (VIII) of 27 November 1953).

45. Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account (resolution 519 A (VI) of 12 January 1952).
46. United Nations Joint Staff Pension Fund :
- (a) Annual report of the United Nations Joint Staff Pension Board ;
- (b) Acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund : report of the Secretary-General (resolution 771 (VIII) of 27 November 1953) ;
- (c) Admission of staff members of the Interim Commission for the International Trade Organization to membership in the United Nations Joint Staff Pension Fund : report of the United Nations Joint Staff Pension Board (resolution 773 (VIII) of 27 November 1953) ;
- (d) Revision of the administrative rules of the United Nations Joint Staff Pension Fund : report of the United Nations Joint Staff Pension Board.
47. System of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations : reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions (resolution 775 (VIII) of 27 November 1953).
48. Awards of compensation made by the United Nations Administrative Tribunal : advisory opinion of the International Court of Justice (resolution 785 A (VIII) of 9 December 1953).
49. Report of the International Law Commission on the work of its sixth session.
50. International criminal jurisdiction : report of the 1953 Committee on International Criminal Jurisdiction (resolution 687 (VII) of 5 December 1952).
51. Question of defining aggression : report of the Special Committee on the Question of defining Aggression (resolution 688 (VII) of 20 December 1952).
52. The future of the Trust Territory of Togoland under United Kingdom Trusteeship : item proposed by the United Kingdom of Great Britain and Northern Ireland.
53. Organization of the Secretariat : item proposed by the Secretary-General.
54. Personnel policy of the United Nations : item proposed by the Secretary-General.

DOCUMENT A/2715

Supplementary list of items for the agenda of the ninth session

[Original text : English]
[31 August 1954]

1. Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly : item proposed by Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen.
2. The Morocco question : item proposed by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen.
3. The Tunisia question : item proposed by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen.
4. Draft international covenants on human rights : item proposed by the Economic and Social Council (Economic and Social Council resolutions 545 B (XVIII) of 29 July 1954 and 547 G (XVIII) of 12 July 1954).
5. Status of women in private law : customs, ancient laws and practices affecting the human dignity of women : item proposed by the Economic and Social Council (Economic and Social Council resolution 547 H (XVIII) of 12 July 1954).
6. Amendment to the rules of procedure of the General Assembly ; proposal for a new rule concerning corrections of vote : item proposed by France.
7. The question of West Irian (West New Guinea) : item proposed by Indonesia.
8. Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus : item proposed by Greece.
9. Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China : item proposed by Burma.
10. Draft articles on the continental shelf : item proposed by Brazil, China, Liberia, the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland and the United States of America.
11. Economic development of fisheries and question of fishery conservation and regulation : item proposed by Brazil, China, Liberia, the Netherlands, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America.
12. Admission to the United Nations of Laos and Cambodia : item proposed by Australia.
13. Establishment of a world food reserve : item proposed by Costa Rica.

DOCUMENT A/BUR/138

Adoption of the agenda and allocation of items to committees: memorandum by the Secretary-General

[Original text: English]
[16 September 1954]

The Secretary-General has the honour to place before the General Committee for its consideration the following observations and proposals in connexion with the report to be made to the plenary meeting by the General Committee on the adoption of the agenda of the ninth session and the allocation of agenda items to Committees:

I. ADOPTION OF THE AGENDA

1. All proposals for the inclusion of items in the agenda of the ninth session have been communicated to members of the General Assembly in the following documents:

Provisional agenda of the ninth regular session of the General Assembly (A/2667);

Supplementary list of items for the agenda of the ninth regular session (A/2715).

2. With respect to item 27 of the provisional agenda, "Report of the United Nations High Commissioner for Refugees", the Secretary-General wishes to draw the attention of the General Committee to Supplement No. 13 A (A/2648/Add.1) containing the financial report and accounts of the United Nations Refugee Emergency Fund and the report thereon of the Board of Auditors. The Secretary-General believes that this document can most appropriately be dealt with in connexion with item 36 of the provisional agenda, "Financial reports and accounts, and reports of the Board of Auditors". It is, therefore, suggested that a sub-title (e) should be included under item 36 as follows: "United Nations Refugee Emergency Fund, for the period 1 March 1952 to 31 December 1953".

3. In connexion with item 12 of the supplementary list, "Admission to the United Nations of Laos and Cambodia", the General Committee will note that it has been included as sub-item (b) under item 21 of the provisional agenda, "Admission of new Members".

4. Taking into account the suggestions contained in paragraphs 2 and 3 above, the agenda of the ninth regular session would read as follows:¹

1. Opening of the session by the Chairman of the delegation of India (PA1).
2. Minute of silent prayer or meditation (PA2).
3. Appointment of a Credentials Committee (PA3).
4. Election of the President (PA4).
5. Constitution of the Main Committees and election of officers (PA5).
6. Election of Vice-Presidents (PA6).
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter (PA7).
8. Adoption of the agenda (PA8).
9. Opening of the general debate (PA9).
10. Report of the Secretary-General on the work of the Organization (PA10).

¹ The number in brackets after each item indicates the number under which the item appears on the provisional agenda (PA) (see A/2667) or the supplementary list (SL) (see A/2715).

11. Report of the Security Council (PA11).
12. Report of the Economic and Social Council (PA12).
13. Report of the Trusteeship Council (PA13).
14. Election of three non-permanent members of the Security Council (PA14).
15. Election of six members of the Economic and Social Council (PA15).
16. Election of members of the International Court of Justice (PA16):
 - (a) Election of a member of the Court to fill the vacancy caused by the death of Sir Benegal Rau;
 - (b) Election of five members of the Court.
17. The Korean question (PA17):
 - (a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea;
 - (b) Report of the United Nations Agent General for Korean Reconstruction.
18. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (PA18).
19. Methods which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter: report of the Collective Measures Committee (PA19).
20. Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission (PA20).
21. Admission of new Members to the United Nations:
 - (a) Report of the Committee of Good Offices (PA21);
 - (b) Admission of Laos and Cambodia (SL12).
22. Treatment of people of Indian origin in the Union of South Africa: report of the United Nations Good Offices Commission (PA22).
23. The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa: report of the United Nations Commission on the Racial Situation in the Union of South Africa (PA23).
24. Appointment of members of the Peace Observation Commission (PA24).
25. Economic development of under-developed countries (PA25):
 - (a) Question of the establishment of a special United Nations fund for economic development: summary by the Secretary-General of comments of Governments on the report of the Committee of Nine, report of Mr. Raymond Scheyven and report of the Economic and Social Council;
 - (b) Question of the establishment of an international finance corporation: report of the Economic and Social Council;
 - (c) International flow of private capital for the economic development of under-developed countries;
 - (d) Land reform.

26. Programmes of technical assistance : report of the Economic and Social Council (PA26).
27. Report of the United Nations High Commissioner for Refugees (PA27).
28. Freedom of information : report of the Economic and Social Council (PA28).
29. Question of organizing an international professional conference to prepare the final text of an International Code of Ethics for the use of information personnel : report of the Secretary-General (PA29).
30. Forced labour : report of the Economic and Social Council (PA30).
31. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter : reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (PA31) :
 - (a) Information on economic conditions ;
 - (b) Information on other conditions ;
 - (c) Transmission of information ;
 - (d) Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories.
32. Cessation of the transmission of information under Article 73 e of the Charter : report of the Committee on Information from Non-Self-Governing Territories (PA32) :
 - (a) Communication from the Government of Denmark concerning Greenland ;
 - (b) Other communications.
33. Election to fill vacancies in the membership of the Committee on Information from Non-Self-Governing Territories (PA33).
34. Question of South West Africa : report of the Committee on South West Africa (PA34).
35. The Togoland unification problem : special report of the Trusteeship Council (PA35).
36. Financial reports and accounts, and reports of the Board of Auditors (PA36) :
 - (a) United Nations, for the financial year ended 31 December 1953 ;
 - (b) United Nations Children's Fund, for the financial year ended 31 December 1953 ;
 - (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financial year ended 30 June 1954 ;
 - (d) United Nations Korean Reconstruction Agency, for the financial year ended 30 June 1954 ;
 - (e) United Nations Refugees Emergency Fund, for the period 1 March 1952 to 31 December 1953.
37. Supplementary estimates for the financial year 1954 (PA37).
38. Budget estimates for the financial year 1955 (PA38).
39. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly (PA39) :
 - (a) Advisory Committee on Administrative and Budgetary Questions ;
 - (b) Committee on Contributions ;
 - (c) Board of Auditors ;
 - (d) Investments Committee : confirmation of the appointment made by the Secretary-General ;
 - (e) United Nations Administrative Tribunal ;
 - (f) United Nations Staff Pension Committee.
40. Headquarters of the United Nations : report of the Secretary-General (PA40).
41. Scale of assessments for the apportionment of the expenses of the United Nations : report of the Committee on Contributions (PA41).
42. Report of the Negotiating Committee for Extra-Budgetary Funds (PA42).
43. Administrative and budgetary co-ordination between the United Nations and the specialized agencies : reports of the Advisory Committee on Administrative and Budgetary Questions (PA43).
44. Review of audit procedures of the United Nations and the specialized agencies : reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions (PA44).
45. Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account (PA45).
46. United Nations Joint Staff Pension Fund (PA46) :
 - (a) Annual report of the United Nations Joint Staff Pension Board ;
 - (b) Acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund : report of the Secretary-General ;
 - (c) Admission of staff members of the Interim Commission for the International Trade Organization to membership in the United Nations Joint Staff Pension Fund : report of the United Nations Joint Staff Pension Board ;
 - (d) Revision of the administrative rules of the United Nations Joint Staff Pension Fund : report of the United Nations Joint Staff Pension Board.
47. System of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations : reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions (PA47).
48. Awards of compensation made by the United Nations Administrative Tribunal : advisory opinion of the International Court of Justice (PA48).
49. Report of the International Law Commission on the work of its sixth session (PA49).
50. International criminal jurisdiction : report of the 1953 Committee on International Criminal Jurisdiction (PA50).
51. Question of defining aggression : report of the Special Committee on the Question of defining Aggression (PA51).
52. The future of the Trust Territory of Togoland under United Kingdom Trusteeship (PA52).
53. Organization of the Secretariat (PA53).
54. Personnel policy of the United Nations (PA54).
55. Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly (SL1).
56. The Morocco question (SL2).
57. The Tunisia question (SL3).
58. Draft international covenants on human rights (SL4).
59. Status of women in private law : customs, ancient laws and practices affecting the human dignity of women (SL5).

60. Amendment to the rules of procedure of the General Assembly; proposal for a new rule concerning corrections of vote (SL6).
61. The question of West Irian (West New Guinea) (SL7).
62. Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus (SL8).
63. Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China (SL9).
64. Draft articles on the continental shelf (SL10).
65. Economic development of fisheries and question of fishery conservation and regulation (SL11).
66. Establishment of a world food reserve (SL13).

II. ESTABLISHMENT OF AN *Ad Hoc* POLITICAL COMMITTEE

5. The Secretary-General assumes that, in harmony with the procedure adopted in previous regular sessions, the General Assembly will wish to establish an *Ad Hoc* Political Committee for the ninth session. In this connexion, it will be recalled that, under the terms of resolution 791 (VIII), the General Assembly decided to amend rule 38 of the rules of procedure to include in the membership of the General Committee the Chairman of the *Ad Hoc* Political Committee when one is established.

III. ALLOCATION OF AGENDA ITEMS TO COMMITTEES

6. Subject to the recommendations of the General Committee with regard to the adoption of the agenda, the Secretary-General proposes for consideration by the General Committee the allocation of agenda items set forth below.

Plenary meetings

1. Opening of the session by the Chairman of the delegation of India.
2. Minute of silent prayer or meditation.
3. Appointment of a Credentials Committee.
4. Election of the President.
5. Constitution of the Main Committees and election of officers.
6. Election of Vice-Presidents.
7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter.
8. Adoption of the agenda.
9. Opening of the general debate.
10. Report of the Secretary-General on the work of the Organization.
11. Report of the Security Council.
12. Report of the Economic and Social Council (chapters I, VI, VII and VIII).
13. Election of three non-permanent members of the Security Council.
14. Election of six members of the Economic and Social Council.
15. Election of members of the International Court of Justice :
 - (a) Election of a member of the Court to fill the vacancy caused by the death of Sir Benegal Rau ;
 - (b) Election of five members of the Court.
16. Appointment of members of the Peace Observation Commission.

First Committee

1. The Korean question :
 - (a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea.
2. Methods which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter : report of the Collective Measures Committee.
3. Regulation, limitation and balanced reduction of all armed forces and all armaments : report of the Disarmament Commission.
4. The Tunisia question.
5. The Morocco question.
6. The question of West Irian (West New Guinea).
7. Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus.

Ad Hoc Political Committee

1. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.
2. Admission of New Members to the United Nations :
 - (a) Report of the Committee of Good Offices ;
 - (b) Admission of Laos and Cambodia.
3. Treatment of people of Indian origin in the Union of South Africa : report of the United Nations Good Offices Commission.
4. The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa : report of the United Nations Commission on the Racial Situation in the Union of South Africa.
5. Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China.

Second Committee

1. Establishment of a world food reserve.
2. Economic development of fisheries and question of fishery conservation and regulation.
3. The Korean question :
 - (b) Report of the United Nations Agent General for Korean Reconstruction.
4. Economic development of under-developed countries :
 - (a) Question of the establishment of a special United Nations fund for economic development : summary by the Secretary-General of comments of Governments on the report of the Committee of Nine, report of Mr. Raymond Scheyven and report of the Economic and Social Council ;
 - (b) Question of the establishment of an international finance corporation : report of the Economic and Social Council ;
 - (c) International flow of private capital for the economic development of under-developed countries ;
 - (d) Land reform.
5. Programmes of technical assistance : report of the Economic and Social Council.
6. Report of the Economic and Social Council (chapters II and III).

Third Committee

1. Report of the United Nations High Commissioner for Refugees.
2. Forced labour: report of the Economic and Social Council.
3. Freedom of information: report of the Economic and Social Council.
4. Question of organizing an international professional conference to prepare the final text of an International Code of Ethics for the use of information personnel: report of the Secretary-General.
5. Draft international covenants on human rights.
6. Status of women in private law: customs, ancient laws and practices affecting the human dignity of women.
7. Report of the Economic and Social Council (chapters IV and V).

Fourth Committee

1. Question of South West Africa: report of the Committee on South West Africa.
2. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:
 - (a) Information on economic conditions;
 - (b) Information on other conditions;
 - (c) Transmission of information;
 - (d) Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories.
3. Cessation of the transmission of information under Article 73 e of the Charter: report of the Committee on Information from Non-Self-Governing Territories:
 - (a) Communication from the Government of Denmark concerning Greenland;
 - (b) Other communications.
4. Election to fill vacancies in the membership of the Committee on Information from Non-Self-Governing Territories.
5. Report of the Trusteeship Council.
6. The Togoland unification problem: special report of the Trusteeship Council.
7. The future of the Trust Territory of Togoland under United Kingdom Trusteeship.

Fifth Committee

1. Financial reports and accounts, and reports of the Board of Auditors:
 - (a) United Nations, for the financial year ended 31 December 1953;
 - (b) United Nations Children's Fund, for the financial year ended 31 December 1953;
 - (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financial year ended 30 June 1954;
 - (d) United Nations Korean Reconstruction Agency, for the financial year ended 30 June 1954;
 - (e) United Nations Refugee Emergency Fund, for the period 1 March 1952 to 31 December 1953.
2. Review of audit procedures of the United Nations and the specialized agencies: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions.
3. Report of the Negotiating Committee for Extra-Budgetary Funds.

4. System of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions.
5. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions.
6. Organization of the Secretariat.
7. Budget estimates for the financial year 1955.
8. Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly.
9. Administrative and budgetary co-ordination between the United Nations and the specialized agencies: reports of the Advisory Committee on Administrative and Budgetary Questions.
10. Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account.
11. United Nations Joint Staff Pension Fund:
 - (a) Annual report of the United Nations Joint Staff Pension Board;
 - (b) Acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund: report of the Secretary-General;
 - (c) Admission of staff members of the Interim Commission for the International Trade Organization to membership in the United Nations Joint Staff Pension Fund: report of the United Nations Joint Staff Pension Board;
 - (d) Revision of the administrative rules of the United Nations Joint Staff Pension Fund: report of the United Nations Joint Staff Pension Board.
12. Report of the Economic and Social Council (chap. IX).
13. Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly:
 - (a) Advisory Committee on Administrative and Budgetary Questions;
 - (b) Committee on Contributions;
 - (c) Board of Auditors;
 - (d) Investments Committee: confirmation of the appointment made by the Secretary-General;
 - (e) United Nations Administrative Tribunal;
 - (f) United Nations Staff Pension Committee.
14. Headquarters of the United Nations: report of the Secretary-General.
15. Personnel policy of the United Nations.
16. Awards of compensation made by the United Nations Administrative Tribunal: advisory opinion of the International Court of Justice.
17. Supplementary estimates for the financial year 1954.

Sixth Committee

1. Draft articles on the continental shelf.
2. Report of the International Law Commission on the work of its sixth session.
3. International criminal jurisdiction: report of the 1953 Committee on International Criminal Jurisdiction.
4. Question of defining aggression: report of the Special Committee on the Question of defining Aggression.
5. Amendment to the rules of procedure of the General Assembly: proposal for a new rule concerning corrections of vote.

DOCUMENT A/BUR/139

Organization of the ninth session : memorandum by the Secretary-General

[Original text : English]
[16 September 1954]

The Secretary-General has the honour to place before the General Committee certain observations and suggestions regarding the arrangements for the meeting of the General Assembly and its Main Committees during the ninth session.

SCHEDULE OF MEETINGS

1. It is suggested that both plenary and committee meetings should begin at 10.30 a.m. and 3 p.m. In view of the heavy programme, it is urged that delegations make every effort to arrive at the scheduled meeting-place on time.

2. It is proposed that a six-day working week be established. On Saturdays one extended meeting will normally be scheduled for committees from 10.30 a.m. to 2 p.m.

3. The Secretary-General wishes to urge that committees co-operate to the fullest extent possible in the scheduling of committee meetings, in such a way as to ensure the maximum utilization of committee rooms and services.

CLOSING DATE FOR THE SESSION

4. Rule 2 of the rules of procedure of the General Assembly provides that : "On the recommendation of the General Committee, the General Assembly shall, at the beginning of each session, fix a closing date for the session". The Secretary-General wishes to suggest that the General Committee propose to the General Assembly 7 December 1954 as the closing date of the ninth session.

VERBATIM RECORDS OF MAIN COMMITTEES

5. The Secretary-General wishes again to bring to the attention of the General Committee the decision of the General Assembly of 20 November 1947, at the time of approval of the third annual budget of the United Nations², that the Secretary-General be authorized to provide verbatim records "for one Main Committee at a time, a committee which, in the opinion of the General Committee, has the most important items on its agenda"³.

6. The General Committee is therefore required to decide for which of the Main Committees verbatim records shall be provided during the ninth regular session of the General Assembly. The Secretary-General suggests that the verbatim record services be assigned to the First Committee, and that any verbatim records required by the *Ad Hoc* Political Committee be provided from the sound recording of the Committee's proceedings.

SEATING ARRANGEMENTS

7. In accordance with the practice followed with regard to previous sessions of the General Assembly, the Secretary-General caused lots to be drawn for the purpose of choosing the Member to occupy the first desk on the Assembly floor from which the alphabetical seating order will begin. New Zealand was the name drawn and, consequently, New Zealand will sit at the first desk at the extreme right of the President. The same order of seating will be observed at the initial meetings of the Main Committees. There will be, thereafter, however, a daily rotation of one place in the Main Committees.

DOCUMENT A/2733

First report of the General Committee

[Original text : English]
[23 September 1954]

1. The General Committee, at its 92nd meeting held on 22 September 1954, considered the memorandum of the Secretary-General on the organization of the session (A/BUR/139) and began consideration of the provisional agenda (A/2667) and the supplementary list of items (A/2715) as contained in the memorandum of the Secretary-General relating to the adoption of the agenda and allocation of items to Committees (A/BUR/138). The consideration of this latter memorandum was completed at the 93rd meeting held on 23 September 1954.

2. Statements were made with respect to the inclusion of items 21, 22, 23 and 61 at its 92nd meeting and of items 62, 64 and 65, at its 93rd meeting ; after discussion, it was decided to recommend these items for inclusion. The remaining items were recommended for inclusion without discussion ; the allocation of items proposed by the Secretary-General was also approved without discussion.

I. ADOPTION OF THE AGENDA

3. The General Committee recommends to the General Assembly the adoption of the following agenda for the ninth session :

Agenda of the ninth session
[See document A/BUR/138, para. 4]

II. ALLOCATION OF AGENDA ITEMS TO COMMITTEES

4. The General Committee recommends the following allocation of agenda items to Committees :

[See document A/BUR/138, section III]

² See *Official Records of the General Assembly, Second Session, Plenary Meetings*, vol. II, p. 1194.

³ *Ibid.*, p. 1501.

III. ORGANIZATION OF THE NINTH SESSION
OF THE GENERAL ASSEMBLY

5. On the proposal of the Secretary-General, the General Committee recommends that the General Assembly approve the following arrangements relating to the schedule of meetings :

(a) That both plenary and Committee meetings shall begin at 10.30 a.m. and 3 p.m.

(b) That a six-day working week be established, and that normally on Saturdays one extended meeting be scheduled for Committees from 10.30 a.m. to 2 p.m.

6. The General Committee recommends that the General Assembly approve, in accordance with rule 2 of the rules of procedure, 10 December 1954 as the closing date for the ninth session.

DOCUMENT A/2736

Second report of the General Committee

[Original text : English]
[24 September 1954]

1. The General Committee, at its 94th meeting held on 24 September 1954, considered a request by the United States of America for the inclusion of an additional item in the agenda of the ninth regular session of the General Assembly, entitled "International co-operation in developing the peaceful uses of atomic energy : report of the United States of America" (A/2734).

2. The General Committee unanimously decided to recommend to the General Assembly the inclusion of the item in the agenda ; it was also decided to recommend the allocation of the item to the First Committee for consideration and report.

DOCUMENT A/2743

Third report of the General Committee

[Original text : English]
[5 October 1954]

1. The General Committee, at its 95th meeting held on 5 October 1954, considered a request by the Union of Soviet Socialist Republics for the inclusion in the agenda of the ninth regular session of the General Assembly of an additional item entitled "Violation of the freedom of navigation in the area of the China seas" (A/2741).

2. The Committee decided by 9 votes to 2, with 3 abstentions, to postpone for a few days its consideration of the question of including the item in the agenda of the session.

3. At the same meeting, the General Committee considered a request by the Union of Soviet Socialist Republics for the inclusion in the agenda of the ninth session of an item entitled "Conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen and other weapons of mass destruction" (A/2742 and Corr.1, A/2742/Add.1).

4. The Committee decided, without objection, to recommend to the General Assembly the inclusion of the item in the agenda of the ninth session and its allocation to the First Committee for consideration and report.

DOCUMENT A/2758

Fourth report of the General Committee

[Original text : English]
[19 October 1954]

The General Committee, at its 96th meeting held on 19 October 1954, considered three requests for the inclusion of additional items in the agenda of the ninth session as follows :

(1) "Prohibition of propaganda in favour of a new war : item proposed by Czechoslovakia" (A/2744). The General Committee decided, by 13 votes to 1, to recommend to the General Assembly the inclusion of the item in the agenda. By 10 votes to none, with 4 abstentions, the Committee decided to recommend that the item be referred to the *Ad Hoc* Political Committee for consideration and report.

(2) "Acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts : item proposed by the Union of Soviet Socialist Republics" (A/2756). The General Committee, at the

suggestion of the President, approved without objection the addition of the words "Complaint of" at the beginning of the item. The Committee decided, by 12 votes to 2, to postpone for fourteen days its consideration of the question of including the item in the agenda of the session.

(3) "Violation of the freedom of navigation in the area of the China seas : item proposed by the Union of Soviet Socialist Republics" (A/2741 and Add.1). The General Committee resumed its consideration of the question of including the item proposed by the Union of Soviet Socialist Republics in the agenda of the session. The Committee, at the suggestion of the President, approved without objection the addition of the words "Complaint of" at the beginning of the item. The Committee decided by 7 votes to 5, with 2 abstentions, to postpone for fourteen days its consideration of the question of including the item in the agenda of the session.

DOCUMENT A/2782

Fifth report of the General Committee

[Original text: English]
[2 November 1954]

1. The General Committee, at its 97th meeting held on 2 November 1954, resumed its consideration of two requests by the Union of Soviet Socialist Republics for the inclusion of additional items in the agenda of the ninth regular session: "Complaint of acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts" (A/2756) and "Complaint of violation of the freedom of navigation in the area of the China seas" (A/2741 and Add.1). The Committee decided, without objection, to recommend to

the General Assembly the inclusion of these items in the agenda.

2. The General Committee, at the suggestion of the President, decided, without objection, to recommend that the two items be referred to the First Committee for consideration and report, on the understanding that, should the agenda of the First Committee prove to be overburdened, both items would then be transferred to the *Ad Hoc* Political Committee.

DOCUMENT A/2838

Sixth report of the General Committee

[Original text: English]
[6 December 1954]

1. The General Committee, at its 99th meeting held on 6 December 1954, considered a request by the United States of America for the inclusion of an additional item in the agenda of the ninth regular session of the General Assembly, entitled "Complaint of detention and imprisonment of United Nations military personnel in violation of the Korean Armistice Agreement" (A/2830).

2. The Committee decided, by 10 votes to 2, with 2 abstentions, to recommend the inclusion of the item in the agenda.

3. The Committee also decided, by 10 votes to 2, with 2 abstentions, to recommend that this item be taken up directly in plenary meeting and that the debate begin not later than Wednesday, 8 December 1954.

DOCUMENT A/2875

Seventh report of the General Committee

[Original text: French]
[15 December 1954]

1. The General Committee, at its 101st meeting, held on 15 December 1954, considered a request by the Secretary-General for the inclusion of an additional item in the agenda of the ninth regular session of the General Assembly, entitled "Commemoration of the tenth anniversary of the United Nations in 1955" (A/2864).

2. The Committee decided to recommend the inclusion of the item in the agenda.

3. The Committee also decided to recommend that the item should be referred to the Fifth Committee for examination and report.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/1382	Communication, dated 21 September 1950, addressed to the Secretary-General by the delegation of the Union of Soviet Socialist Republics		Official Records of the General Assembly, Fifth Session, Annexes, agenda items 8 and 70
A/1399	Letter, dated 26 September 1950, from the Vice-President of the Government and Ministry of Foreign Affairs of the Federal People's Republic of Yugoslavia to the Secretary-General		Ibid., Fifth Session, Annexes, agenda item 72
A/2211	Report by the Secretary-General		Ibid., Seventh Session, Annexes, agenda item 54

Document No.	Title	Page	Observations and references
A/2456	Report of the International Law Commission covering the work of its fifth session (1 June-14 August 1953)		<i>Ibid.</i> , Eighth Session, Supplement No. 9
A/2469	Note by the Secretary-General transmitting a cablegram, dated 13 September 1953, from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 18
A/2589	Report of the Sixth Committee		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 53
A/2667	Provisional agenda of the ninth session	1	
A/2694	Indonesia: request for the inclusion of a supplementary item in the provisional agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 61
A/2703	Greece: request for the inclusion of a supplementary item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 62
A/2706	Brazil, China, Liberia, the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland and the United States of America: request for the inclusion of a supplementary item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 64
A/2706/Add.1	Nicaragua: request for the inclusion of a supplementary item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 64
A/2706/Add.2	Honduras: request for the inclusion of a supplementary item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 64
A/2706/Add.3	Bolivia: request for the inclusion of a supplementary item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 64
A/2715	Supplementary list of items for the agenda of the ninth session	3	
A/2732	Letter, dated 21 September 1954, from the Secretary-General to the President of the General Assembly		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 7
A/2733	First report of the General Committee	8	
A/2734	United States of America: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 67
A/2736	Second report of the General Committee	9	
A/2737 and Add.1 to 5	Agenda of the ninth session of the General Assembly		<i>Ibid.</i> , Ninth Session, Plenary Meetings, prefatory fascicule
A/2741	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 71
A/2741/Add.1	Letter, dated 18 October 1954, from the Chairman of the delegation of the Union of Soviet Socialist Republics to the President of the General Assembly		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 71
A/2742 and Corr.1	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda items 20 and 68
A/2742/Add.1	Union of Soviet Socialist Republics: explanatory memorandum		<i>Ibid.</i> , Ninth Session, Annexes, agenda items 20 and 68
A/2743	Third report of the General Committee	9	
A/2744	Czechoslovakia: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 69
A/2756	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 70
A/2758	Fourth report of the General Committee	9	
A/2782	Fifth report of the General Committee	10	
A/2830	United States of America: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 72
A/2838	Sixth report of the General Committee	10	
A/2843	United States of America: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 72
A/2864	Secretary-General: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , Ninth Session, Annexes, agenda item 73
A/2875	Seventh report of the General Committee	10	
A/AC.72/L.13	Union of South Africa: draft resolution		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 21
A/BUR/138	Adoption of the agenda and allocation of items to committees: memorandum by the Secretary-General	4	
A/BUR/139	Organization of the ninth session: memorandum by the Secretary-General	8	
A/C.1/608	Union of Soviet Socialist Republics: draft resolution		<i>Ibid.</i> , Fifth Session, Annexes, agenda item 72
A/C.1/613	Egypt: draft resolution		<i>Ibid.</i> , Fifth Session, Annexes, agenda item 72
A/C.6/L.314	Iceland: draft resolution		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 53

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/L.170	Netherlands: amendments to draft resolution II submitted by the Sixth Committee (A/2589)		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 53
DC/53	Report of the Sub-Committee of the Disarmament Commission		<i>Official Records of the Disarmament Commission, Supplement for April, May and June 1954</i>
S/649/Rev.1	First interim report of the United Nations Committee of Good Offices on the Indonesian Question to the Security Council		<i>Official Records of the Security Council, Third Year, Special Supplement No. 1</i>
S/1234	Resolution on the Indonesian question adopted at the 406th meeting of the Security Council, 28 January 1949		<i>Ibid.</i> , Fourth Year, Supplement for February 1949
S/1715	Cablegram, dated 24 August 1950, from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China to the President of the Security Council		Mimeographed document only
S/2087	United Commission for Indonesia: report on activities since the transfer of sovereignty		<i>Official Records of the Security Council, Sixth Year, Special Supplement No. 1</i>
S/3079	Note, dated 7 August 1953, from the acting representative of the United States of America to the Secretary-General, transmitting a special report of the United Nations Command on the armistice in Korea in accordance with the Security Council resolution of 7 July 1950 (S/1588)		<i>Ibid.</i> , Eighth Year, Supplement for July, August and September 1953



Agenda item 9: Opening of the general debate

[No documents]



Agenda item 10: Report of the Secretary-General on the work of the Organization

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2663	Annual report of the Secretary-General on the work of the Organization, 1 July 1953-30 June 1954		<i>Official Records of the General Assembly, Ninth session, Supplement No. 1</i>



Agenda item 11: Report of the Security Council

DOCUMENT A/RESOLUTION/231

[*Resolution 905 (IX)*]

The General Assembly

Takes note of the report [A/2712] of the Security Council to the General Assembly covering the period from 16 July 1953 to 15 July 1954.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 503rd plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by Brazil and Turkey (A/L.180). For the final text, see document A/RESOLUTION/231, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2712	Report of the Security Council to the General Assembly, covering the period from 16 July 1953 to 15 July 1954		See <i>Official Records of the General Assembly, Ninth Session, Supplement No. 2</i>
A/L.180	Brazil and Turkey: draft resolution		Incorporated in the verbatim record of the 503rd plenary meeting, para. 135
A/RESOLUTION/231	Resolution adopted by the General Assembly at its 503rd plenary meeting, on 4 December 1954	1	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 905 (IX)</i>



Agenda item 12 : Report of the Economic and Social Council

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A/C.3/573/Add.1	United Nations narcotics laboratory—Note from the Permanent Observer of Switzerland to the United Nations	3
A/C.3/L.434	World Children's Day—Uruguay : draft resolution	4
A/C.3/L.435/Rev.2	Recommendations concerning international respect for the right of peoples and nations to self-determination—Afghanistan : revised draft resolution	4
A/C.3/L.436	World Children's Day—India : draft resolution	4
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A/2860	Report of the Economic and Social Council (chapter IX)—Report of the Fifth Committee	16
A/RESOLUTION/258	Resolution adopted by the General Assembly at its 511th plenary meeting, on 14 December 1954 Full employment	16
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DOCUMENT A/C.3/573

UNITED NATIONS NARCOTICS LABORATORY

Note by the Secretary-General

[Original text : English]
[15 October 1954]

1. In resolution 548 D (XVIII) the Economic and Social Council states that it "...*Considers* that it would be very useful to set up a United Nations narcotics laboratory; *Refers* to the General Assembly, for consideration in connexion with its review of the Secretary-General's reorganization proposals, the question of the establishment of a United Nations narcotics laboratory; *Requests* the Secretary-General to provide the General Assembly with all information relating to the establishment of such a laboratory, including comparative costs and advantages of locating the laboratory in New York or Geneva." In the same resolution, the Council repeated its request to Governments to furnish samples of opium both from licit production and from the illicit traffic, and instructed the Secretary-General "to develop, so far as possible, the opium research of the Secretariat, and, in particular, to increase the number of analyses, deferring for the time being other laboratory work except that having a direct connexion with the problem of determining origin".

2. Certain laboratory facilities in a United States Government laboratory in lower Manhattan were generously put at the disposal of the United Nations for use in connexion with the opium research programme by the United States Government, without charge, and have been in constant use since 1950.

3. At its seventh session in April and May 1952, the Commission on Narcotic Drugs came to the conclusion that more extensive facilities were necessary for the purposes of the programme, and should be provided on a permanent basis.¹ When this recommendation was considered by the Council in May 1952 at its fourteenth session, it requested a detailed estimate of the cost of establishing a laboratory, "preferably in the Secretariat building", "large enough to handle the increased research work" (resolution 436 F (XIV)). Accordingly, the Secretary-General submitted to the Council at its fifteenth session in April 1953 a note (E/2372) which also contained an account of the matter up to that date. Two alternative estimates based on the discussions which had taken place in the Commission as to the requirements of the programme were included, one amounting to approximately \$85,000 and another providing rather more laboratory space, to approximately \$89,800. The Council considered this document at its fifteenth session in April 1953 and decided to request the Secretary-General "to appoint an international committee of three chemical experts with a view to evaluating the progress made in developing methods to determine the origins of raw opium by chemical or physical means, and to arrive at conclusions as to whether the methods have been advanced to a point where they can be given practical application in the international field"; and also to submit an estimate on the cost of establishing a laboratory at Geneva (resolution 477 (XV)).

4. While the experts appointed in accordance with this decision presented differing opinions on the questions of the point at which the methods so far developed could

be given practical application and whether in addition to information on the methods developed and basic data, as reported at present, information on determinations of the origins of actual seizures of opium should be furnished to the international organs, it was their unanimous opinion that a United Nations laboratory was necessary (E/CN.7/278, paragraph 106). This report, together with an estimate of the cost of establishing the laboratory at Geneva, was before the Narcotics Commission at its ninth session in May 1954. This estimate, corresponding approximately as regards space requirements to the lower of the two estimates mentioned in the previous paragraph for Headquarters, amounted to \$16,900 (E/2372/Add.1 and Corr.1). The Narcotics Commission repeated its recommendation to the Council that a United Nations narcotics laboratory should be set up.² In view of the Secretary-General's plan of reorganization of the Secretariat, of which the Commission was informed, it made no recommendation as to the site of the laboratory.

5. A chronological list of the documents and records relating to the above proceedings is annexed to this document.

6. As indicated, the estimates referred to in paragraphs 3 and 4 above were framed in relation to the discussions in the Commission on the requirements of the opium research programme as they had developed at the dates indicated. The estimates have been re-examined in the light of the further discussions leading up to the Council's recommendation now before the General Assembly. The following revised figures accordingly represent what is considered to be the reasonable minimum provision of facilities corresponding to the programme as now envisaged by the Commission and the Council. The facilities so provided at Headquarters or in Geneva would be approximately comparable, taking account of the different basic accommodation available. The additional cost which would be involved if it were desired to equip the laboratory to make "ash analyses", on the lines developed by Canadian scientists, and discussed in the report of the Commission,³ is shown separately for convenience, since this item was not covered in the earlier estimates contained in documents E/2372 and Add.1.

	Head- quarters Geneva	
	\$	\$
<i>Construction</i>		
(a) Attributable to the laboratory	17,400	7,300
(b) Attributable to general construction costs to bring new space into operation ...	36,750	—
<i>Fixed equipment</i> (Benches, sinks, fume-hoods etc.)	8,000	6,200
<i>Laboratory apparatus</i> , not including apparatus for ash analyses	6,350	6,350
<i>Apparatus for ash analyses</i> (spectograph and flame photometer)	9,000	9,000
TOTALS :	\$77,500	\$28,850

7. As explained in document E/2372, the major part of the higher estimate for Headquarters arises from the

¹ See *Official Records of the Economic and Social Council, Fourteenth Session, Supplement No. 8, chapter V, section 21.*

² *Ibid.*, *Eighteenth Session, Supplement No. 8, para. 104.*

³ *Ibid.*, para. 98.

construction, including provision of engineering services (such as air-conditioning), required to bring the appropriate space into use for the purpose at Headquarters. The amount thus not directly attributable to the laboratory itself, as shown above, is estimated at \$36,750. If the laboratory were established in the Palais des Nations at Geneva, extensive structural work of this type would not be required.

8. The annual maintenance expenditure for the purchase of chemicals and supplies, replacement of apparatus etc. is estimated at approximately \$3,000.

9. As regards the site of the laboratory, it is considered that, in itself, the project could be effectively operated either in New York or in Geneva. As regards staff, however, the officers with chemical qualifications on the staff of the Division (three in number) also act as technical advisers on many other parts of the work of the Division in addition to the opium research programme. For this reason, as well as from the point of view of the most effective and economical operation of the Division generally, the Secretary-General would regard it as important that the laboratory should be situated in the same place, and preferably in the same building, as the Division of Narcotic Drugs as a whole.

ANNEX

REFERENCES TO RELEVANT PROCEEDINGS IN THE COMMISSION ON NARCOTIC DRUGS AND THE ECONOMIC AND SOCIAL COUNCIL

Commission, second session :

Summary records : E/CN.7/106, pp. 79-80, p. 88.

Commission, third session :

Summary records : E/CN.7/155, pp. 93-96, pp. 191-192.

Report to the Council : E/799, para. 18.

Council, seventh session :

Report of the Social Committee : E/910, pp. 2-3.

Summary records : E/AC.7/SR.45, pp. 9-11, E/SR.189, p. 219.

Resolution 159 II C (VII).

Report of the Council to the General Assembly : A/625, para. 173.

Commission, fourth session :

Summary records : E/CN.7/SR.78-79, pp. 50-51, pp. 81-92, pp. 208-209.

Report to the Council : E/1361, pp. 41-44.

Council, ninth session :

Summary records : E/SR.285, E/SR.286.

Resolution 246 F (IX).

Report of the Council to the General Assembly : A/972, para. 325.

Commission, fifth session :

Summary records : E/CN.7/SR.101, p. 9, E/CN.7/SR.106, pp. 12-16.

Report to the Council : E/1889/Rev.1, paras. 28, 174, 175, 182-184.

Council, twelfth session :

Report of the Council to the General Assembly : A/1884, para. 723.

Commission, sixth session :

Summary records : E/CN.7/SR.130, pp. 11-12, E/CN.7/SR.134 p. 4.

Report to the Council : E/1998, para. 31.

Commission, seventh session :

Summary records : E/CN.7/SR.158, pp. 4-5, E/CN.7/SR.185, pp. 6-14.

Report to the Council : E/2219, paras. 23, 123-128.

Council, fourteenth session :

Summary records : E/SR.581, p. 65.

Resolution 436 F (XIV).

Report of the Council to the General Assembly : A/2172, paras. 509-512.

Council, fifteenth session :

United Nations Laboratory (Note by the Secretary-General) : E/2372.

Summary records : E/SR.681, pp. 53-56.

Resolution : 477 (XV).

Report of the Council to the General Assembly, A/2430, paras. 687-691.

Commission, eighth session :

Summary records : E/CN.7/SR.205, p. 15, E/CN.7/SR 213, pp. 10-16.

Report to the Council : E/2423, paras. 28, 191-195.

Commission, ninth session :

United Nations narcotics laboratory (Note by the Secretary-General) : E/2372/Add.1 and E/2372/Add.1/Corr.1.

Report of the Committee of Chemical Experts on the United Nations Programme for Determining the Origin of Raw Opium by Chemical and Physical Means : E/CN.7/278 and Corr.1.

Summary records ; E/CN.7/SR.255, E/CN.7/SR.256, pp. 3-11, E/CN.7/SR.258, pp. 7-8.

Report to the Council : E/2606, paras. 96-105.

Council, eighteenth session :

Report of the Social Committee : E/2633, pp. 1, 2, 6-8.

Summary records : E/AC.7/SR.281, pp. 5, 8, 12, 19, E/AC.7/SR. 282, pp. 4-8, E/SR.805, p. 92.

Resolution 548 D (XVIII).

Report of the Council to the General Assembly : A/2686, paras. 662-666.

DOCUMENT A/C.3/573/Add.1

UNITED NATIONS NARCOTICS LABORATORY

Note from the Permanent Observer of Switzerland to the United Nations

[Original text : French]
[24 November 1954]

The Secretary-General has received the following note from the Permanent Observer of Switzerland to the United Nations :

“The Permanent Observer of Switzerland to the United Nations presents his compliments to the Secretariat of the United Nations and, with reference to the debates now proceeding in the Third and Fifth Committees of the General Assembly concerning the establishment of a United Nations narcotics laboratory, has the honour to state that the cantonal authorities of Geneva are prepared to provide the United Nations free of charge with material assistance, in whatever form may be considered most suitable, to the value of \$6,350 towards the establishment of this narcotics laboratory at Geneva.”

DOCUMENT A/C.3/L.434
WORLD CHILDREN'S DAY
Uruguay : draft resolution

[Original text : Spanish]
 [22 November 1954]

The General Assembly,

Considering that the different resolutions relating to child welfare adopted by the United Nations General Assembly have shown the Organization's concern for the situation of children in all parts of the world,

Considering the increasing attention given by States and peoples to a better observance of the rights of mothers and children; the action of civic, professional and cultural institutions, both national and regional, in favour of effective assistance to children; and the work of international solidarity carried out by the United Nations through UNICEF and other specialized agencies,

Considering that the world-wide observance of a Children's Day would be the noblest expression of human solidarity and of co-operation between nations in the name of a sacred duty and a boundless love,

Taking into account the action already taken by

different States with a view to instituting a Children's Day,

Resolves: that a World Children's Day shall be instituted, to be observed on the . . . of every year;

The World Children's Day shall be a holiday, and shall everywhere be dedicated essentially to the strengthening and broadening of the efforts of solidarity and assistance made by the United Nations in favour and on behalf of all the children of the earth;

Recommends: that the Governments of all States should observe World Children's Day in the way which each considers appropriate, and that it should be celebrated in a special way in schools and similar institutions;

Also *urges* the cultural, professional, trade union, workers' and social welfare organizations, for men and women, to support and co-operate actively in the observance of Children's Day.

DOCUMENT A/C.3/L.435/Rev.2

**RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES
 AND NATIONS TO SELF-DETERMINATION**

Afghanistan : revised draft resolution

[Original text : English]
 [26 November 1954]

The General Assembly,

Recalling its resolutions 637 (VII), 648 (VII) and 738 (VIII),

Noting the recommendations of the Commission on Human Rights to the Economic and Social Council (E/2573, annex IV, draft resolution F),

Noting further resolution 545 G (XVIII) of the Economic and Social Council,

Considering that the preparation of recommendations on measures for promoting the right of self-determination is a matter of immediate concern,

1. *Requests* the Commission on Human Rights to prepare recommendations concerning international respect for the right of peoples and nations to self-determination, including recommendations concerning their permanent sovereignty over their natural wealth and resources, in order that the General Assembly may give them full and due consideration at its next session;

2. *Requests* the Economic and Social Council to transmit these recommendations to the General Assembly for consideration at its next session.

DOCUMENT A/C.3/L.436

WORLD CHILDREN'S DAY

India : draft resolution

[Original text : English]
 [23 November 1954]

The General Assembly,

Considering that the obligations of the United Nations to "succeeding generations" can only be fulfilled by increased efforts on behalf of the children of the world, who are the citizens of tomorrow;

Believing that the objectives of the Charter can best be realized if they inspire and are shared by the children of the world;

Recalling the increased interest in the work of and the support given to UNICEF and its acceptance as an integral part of the United Nations;

Expressing its appreciation of the work done by governmental and voluntary organizations for the children of the world, including the observance in a certain

number of countries of a World Children's Day by the International Union for Child Welfare in association with UNICEF;

1. *Recommends* that with effect from . . . all countries inaugurate a Children's Day to be observed as a day of world-wide fraternity and understanding between children and of activity devoted to the promotion of the ideals and objectives of the Charter and the welfare of the children of the world;

2. *Requests* the Secretary-General in association with the Executive Board of UNICEF to take steps to establish the Children's Day and to report progress to the General Assembly at its tenth session.

DOCUMENT A/C.3/L.437**RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES AND NATIONS TO SELF-DETERMINATION****Egypt, Indonesia, Iraq, Saudi Arabia, Syria, Pakistan and Yemen : draft resolution**

[Original text : English]
[23 November 1954]

The General Assembly,

Recalling its resolutions 637 (VII), 648 (VII), and 738 (VIII),

Recalling that under resolution 738 (VIII) it had called on the Commission on Human Rights to give priority to the preparation of recommendations concerning international respect for the right of peoples and nations to self-determination,

1. Notes that the Commission on Human Rights, in accordance with these resolutions, had prepared two draft resolutions and had forwarded them to the Economic and Social Council with the recommendation that they be transmitted to the General Assembly for consideration and adoption ;

2. Notes with regret that the Economic and Social Council rejected the recommendation of the Commission on Human Rights,

3. Considers that the preparation of recommendations on measures for promoting the right of peoples and nations to self-determination is a matter of immediate concern,

4. Requests the Commission on Human Rights to prepare further recommendations concerning international respect for the right of peoples and nations to self-determination, including recommendations concerning their permanent sovereignty over their national wealth and resources, to be transmitted to the General Assembly for consideration at its next session ;

5. Requests the Economic and Social Council to transmit to the General Assembly all recommendations of the Commission on Human Rights on this question with a view to their adoption at the next session of the General Assembly.

DOCUMENT A/C.3/L.438**Denmark, Norway and Sweden : amendments to draft resolution A/C.3/L.436**

[Original text : English]
[25 November 1954]

1. In the fourth paragraph of the preamble delete the following :

“including the observance in a certain number of countries of a World Children’s Day by the International Union for Child Welfare in association with UNICEF”.

2. Replace paragraphs 1 and 2 of the operative part by the following :

“Noting that in 1953 and 1954 the International Union for Child Welfare has endeavoured to focus attention on the needs of children through the institution of World Children’s Day,

“Noting with satisfaction that UNICEF has collaborated in the celebration of this World Children’s Day,

“Expresses the hope that Governments and peoples will associate themselves with a celebration of this Day by all appropriate means.”

DOCUMENT A/C.3/L.439**Costa Rica : amendments to draft resolution A/C.3/L.434**

[Original text : Spanish]
[25 November 1954]

1. After the third paragraph of the preamble, insert the following :

“Considering that the Day might serve as an opportunity for the concrete expression of the support of Governments for the purposes of UNICEF,”

2. At the end of the present text, add the following new operative paragraph :

“Requests the Executive Board of UNICEF to consider the possibility of holding an annual meeting on World Children’s Day of Member and non-member States, to enable each Government to pledge a contribution to UNICEF or to signify its intention of so doing ; and, if the Executive Board deems such a meeting feasible, to proceed to hold it”.

DOCUMENT A/C.3/L.442**Ecuador : amendment to draft resolution A/C.3/L.435/Rev.1**

[Original text : Spanish]
[26 November 1954]

Paragraph 1 of the operative part

Replace the words "with a view to their adoption at the next session of the General Assembly" with the following :

"in order that the General Assembly may give them full and due consideration at its next session".

DOCUMENT A/C.3/L.444**WORLD CHILDREN'S DAY****India and Uruguay : draft resolution**

[Original text : English]
[29 November 1954]

The General Assembly,

Considering that the obligations of the United Nations to "succeeding generations" can only be fulfilled by increased efforts on behalf of the children of the world, who are the citizens of tomorrow, and that the world-wide observance of a Children's Day would contribute to human solidarity and co-operation between nations,

Believing that the objectives of the Charter can best be realized if they inspire and are shared by the children of the world,

Recalling the increased interest in the work of and the support given to UNICEF and its acceptance as an integral part of the United Nations and that various resolutions relating to children adopted by the United Nations General Assembly have shown the Organization's concern for children in all parts of the world,

Considering the increasing attention given by States and peoples to a better observance of the rights of mothers and children as well as the action of civic, professional and cultural institutions, national, international and regional, on behalf of children,

Expressing its appreciation of the work done by governmental and voluntary organizations for the children of the world, including the observance in a certain number

of countries of a World Children's Day on the initiative of the International Union for Child Welfare in association with UNICEF ;

1. *Recommends* that with effect from 1956, an International World Children's Day shall be instituted by all countries to be observed as a day of world-wide fraternity and understanding between children and of activity devoted to the promotion of the ideals and objectives of the Charter and the welfare of the children of the world, and the strengthening and broadening of the efforts made by the United Nations in favour and on behalf of all the children of the world ;

2. *Suggests* to the Governments of all States that Children's Day be observed on the date and in the way which each considers appropriate ;

Also urges the cultural, professional, trade-union, workers' and social welfare organizations, for men and women, to support and co-operate actively in the observance of Children's Day ;

3. *Requests* the Secretary-General, in association with the Executive Board of UNICEF, to take steps to establish Children's Day in accordance with this resolution and to report progress to the General Assembly at its tenth session.

DOCUMENT A/C.5/609**Financial implications of draft resolution adopted by the Third Committee (A/C.3/L.432) : estimate submitted by the Secretary-General**

[Original text : English]
[27 November 1954]

1. The Third Committee, at its 593rd meeting held on 25 November 1954, adopted a draft resolution (A/C.3/L.432) proposing the establishment of a narcotics laboratory at the European Office of the United Nations in Geneva, for the purpose of opium research, in particular analysis having a direct connexion with the problem of determining origin. It was agreed in the course of the Third Committee's discussion that work in connexion with the establishment of the laboratory should not commence until after the 1955 session of the Narcotics Commission.

2. Should the draft resolution be adopted by the General Assembly, expenses will be entailed in connexion with the construction of a laboratory in the Palais des Nations and the provision in 1955 and replenishment annually thereafter of expendable supplies and materials. No additional staff expenses would be required as existing qualified personnel in the Narcotics Division will carry out the opium research programme in addition to other duties in the Division. Concerning the time of opening the laboratory, the expectation is that the laboratory would not be in operation until September 1955, by which

time it is anticipated that the transfer of the Narcotics Division from Headquarters to the Geneva Office would have taken place.

3. The details of the costs involved in 1955 are as follows :

Chapter VI. <i>Common services</i>	\$
Purchase of chemicals, other supplies and expendable equipment for a four months' period (at an annual rate of \$3,000)	1,000
Chapter VII. <i>Permanent equipment</i>	
Construction costs attributable to laboratory (Masonry and plates, flooring, fittings and fixtures, painting, ventilators, lighting and power, sanitary installations etc.)	7,300

Fixed equipment for laboratory (benches, sinks fume-hoods, cupboards etc.)	6,200
Laboratory apparatus (basic apparatus \$6,350; ash analysis apparatus, \$9,000)	15,350
TOTAL	\$29,850

4. The cantonal authorities of Geneva have offered to provide the United Nations free of charge with material assistance, in whatever form may be considered most suitable, to the value of \$6,350 towards the establishment of the laboratory at Geneva. In the event of adoption of the resolution by the General Assembly, it would be necessary, therefore, assuming acceptance of the offer of the cantonal authorities of Geneva, to increase the estimate approved by the Fifth Committee for section 18 for 1955 from \$4,671,400 to \$4,694,900, an increase of \$23,500.

DOCUMENT A/2842

Thirty-fifth report of the Advisory Committee on Administrative and Budgetary Questions to the General Assembly: financial implications of draft resolution I submitted by the Third Committee (A/2829, para. 64)

[Original text: English]

[7 December 1954]

1. The Secretary-General has submitted a statement (A/C.5/609) of the financial implications of draft resolution I proposed by the Third Committee (A/2829) on the subject of the establishment of a United Nations narcotics laboratory.

2. The project in question, as distinct from the geographical situation of the laboratory, has been considered at several sessions of the Commission on Narcotic Drugs,⁴ on whose recommendation the Economic and Social Council adopted on 12 July 1954 resolution 548 D (XVIII), in which it instructed the Secretary-General further to develop, so far as possible, opium research on the part of the Secretariat and, in particular, to increase the number of analyses; deferred other laboratory work except that directly connected with the problem of determining origin; and, after expressing the view that the establishment of a United Nations narcotics laboratory would serve a very useful purpose, referred the matter to the General Assembly for consideration in conjunction with the Secretary-General's proposals for the reorganization of the Secretariat.

3. The latter proposals include the transfer of the Division of Narcotic Drugs to the European Office and there are therefore advantages, which the draft resolution submitted by the Third Committee recognizes, in situating the laboratory in the same place as the competent division, including the advantage that the opium research programme may be undertaken by staff members jointly with other duties. From the financial point of view, the comparative cost of establishing the laboratory is estimated at \$28,850 at Geneva and \$77,500 at Headquarters (A/C.3/573).

4. The Advisory Committee was further informed that the Third Committee approved the draft resolution on the understanding (a) that the Commission on Narcotic Drugs would have the opportunity at its next session

(April-May 1955) of reviewing certain broader aspects of the research programme and of the use of that programme as a whole; and (b) that, notwithstanding this reservation (point (a) above), authority for the establishment of the laboratory, together with the necessary provision in the 1955 budget, would be sought of the General Assembly during the current ninth session.

5. The financial implications are estimated by the Secretary-General (A/C.5/609) at \$29,850, which amount would be reduced by \$6,350 (representing the value of material assistance to be furnished without charge by the cantonal government of Geneva) to the net additional figure of \$23,500. The Secretary-General anticipates that the laboratory would not be in operation until September 1955, or some two months after the transfer of the Division of Narcotic Drugs to Geneva.

6. The Advisory Committee has some doubts whether, in these circumstances, specific additional provision in the 1955 budget is indispensable. It suggests that it would prove sufficient, in the event that the draft resolution is adopted (a) to authorize the Secretary-General to proceed, if necessary, with the construction of the laboratory during 1955; and (b) to finance the cost out of savings on section 18 (European Office of the United Nations) or, if such savings cannot be anticipated at the material date, out of savings on other sections of the 1955 budget.

7. In making this suggestion the Advisory Committee takes account of two factors: (a) that the forthcoming review of the organization of the European Office may lead to further economies beyond those already foreseen in the Secretary-General's 1955 budget submission (A/2647);⁵ and (b) that should the financing of the project by means of savings on the 1955 budget nevertheless prove impossible, it should not be a matter of undue difficulty to make provisional arrangements for laboratory facilities at Geneva similar to those at present in force at Headquarters. Suitable provision might then be included in the 1956 budget.

⁴ See the reports of the Commission on its seventh, eighth and ninth sessions: *Official Records of the Economic and Social Council, Fourteenth Session, Supplement No. 8, ibid., Sixteenth Session, Supplement No. 4; and ibid., Eighteenth Session, Supplement No. 8*, respectively.

⁵ See *Official Records of the General Assembly, Ninth Session, Supplement No. 5*.

DOCUMENT A/2868

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (CHAPTERS II AND III)

Report of the Second Committee

[Original text: English]
[13 December 1954]

1. The General Assembly, at its 478th plenary meeting on 25 September 1954, in allocating item 12 of the agenda of the ninth session, referred chapters II and III of the report of the Economic and Social Council (A/2686) to the Second Committee for consideration and report.

2. With respect to its consideration of the item, the Committee, at its 289th meeting, agreed that:

(a) Chapter III of the report of the Economic and Social Council (with the exception of part B, related to agenda item 26) could appropriately be discussed simultaneously with item 25, "Economic development of under-developed countries";

(b) When item 25 was under discussion, the members of the Committee should feel free to comment on such sections of chapter II of the report of the Council as they felt were relevant to that item; and, finally,

(c) Members of the Committee should be free to make such general statements as they might feel necessary when item 12 was taken up.

3. The Committee considered item 12 during six meetings (335th to 340th meetings). Twenty delegations took part in the general debate.

4. The Committee received four specific proposals under the item:

(a) A draft resolution submitted by the Union of Soviet Socialist Republics (A/C.2/L.247) on "Measures to reduce unemployment and increase employment";

(b) A draft resolution submitted by the Union of Soviet Socialist Republics (A/C.2/L.248 and Corr.1) on "Removal of measures of discrimination applying to trade with individual States or groups of States";

(c) A draft resolution submitted by Australia, Brazil, Canada, Colombia, Ecuador, France, Turkey, the United Kingdom, the United States of America, Venezuela and Yugoslavia (A/C.2/L.252 and Add.1) on "Removal of obstacles to international trade and means of developing international economic relations";

(d) A draft resolution submitted by Australia, Brazil, Canada, Colombia, Ecuador, France, Turkey, the United Kingdom, the United States of America, Venezuela and Yugoslavia (A/C.2/L.253 and Add.1) on "Full employment".

5. Under the draft resolution submitted by the Union of Soviet Socialist Republics (A/C.2/L.247) on "Measures to reduce unemployment and increase employment" the General Assembly would (1) recommend States Members of the United Nations in which unemployment existed to take effective and urgent steps to reduce unemployment and increase employment by developing civilian branches of industry, expanding foreign trade, increasing Government expenditure on social services, education, public health and housing, and also to take steps to alleviate the plight of the unemployed, by improving and broadening State systems of insurance, and other steps to raise general living standards; (2) decide to convene a non-governmental advisory conference, and to invite to participate therein the competent specialized inter-governmental organizations, all national and international trade-union organizations, and other non-governmental organizations concerned, with a view to securing a complete exchange of information on the real state of

affairs as regards unemployment in industrial and agricultural production and on practical steps directed towards expanding economic activity throughout the world, developing international trade and economic co-operation and raising the level of employment; (3) instruct the Secretary-General to fix the time and place for the convening of a non-governmental advisory conference and also to take the necessary organizational, financial and other steps in that connexion; and (4) instruct the Secretary-General to prepare a report based on the findings of the advisory conference and on such other information as he might be able to obtain and to submit it to the General Assembly at its tenth session.

6. The draft resolution submitted by the Union of Soviet Socialist Republics (A/C.2/L.247) was voted upon at the 339th meeting as follows, a separate vote being taken, at the request of the representative of Poland, on each paragraph.

The first paragraph of the preamble was rejected by 29 votes to 5, with 13 abstentions.

The second paragraph was rejected by 30 votes to 5, with 14 abstentions.

The third paragraph was rejected by 17 votes to 13, with 19 abstentions.

Paragraph 1 of the operative part was rejected by 19 votes to 7, with 23 abstentions.

Paragraph 2 was rejected by 34 votes to 6, with 9 abstentions.

Paragraph 3 was rejected by 34 votes to 6, with 9 abstentions.

Paragraph 4 was rejected by 34 votes to 6, with 9 abstentions.

The draft resolution as a whole was rejected by 33 votes to 6, with 11 abstentions.

7. Under the draft resolution submitted by Australia, Brazil, Canada, Colombia, Ecuador, France, Turkey, the United Kingdom, the United States of America, Venezuela and Yugoslavia on "Full employment" (A/C.2/L.253 and Add.1) the General Assembly would endorse resolution 531 B (XVIII) adopted by the Economic and Social Council, and particularly the invitation to the International Labour Organisation to continue its important work in the field of employment problems.

8. The eleven-Power draft resolution (A/C.2/L.253 and Add.1) was approved by the Committee at its 339th meeting by 43 votes to none, with 6 abstentions.

9. The Second Committee therefore recommends to the General Assembly the adoption of draft resolution I, the text of which is to be found at the end of the present report.

10. Under the draft resolution submitted by the Union of Soviet Socialist Republics on "Removal of measures of discrimination applying to trade with individual States or groups of States" (A/C.2/L.248 and Corr.1) the General Assembly would call upon the Governments of the States Members of the United Nations to remove existing measures of discrimination applying to trade with individual States or groups of States, and to take steps to expand trade and other economic relations between nations.

11. The draft resolution submitted by the USSR (A/C.2/L.248 and Corr.1) was voted upon at the 340th meeting as follows. At the request of the representative of Poland, each paragraph of the draft resolution was voted upon separately, and at the request of the representative of Venezuela the operative paragraph was voted upon in two parts as indicated below.

The first paragraph of the preamble was adopted by 31 votes to 2, with 9 abstentions.

The second paragraph was rejected by 27 votes to 5, with 16 abstentions.

The third paragraph was adopted by 22 votes to 4, with 21 abstentions.

The first part of the operative paragraph, reading "Calls upon the Governments of the States Members of the United Nations to remove existing measures of discrimination applying to trade with individual States or groups of States", was rejected by 28 votes to 5, with 15 abstentions.

The remaining part of the operative paragraph, reading "and to take steps to expand trade and other economic relations between nations", was adopted by 28 votes to 3, with 17 abstentions.

The Committee then had before it the parts of the draft resolution which had been adopted reading as follows:

"The General Assembly,

"Recognizing that broad economic and trade relations between States are highly important for the economic development of countries and for increasing employment among the people and raising their living standards,

"Considering that the normal development of trade between States would help to improve relations between them and to reduce international tension,

"Calls upon the Governments of the States Members of the United Nations to take steps to expand trade and other economic relations between nations."

The Committee rejected the above text, as a whole, by 11 votes to 7, with 30 abstentions.

12. Under the draft resolution submitted by Australia, Brazil, Canada, Colombia, Ecuador, France, Turkey, the United Kingdom, the United States of America, Venezuela and Yugoslavia on "Removal of obstacles to international trade and means of developing international economic relations" (A/C.2/L.252 and Add.1) the General Assembly would endorse resolution 531 C (XVIII) adopted unanimously by the Economic and Social Council.

13. At its 338th meeting, the Committee received an amendment (A/C.2/L.256) to this joint draft resolution submitted by Chile which would add, as a final paragraph, the following:

"Decides to include the question of the removal of obstacles to international trade and means of developing international economic relations as a special item on the agenda of its tenth regular session."

14. At the 339th meeting, the representative of Venezuela made a verbal amendment to the eleven-Power draft resolution which would replace the second paragraph of the preamble, which read: "Noting that the Council has placed this question on the agenda for its twentieth session", by the following:

"Expresses its satisfaction at the Council's decision to continue to study this question at its twentieth session".

This verbal amendment was accepted by the co-sponsors of the eleven-Power draft resolution and was incorporated in a revised text of the draft resolution (A/C.2/L.252/Rev.1).

15. The representative of Chile then withdrew his amendment (A/C.2/L.256) at the 340th meeting.

16. The eleven-Power revised draft resolution (A/C.2/L.252/Rev.1) was adopted by the Committee at its 340th meeting by 45 votes to none, with 5 abstentions.

Recommendations of the Second Committee

17. The Second Committee therefore recommends to the General Assembly the adoption of draft resolution II below.

Draft resolution I

FULL EMPLOYMENT

[Text adopted without change by the General Assembly. For the text see document A/RESOLUTION/258, below.]

Draft resolution II

REMOVAL OF OBSTACLES TO INTERNATIONAL TRADE AND MEANS OF DEVELOPING INTERNATIONAL RELATIONS

[Text adopted without change by the General Assembly. For the text see document A/RESOLUTION/259, below.]

DOCUMENT A/2829

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (CHAPTERS IV AND V)

Report of the Third Committee

*[Original text : English]
[4 December 1954]*

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I. INTRODUCTION

1. The General Assembly, at its 478th meeting on 25 September 1954, in allocating item 12 of the agenda of its ninth session, referred chapters IV and V of the report of the Economic and Social Council (A/2686) to the Third Committee for consideration and report.

2. The Committee decided (544th, 548th and 549th meetings) to take this item as the third item on its agenda.

3. It should be noted that various sections and paragraphs of chapters IV and V of the report relate to other items allocated to the Committee, as follows:

Item 27: see chapter IV, section V, "Report of the United Nations High Commissioner for Refugees";

Item 28: see chapter V, section VI, "Freedom of information";

Item 30: see chapter V, section VIII, "Forced labour";

Item 58: see chapter V, section I, "Draft international covenants on human rights";

Item 59: see chapter V, section XI, paragraphs 811 to 818, "Status of women in private law: customs, ancient laws and practices affecting the human dignity of women".

4. Reports of the Third Committee on items 27 and 58 were submitted to the General Assembly in documents A/2759 and A/2808 and Corr.1, on which the General Assembly has already taken action. The Committee is now considering item 28 and has not yet considered items 30 and 59.⁶

5. At the 587th meeting on 18 November 1954, the Chairman stated that some delegations had expressed a wish to refer, under item 12, to problems connected with the subjects discussed in chapters IV and V of the report but not specifically mentioned therein. He decided not to rule out of order statements on such problems, but in view of lack of time he asked representatives to limit their remarks to subjects dealt with in chapters IV and V.

6. The general debate took place during the 586th to 592nd meetings held on 17, 18, 19, 23 and 24 November. An indication of the questions referred to during the debate is contained in section II below.

7. During its 593rd to 599th meetings held between 25 November and 30 November 1954, the Committee considered draft resolutions and amendments thereto submitted in connexion with the relevant parts of chapters IV and V of the Council's report. A brief account of these proceedings can be found in sections III and IV of the present report. Draft resolutions recommended by the Committee for adoption by the General Assembly are contained in section V.

II. GENERAL DEBATE

A. Chapter IV of the report of the Economic and Social Council

8. During the general debate, several delegations attached great importance to the field work and studies undertaken in the sphere of community organization and development, and expressed their interest in the regional meetings of experts in this sphere to be held in the last months of 1954 and in 1955.

⁶ The Third Committee's reports on items 28, 30 and 59 were subsequently issued as A/2877, A/2878 and A/2879, respectively.

9. Some delegations pointed out that in the United Nations programme in the social field more attention should be paid to basic problems such as social security, public health and education, and the programme should be reoriented in that direction.

10. A number of delegations underlined the importance of social development, both in itself and in relation to economic development. In this connexion, some delegations stressed the desirability of paying increasing attention to the problems of social insurance, and to the social aspects of industrialization. Other delegations emphasized that, in view of the limited funds available for the Expanded Programme of Technical Assistance, it was even more important than before to strive towards attainment of a proper balance between technical assistance for economic development and programmes and projects in the social field.

11. A number of delegations drew attention to the continued importance of the problems of training professional and auxiliary social welfare personnel, and suggested that the Social Commission should consider the possibility of inviting the Secretary-General to arrange for an *ad hoc* technical working group of experts to consider the subject.

12. Several delegations commented favourably on the Secretary-General's proposals (E/2598, paragraph 5) regarding the co-operation of the Secretariat with universities and non-governmental organizations in undertaking studies and research projects. Some delegations emphasized that such co-operation should be organized on a broad basis, and should include universities in the less-developed countries.

13. A few delegations referred to the draft convention on recovery abroad of claims for maintenance (Economic and Social Council resolution 527 (XVII)) and to the proposed conference of plenipotentiaries.

14. In view of the fact that chapter IV of the Council's report did not contain a full summary of the United Nations activities in the social field, the suggestion was made that in the future a cross reference to the pertinent paragraphs of the Secretary-General's annual report on the work of the Organization should be included in the Council's report.

15. During the course of the discussion a high tribute was paid by a number of delegations to the impressive accomplishments of the United Nations Children's Fund. Special attention was drawn to the increasing number of children benefiting from UNICEF aid (a total of over 31 million children were reached by UNICEF-assisted programmes in 1954); to the additional geographic areas, particularly under-developed areas, covered by the operation of the Fund; to the far-reaching influence of UNICEF aid in stimulating national efforts for permanent health and welfare services and in increasing capacity for economic progress; to the substantial participation of Governments in the form of "matching" funds; to the policies of the UNICEF Board and the work of the UNICEF Administration in achieving maximum value from the limited resources available; and to the prestige which the work of UNICEF has added to the United Nations. Stress was laid on the need for further efforts to familiarize the public with the needs of children and the work of UNICEF and on the necessity of expanding the resources of the Fund (see section III B below).

16. Some representatives referred to the question of establishing a Universal Children's Day (see section III C below).

17. Several delegations stressed the urgency of the problem of the illicit traffic in narcotic drugs. Govern-

ments were urged to adhere closely to the provisions of Council resolution 548 B (XVIII) and to supply accurate information under the Conventions of 1925 and 1931. Hope was expressed that speedy progress would be made in framing a single convention on narcotic drugs.

18. Some delegations drew attention to the situation resulting from the encouragement by the authorities on the Chinese mainland of illicit traffic in opium and heroin, whereas other delegations considered this allegation unfounded and pointed out that the Central People's Government of the People's Republic of China had taken appropriate measures for the control of narcotic drugs.

19. Appreciation was expressed of the fact that the problem of addiction had been considered by the Commission on Narcotic Drugs and also that the countries concerned recognized the harmful effects of chewing the coca-leaf.

20. Several delegations favoured the establishment of a United Nations narcotics laboratory in Geneva (see section III A below).

B. Chapter V of the report of the Economic and Social Council

21. During the general debate reference was made to United Nations activities in the fields of forced labour and freedom of information. It was agreed, however, that the Third Committee would not deal with these questions in substance until they had been considered under the appropriate items on its agenda. One representative drew attention to the draft of a supplementary convention on slavery which her Government had submitted to the Economic and Social Council for consideration.

22. A number of delegations called attention to recent achievements in promoting the status of women, especially the entry into force of the Convention on the Political Rights of Women (General Assembly resolution 640 (VII), annex), and discussed the future work of the Commission on the Status of Women.

23. Many representatives referred to the question of the right of peoples and nations to self-determination. In accordance with requests previously addressed to it by the General Assembly, the Commission on Human Rights had prepared recommendations on this question and submitted them to the Economic and Social Council for transmission to the General Assembly. At its eighteenth session, the Council decided, however, to return these recommendations to the Commission for further consideration. Much of the discussion in the general debate was focused on this action of the Council. Several proposals were submitted; these, together with the discussion thereon, are described in section IV below.

III. CONSIDERATION OF DRAFT RESOLUTIONS RELATING TO CHAPTER IV

A. United Nations narcotics laboratory

24. A joint draft resolution was submitted by France, Turkey and the United Kingdom (A/C.3/L.432) in accordance with which the General Assembly:

"...

"Having considered the Secretary-General's memorandum of 15 October (A/C.3/573) which sets out the comparative cost of setting up a narcotics laboratory at Headquarters and at Geneva,

"Noting the statement by the Secretary-General in the above memorandum that he 'would regard it as important that the laboratory should be situated in the same place, and preferably in the same building, as the Division of Narcotic Drugs as a whole',

"Taking into account that, under the Secretary-General's proposals for the reorganization of the Secretariat (A/2731), the Division of Narcotic Drugs of the Secretariat is to be transferred to Geneva,

"Decides to establish a United Nations Narcotics Laboratory in Geneva."

25. The draft resolution was referred to during the general debate and was considered at the 593rd meeting held on 25 November 1954.

26. The Committee had before it a note by the Secretary-General (A/C.3/573) which gave, *inter alia*, financial estimates relating to the cost of the establishment of the narcotics laboratory at Headquarters and at Geneva respectively. It also had before it a note from the Permanent Observer of Switzerland to the United Nations (A/C.3/573/Add.1) offering material assistance towards the establishment of the laboratory at Geneva. A number of representatives, in supporting the draft resolution, assumed that the proposed transfer of the Division of Narcotic Drugs to Geneva would in fact take place.⁷ The representative of the United States of America proposed that, since the transfer of the Division of Narcotic Drugs would not take place until after the 1955 session of the Commission, to be held in April or May in New York, the laboratory should not be set up until the Commission had had another opportunity of considering the matter; this, he stated, would entail no delay since, if the Commission took an affirmative decision, the Secretary-General could immediately proceed to set up the laboratory. The sponsors accepted this interpretation. Appreciation was expressed of the generous offer of the authorities of the Canton of Geneva.

27. The joint draft resolution (A/C.3/L.432) was approved by 38 votes to none, with 5 abstentions.

28. The Third Committee therefore recommends to the General Assembly the adoption of draft resolution I contained in section V below.

B. United Nations Children's Fund

29. A draft resolution was submitted jointly by Australia, Belgium, Brazil, Canada, the Dominican Republic, Ecuador, France, India, Indonesia, Iraq, the Philippines, the United Kingdom and Yugoslavia (A/C.3/L.433 and Add.1⁸ and 2⁹). In accordance with this resolution, the General Assembly would congratulate UNICEF on its work; consider that further efforts were desirable to familiarize the public with the needs of children and the work of UNICEF; and invite all States Members and non-members of the United Nations to continue their efforts to expand the resources of UNICEF. A number of delegations spoke in support of this draft resolution.

30. The draft resolution was approved unanimously by 45 votes to none.

31. The Third Committee therefore recommends to the General Assembly the adoption of resolution II contained in section V below.

⁷ See A/2731 and General Assembly resolution 886 (IX), on reorganization of the Secretariat.

⁸ The addition of India and the United Kingdom to the list of sponsors was noted in A/C.3/L.433/Add.1 of 22 November 1954.

⁹ The addition of Ecuador to the list of sponsors was noted in A/C.3/L.433/Add.2 of 23 November 1954.

C. Universal Children's Day

32. Two draft resolutions on the question of establishing a World Children's Day were submitted by Uruguay (A/C.3/L.434) and India (A/C.3/L.436). Amendments to the Uruguayan draft resolution were submitted by Costa Rica (A/C.3/L.439) and to the Indian draft resolution by Denmark, Norway and Sweden (A/C.3/L.438). Subsequently, the representatives of Uruguay and India withdrew their proposals and submitted a joint draft resolution (A/C.3/L.444). Under the terms of the joint draft resolution, the General Assembly:

"...

"Expressing its appreciation of the work done by governmental and voluntary organizations for the children of the world, including the observance in a certain number of countries of a World Children's Day on the initiative of the International Union for Child Welfare in association with UNICEF,

"1. Recommends that, with effect from 1956, an International World Children's Day shall be instituted by all countries to be observed as a day of world-wide fraternity and understanding between children and of activity devoted to the promotion of the ideals and objectives of the Charter and the welfare of the children of the world, and the strengthening and broadening of the efforts made by the United Nations in favour and on behalf of all the children of the world;

"2. Suggests to the Governments of all States that Children's Day be observed on the date and in the way which each considers appropriate;

"Also urges the cultural, professional, trade-union, workers' and social welfare organizations, for men and women, to support and co-operate actively in the observance of Children's Day;

"3. Requests the Secretary-General, in association with the Executive Board of UNICEF, to take steps to establish Children's Day in accordance with this resolution and to report progress to the General Assembly at its tenth session."

33. Several representatives expressed their support of the joint draft resolution. It was pointed out that the concept of responsibility to children was implicit in the United Nations Charter and had been developed not only in the resolutions relating to the work of UNICEF but also in the work of many other United Nations bodies. This concept was much more than a simple welfare concept and a World Children's Day would help to affirm it in its totality. It would also draw attention to such important questions as the place of children in society, and governmental, social and community responsibilities towards them. It would deepen world fraternity and understanding between children themselves and help to give them a better appreciation of the international ideas proclaimed in the Charter, and would assist in heightening their own sense of constructive participation in society. Finally, it would draw attention to the activities and financial needs of UNICEF and other organizations working on behalf of children. It was stated that adoption of the draft resolution would result in a gradual transfer of the observance of World Children's Day from the national to the international level.

34. The discussion also centred on the question whether one particular day should be observed by all countries or whether individual Governments should set aside a suitable day. It was pointed out in this connexion that World Children's Day should not be confused with United Nations Day or Human Rights Day.

35. The part played by certain non-governmental organizations, particularly the International Union for Child

Welfare, in promoting the idea of a World Children's Day, was recognized with appreciation, but several delegations thought it inadvisable to mention a specific organization by name in the draft resolution. Attention was also drawn to the different nature of the Children's Day proposed in the joint draft resolution from that of the day promoted by the International Union.

36. Under the terms of the amendment (A/C.3/L.438) submitted by Denmark, Norway and Sweden to the original Indian draft resolution (A/C.3/L.436), operative paragraphs 1 and 2 would be replaced by the following text:

"Noting that in 1953 and 1954 the International Union for Child Welfare has endeavoured to focus attention on the needs of children through the institution of World Children's Day,

"Noting with satisfaction that UNICEF has collaborated in the celebration of this World Children's Day,

"Expresses the hope that Governments and peoples will associate themselves with a celebration of this Day by all appropriate means."

37. The sponsors of this amendment had submitted it with the intention of avoiding establishing another World Children's Day in competition with the World Children's Day already inaugurated by the International Union for Child Welfare. One of the sponsors believed that the World Children's Day should not be a holiday, but that the best way of helping children would be to raise funds for UNICEF by donating one day's pay.

38. The sponsors said that, although these amendments would apply equally to the new joint draft resolution by India and Uruguay, they would withdraw them in view of the statements made by the Director-General of UNICEF and subsequent changes in the joint draft resolution.

39. Costa Rica, which had submitted amendments (A/C.3/L.439) to the original draft resolution of Uruguay (A/C.3/L.434), subsequently submitted revised amendments (A/C.3/L.445) to the joint draft resolution (A/C.3/L.444) as follows:

(1) The addition of the following paragraph after the last paragraph of the preamble:

"Considering that the observance of World Children's Day should be used for a concrete and effective expression of the support of Governments for the purposes of UNICEF,"

(2) The addition of the following new operative paragraph:

"Requests the Executive Board of UNICEF:

"(a) To consider the possibility of holding annually, preferably on World Children's Day, a meeting of Member and non-member States to enable each Government to pledge a contribution or to signify its intention of so doing, subject to the approval of its legislative authorities, for UNICEF's next budgetary period; and

"(b) To proceed to hold such a meeting, if it considers it feasible."

40. The representative of Costa Rica argued, in favour of his proposals, that the financial difficulties of UNICEF might be lessened by a pledging conference similar to the Technical Assistance Conferences and that such action would provide the UNICEF Executive Board with additional security.

41. Some representatives doubted whether the Costa Rican amendments were appropriate in the joint draft resolution.

42. Afghanistan introduced the following amendments (A/C.3/L.446) to the joint draft resolution :

(1) The deletion, from the fifth paragraph of the preamble, of the words "on the initiative of the International Union for Child Welfare in association with UNICEF" ;

(2) The deletion, from operative paragraph 3, of the words "to establish Children's Day" .

43. The representative of France submitted the following amendments to the joint draft resolution :

(1) In the fifth paragraph of the preamble, the replacement of the words "the International Union for Child Welfare" by the words "certain non-governmental organizations" ;

(2) The addition, in operative paragraph 3, of the words "in co-operation with UNESCO" after "UNICEF", and the deletion of the words "the Secretary-General in association with" .

44. The representative of Australia proposed the following amendments to the joint draft resolution :

(1) The deletion, from operative paragraph 3, of the words "and to report progress to the General Assembly at its tenth session" ;

(2) The addition of the following operative paragraph :

"4. *Requests* the Executive Board of UNICEF to include in its annual reports a report on progress achieved in accordance with the above recommendations."

45. The representative of Saudi Arabia proposed that in operative paragraph 3 of the joint draft resolution, the words "tenth session" should be replaced by the words "eleventh session" .

46. The representatives of India and Uruguay accepted the amendments proposed orally by the representative of Australia and the following additional oral amendments to their joint draft resolution :

(1) In the fourth paragraph of the preamble, the addition of the word "social," after the word "civic," (proposed by Uruguay).

(2) In operative paragraph 1, the deletion of the word "shall" after the words "International World Children's Day" (proposed by Sweden).

(3) In operative paragraph 2, second part, the replacement of the word "urges" by the word "invites" (proposed by Saudi Arabia).

(4) In operative paragraph 3, the deletion of the words "to establish Children's Day" (proposed by Afghanistan).

(5) In operative paragraph 3, the addition of the words "in co-operation with UNESCO" after the words "UNICEF" (proposed by France).

47. The representative of the Secretary-General made a statement in favour of the elimination, in operative paragraph 3 of the joint draft resolution, of the reference to the Secretary-General.

48. The Executive Director of UNICEF said that, if the resolution were adopted, he would submit it to the Executive Board and that the necessary steps to implement it would be taken. The Board would then report on progress achieved in its annual reports.

49. The Committee voted on the joint draft resolution (A/C.3/L.444) and amendments thereto as follows :

(i) The Afghan amendment (A/C.3/L.446) to paragraph 5 of the preamble was adopted by 28 votes to 7, with 18 abstentions.

As a result of the adoption of the Afghan amendment, no vote was taken on the first oral French amendment.

(ii) The second oral French amendment was adopted by 51 votes to none, with 2 abstentions.

As a result of the adoption of the French amendment, operative paragraph 3 was redrafted as follows :

"*Requests* the Executive Board of UNICEF, in co-operation with UNESCO, to take steps in accordance with this resolution and to include in its annual reports a report on progress achieved in accordance with the above recommendations."

(iii) At the request of the representative of Iran, a separate vote was taken on each of the Costa Rican amendments (A/C.3/L.445) to the joint draft resolution.

The first Costa Rican amendment was adopted by 18 votes to 13, with 21 abstentions.

At the request of the representative of Israel, the words "preferably on World Children's Day" in the second Costa Rican amendment were put to the vote separately, and were rejected by 19 votes to 8, with 23 abstentions.

The second Costa Rican amendment, as amended, was rejected by 25 votes to 14, with 14 abstentions.

(iv) The joint draft resolution as a whole, as amended, was adopted by 47 votes to none, with 4 abstentions.

50. Following a discussion, the Committee agreed that the name for Children's Day in English should be "Universal Children's Day" rather than "International World Children's Day", as it appeared in the English version of the joint draft resolution.

51. The Third Committee accordingly recommends to the General Assembly the adoption of draft resolution III contained in section V below.

IV. CONSIDERATION OF DRAFT RESOLUTIONS RELATING TO CHAPTER V

Recommendations concerning international respect for the right of peoples and nations to self-determination

52. This was the only problem mentioned during the general debate on chapter V of the Economic and Social Council's report concerning which proposals were submitted to the Third Committee. The first of these was a draft resolution submitted by Afghanistan (A/C.3/L.435/Rev.1) by which the General Assembly, after recalling its previous resolutions on the question of self-determination, noting the recommendations of the Commission on Human Rights and the action of the Council thereon, and considering that the preparation of recommendations on measures for promoting the right of self-determination was a matter of immediate concern, would (1) request the Commission on Human Rights to prepare recommendations concerning international respect for the right of peoples and nations to self-determination with a view to their adoption at the next session of the General Assembly; and (2) request the Council to transmit these recommendations to the Assembly for consideration at that time.

53. A second draft resolution submitted by Egypt, Indonesia, Iraq, Pakistan, Saudi Arabia, Syria and Yemen (A/C.3/L.437), while similar in most respects to the Afghan proposal, suggested that the General Assembly should note with regret that the Economic and Social Council had rejected the recommendation of the Commission on Human Rights; and request that Commission to include, in its recommendations concerning international respect for the right of peoples and nations to self-determination, recommendations concerning their permanent sovereignty over their national wealth and

resources. This alternative draft resolution was subsequently withdrawn in favour of an amendment submitted jointly by Bolivia, Chile, Costa Rica, Egypt, Greece, Haiti, Indonesia, Iraq, Lebanon, Liberia, Mexico, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen (A/C.3/L.440) to the Afghan proposal. The amendment called for the addition of the words "including recommendations concerning their permanent sovereignty over their natural wealth and resources", after the word "self-determination" in operative paragraph 1. The representative of Afghanistan accepted this joint amendment as well as a drafting amendment proposed by Ecuador (A/C.3/L.442), and submitted a revised draft resolution incorporating these amendments (A/C.3/L.435/Rev.2).

54. Many delegations, supporting the draft resolution, stated that it was purely procedural in character, intended primarily to ensure that recommendations of the Commission on Human Rights would be before the General Assembly at its tenth session. Some of these representatives strongly criticized the Economic and Social Council for not having transmitted the Commission's recommendations to the General Assembly at its current session. They also stressed the importance which they attached to the economic aspect of the right of peoples and nations to self-determination, asserting that it must include permanent sovereignty over natural wealth and resources.

55. Opposing the adoption of the draft resolution, and at the same time supporting the action of the Council, some representatives argued that self-determination was a political principle applicable to whole peoples or nations but not a legal right vested in individuals. While supporting this principle as defined in the Charter, they contended that, because it was a political principle, neither the Commission on Human Rights nor the Economic and Social Council nor, for that matter, the Third Committee of the General Assembly was the appropriate organ of the United Nations to prepare or consider recommendations on the problem.

56. Another view expressed by a number of delegations was that, although they supported the fundamental principle and would agree with a purely procedural proposal along the lines of that first submitted by Afghanistan, a substantive element had been prematurely introduced into the proposal when it was stated that the Commission should include recommendations concerning permanent sovereignty over natural wealth and resources. Brazil, Peru and the United States of America felt it necessary to submit an amendment¹⁰ to that effect. They proposed (A/C.3/L.441) the insertion, after the word "recommendations", of the words "having due regard to obligations under international agreements, the principles of international law and the importance of encouraging international co-operation in the economic development of under-developed countries"...

57. The amendment was criticized on the grounds that there could be no limitation to the principle of self-determination, that it was superfluous, and that in any case, its meaning was too vague to be comprehended by the Commission on Human Rights in preparing its recommendations.

¹⁰ Originally submitted as an amendment to A/C.3/L.440, this text subsequently became an amendment to A/C.3/L.435/Rev.2 (in which A/C.3/L.440 was incorporated), to be inserted after the words "resources".

58. The Committee first voted on an amendment by India (A/C.3/L.443) to operative paragraph 1 of the first revision of the draft resolution submitted by Afghanistan (A/C.3/L.435/Rev.1) calling for replacement of the word "prepare" by the words "complete its". The representative of India explained that the purpose of the amendment was simply to take cognizance of the fact that the Commission on Human Rights had already prepared recommendations on the matter. The Indian amendment was adopted by 19 votes to 11, with 22 abstentions.

59. A roll-call vote by division was requested on the amendment submitted by Brazil, Peru and the United States of America (A/C.3/L.441). The words "obligations under international agreements, the principles of international law and" were rejected by 21 votes to 17, with 14 abstentions. The voting was as follows:

In favour: Australia, Belgium, Brazil, Canada, China, Denmark, France, Israel, Luxembourg, Netherlands, New Zealand, Norway, Peru, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Argentina, Bolivia, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Czechoslovakia, Egypt, Greece, Haiti, Honduras, India, Iraq, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen.

Abstaining: Burma, Cuba, Dominican Republic, Ecuador, Ethiopia, Guatemala, Indonesia, Liberia, Mexico, Pakistan, Thailand, Union of South Africa, Venezuela, Yugoslavia.

60. The words "having due regard to the importance of encouraging international co-operation in the economic development of under-developed countries" were adopted by 23 votes to 11, with 18 abstentions. The voting was as follows:

In favour: Belgium, Bolivia, Brazil, Canada, Chile, China, Costa Rica, Cuba, Denmark, Egypt, France, Honduras, Israel, Liberia, Luxembourg, Netherlands, New Zealand, Norway, Peru, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Byelorussian Soviet Socialist Republic, Czechoslovakia, Greece, Haiti, Iraq, Poland, Saudi Arabia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen.

Abstaining: Argentina, Australia, Burma, Dominican Republic, Ecuador, Ethiopia, Guatemala, India, Indonesia, Mexico, Pakistan, Philippines, Syria, Thailand, Union of South Africa, Uruguay, Venezuela, Yugoslavia.

61. Turning to the second revision of the draft resolution submitted by Afghanistan (A/C.3/L.435/Rev.2), the Committee voted separately by roll-call on the words "including recommendations concerning their permanent sovereignty over their natural wealth and resources" in operative paragraph 1. These words were adopted by 35 votes to 14, with 3 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iraq, Israel, Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against : Australia, Belgium, China, Denmark, France, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining : Brazil, Canada, Peru.

62. The revised draft resolution as a whole, as amended, was adopted by a roll-call vote of 37 votes to 14, with 1 abstention. The voting was as follows :

In favour : Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iraq, Israel, Liberia, Mexico, Pakistan, Peru, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against : Australia, Belgium, China, Denmark, France, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining : Canada.

63. The Third Committee accordingly recommends to the General Assembly the adoption of draft resolution IV contained in section V below.

V. RECOMMENDATIONS OF THE THIRD COMMITTEE

64. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions :

Draft resolution I

UNITED NATIONS NARCOTICS LABORATORY

[*Text adopted without change by the General Assembly. See A/RESOLUTION/278, below.*]

Draft resolution II

UNITED NATIONS CHILDREN'S FUND

[*Text adopted without change by the General Assembly. See A/RESOLUTION/279, below.*]

Draft resolution III

UNIVERSAL CHILDREN'S DAY

[*Text adopted without change by the General Assembly. See A/RESOLUTION/280, below.*]

Draft resolution IV

RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES AND NATIONS TO SELF-DETERMINATION

[*Text adopted without change by the General Assembly. See A/RESOLUTION/281, below.*]

DOCUMENT A/2865

UNITED NATIONS NARCOTICS LABORATORY

FINANCIAL IMPLICATIONS DRAFT RESOLUTION I SUBMITTED BY THE THIRD COMMITTEE (A/2829, para. 64)

Report of the Fifth Committee

[*Original text : English*]

[13 December 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered, at its 481st meeting held on 10 December 1954, the financial implications of draft resolution I submitted by the Third Committee (A/2829, para. 64) on the subject of the establishment at Geneva of a United Nations narcotics laboratory.

2. In a statement to the Fifth Committee on the financial implications (A/C.5/609), the Secretary-General had estimated that, should the resolution be adopted, the costs involved in 1955 would approximate \$29,850. The cantonal authorities of Geneva had offered to provide the United Nations with material assistance to the value of \$6,350 towards the establishment of the narcotics laboratory in Geneva. Thus, the net increase to the United Nations budget, section 18 (European Office of the United Nations) would be \$23,500.

3. The Advisory Committee on Administrative and Budgetary Questions in its report (A/2842) on this question, while not disagreeing with the estimate submitted by the Secretary-General, was of the opinion that it was not necessary to make specific additional provision in the 1955 appropriations for this purpose. The Committee noted that it was not expected that the laboratory would be in operation before September 1955 and that the forthcoming review of the European Office by the Secretary-General might lead to further economies. With these points in mind, the Advisory Committee suggested that it would prove sufficient, in the event that the draft resolution recommended by the Third Committee were adopted, to authorize the Secretary-General to proceed,

if necessary, with the construction of the laboratory during 1955 and to finance the costs out of savings on section 18 or, failing that, out of savings on other sections of the budget during 1955. Should it not prove possible to finance the project in 1955 by means of savings, the Advisory Committee suggested that it would not be unduly difficult to make provisional arrangements for the remainder of that year. In such an event, provision for a more permanent arrangement could be included in the 1956 budget.

4. During the consideration of this item by the Fifth Committee, the representative of the Secretary-General stated that, while the Secretary-General would attempt to meet any necessary expenditures in 1955 from savings, that might not prove possible. Further, it might also prove impracticable, in the event that such savings did not materialize, to defer to 1956 all expenditures relating to the establishment of the laboratory. Thus, the Secretary-General would, in the event that expenditures in 1955 were involved which could not be met from savings, seek the concurrence of the Advisory Committee for authority to make the necessary expenditures from the Working Capital Fund. The Chairman of the Advisory Committee indicated that that Committee could agree to such an arrangement.

5. Certain delegations pointed to the fact that, while not disagreeing with the location of the narcotics laboratory in Geneva, the question of the location of an activity of the United Nations had administrative as well as financial implications. It was further noted by one delegation that the Commission on Narcotic Drugs at its

1955 session would review certain broader aspects of the research programme and of the use of that programme as a whole.

6. The appreciation of the Fifth Committee for the offer made by the cantonal authorities of Geneva was also placed on record.

7. The Committee decided, by 32 votes to none, with 5 abstentions, to inform the General Assembly that, in

the event of the adoption by the Assembly of the draft resolution proposed by the Third Committee on the narcotics laboratory (A/2829, para. 64), the estimated net cost would be \$23,500; and to recommend to the General Assembly that this amount should be provided from savings in the 1955 budget rather than by specific additional provision. Failing this possibility, the Secretary-General should be authorized to consult with the Advisory Committee regarding ways and means of financing any necessary expenditures during 1955.

DOCUMENT A/2860

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (CHAPTER IX)

Report of the Fifth Committee

[Original text: English]
[11 December 1954]

1. At its 478th plenary meeting held on 25 September 1954, the General Assembly referred to the Fifth Committee, for consideration and report, chapter IX of the report of the Economic and Social Council (A/2686) dealing with the financial implications of actions taken by the Council at its seventeenth and eighteenth sessions.

2. At its 482nd meeting held on 11 December 1954, the Committee took note of chapter IX of the report of the Council. It decided, without objection, to inform the General Assembly that due account of the financial implications of the actions of the Council had been taken in connexion with the appropriations recommended by the Committee under the relevant sections of the United Nations budget for 1955.

DOCUMENT A/RESOLUTION/258

[Resolution 829 (IX)]

Resolution adopted by the General Assembly at its 511th plenary meeting, on 14 December 1954

FULL EMPLOYMENT

The General Assembly,

Noting that the Economic and Social Council is keeping under review the problem of promoting full employment,

Endorses resolution 531 B (XVIII) adopted by the Economic and Social Council on 4 August 1954, and particularly the invitation to the International Labour Organisation to continue its important work in the field of employment problems.

DOCUMENT A/RESOLUTION/259

[Resolution 830 (IX)]

Resolution adopted by the General Assembly at its 511th plenary meeting, on 14 December 1954

REMOVAL OF OBSTACLES TO INTERNATIONAL TRADE AND MEANS OF DEVELOPING INTERNATIONAL ECONOMIC RELATIONS

The General Assembly,

Recognizing that the Economic and Social Council is giving active consideration to the question of the expansion of international trade and the development of international economic relations,

1. *Expresses its satisfaction with the Economic and Social Council's decision to continue to study this question at its twentieth session;*

2. *Endorses resolution 531 C (XVIII) adopted unanimously by the Council on 4 August 1954.*

DOCUMENT A/RESOLUTION/278[*Resolution 834 (IX)*]**Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954**

UNITED NATIONS NARCOTICS LABORATORY

*The General Assembly,**Noting* Economic and Social Council resolution 548 D (XVIII) of 12 July 1954 on the subject of the establishment of a United Nations Narcotics Laboratory,*Having considered* the Secretary-General's note of 15 October 1954 (A/C.3/573) which sets out the comparative cost of setting up such a laboratory at Headquarters and at Geneva,*Noting* the statement by the Secretary-General in the above note that he "would regard it as important that the laboratory should be situated in the same place, and preferably in the same building, as the Division of Narcotic Drugs as a whole",*Taking into account* that, under the Secretary-General's proposals for the reorganization of the Secretariat (A/2731), the Division of Narcotic Drugs is to be transferred to Geneva,*Decides* to establish a United Nations Narcotics Laboratory in Geneva.**DOCUMENT A/RESOLUTION/279**[*Resolution 835 (IX)*]**Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954**

UNITED NATIONS CHILDREN'S FUND

*The General Assembly,**Recalling* that by its resolution 802 (VIII) of 6 October 1953 it decided to continue the activities of the United Nations Children's Fund without time limits,*Taking note* of resolution 543 (XVIII) adopted by the Economic and Social Council after consideration of the reports made by the Executive Board of UNICEF on the work of the Fund,*Being of the opinion* that the work of UNICEF is developing with success in the various parts of the world, especially in under-developed areas,

1. *Congratulates* the United Nations Children's Fund on its work ;
2. *Considers* that further efforts are desirable to familiarize the public with the needs of children and with the work of UNICEF ;
3. *Invites* all States Members and non-members of the United Nations to continue their efforts to expand the resources of UNICEF.

DOCUMENT A/RESOLUTION/280[*Resolution 836 (IX)*]**Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954**

UNIVERSAL CHILDREN'S DAY

*The General Assembly,**Considering* that the obligations of the United Nations to succeeding generations can only be fulfilled by increased efforts on behalf of the children of the world, who are the citizens of tomorrow, and that the world-wide observance of a children's day would contribute to human solidarity and co-operation between nations,*Believing* that the objectives of the Charter can best be realized if they inspire and are shared by the children of the world,*Recalling* the increased interest in the work of and the support given to the United Nations Children's Fund and its acceptance as an integral part of the United Nations, and that various resolutions relating to children adopted by the General Assembly have shown the Organization's concern for children in all parts of the world,

Considering the increasing attention given by States and peoples to a better observance of the rights of mothers and children, as well as the action of civic, social, professional and cultural institutions, national, international and regional, on behalf of children,

Expressing its appreciation of the work done by governmental and voluntary organizations for the children of the world, including the observance in a certain number of countries of a Universal Children's Day,

Considering that the observance of Universal Children's Day should be used for a concrete and effective expression of the support of Governments for the purposes of UNICEF.

1. *Recommends* that, with effect from 1956, a Universal Children's Day shall be instituted by all countries, to be observed as a day of world-wide fraternity and understanding between children and of activity devoted to the promotion of the ideals and objectives of the Charter

and the welfare of the children of the world, and to the strengthening and broadening of the efforts made by the United Nations in favour and on behalf of all the children of the world ;

2. *Suggests* to the Governments of all States that Universal Children's Day be observed on the date and in the way which each considers appropriate ;

3. *Also invites* the cultural, professional, trade-union, workers' and social welfare organizations, for men and women, to support and co-operate actively in the observance of Universal Children's Day ;

4. *Requests* the Executive Board of the United Nations Children's Fund, in co-operation with the United Nations Educational, Scientific and Cultural Organization, to take steps in accordance with the present resolution and to include in its annual reports a report on progress achieved in accordance with the above recommendations.

DOCUMENT A/RESOLUTION/281

[*Resolution 837 (IX)*]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES AND NATIONS TO SELF-DETERMINATION

The General Assembly,

Recalling its resolutions 637 (VII), 648 (VII) and 738 (VIII),

Noting the recommendations of the Commission on Human Rights to the Economic and Social Council (E/2573 annex IV, draft resolution F),

Noting, further, resolution 545 G (XVIII) adopted by the Economic and Social Council,

Considering that the preparation of recommendations on measures for promoting the right of self-determination is a matter of immediate concern,

1. *Requests* the Commission on Human Rights to complete its recommendations concerning international respect for the right of peoples and nations to self-determination, including recommendations concerning their permanent sovereignty over their natural wealth and resources, having due regard to the rights and duties of States under international law and to the importance of encouraging international co-operation in the economic development of under-developed countries, in order that the General Assembly may give those recommendations full and due consideration at its next regular session ;

2. *Requests* the Economic and Social Council to transmit these recommendations to the General Assembly for consideration at its next regular session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 511th plenary meeting, on 14 December 1954, the General Assembly adopted draft resolutions I and II submitted by the Second Committee (A/2868). For the final text, see A/RESOLUTION/258 and A/RESOLUTION/259, above.

At the same meeting the General Assembly rejected two draft resolutions submitted by the Union of Soviet Socialist Republics (A/L.188 and A/L.189).

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted draft resolutions I, II and III submitted by the Third Committee (A/2829, para. 64). For the final texts, see A/RESOLUTION/278, A/RESOLUTION/279 and A/RESOLUTION/280, respectively, above.

At the same meeting, the General Assembly adopted draft resolution IV submitted by the Third Committee (A/2829, para. 64) with the amendment submitted at that meeting by Brazil, Peru and the United States of America (A/L.187). For the final text, see A/RESOLUTION/281, above.

At its 513th plenary meeting, on 15 December 1954, the General Assembly rejected a draft resolution submitted by the Union of Soviet Socialist Republics (A/L.186).

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2686	Report of the Economic and Social Council covering the period from 6 August 1953 to 6 August 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 3</i>
A/2731	Report of the Secretary-General		<i>Ibid.</i> , Annexes, agenda item 53
A/2829	Report of the Economic and Social Council (chapters IV and V)—Report of the Third Committee	9	
A/2842	Thirty-fifth report of the Advisory Committee on Administrative and Budgetary Questions to the General Assembly—Financial implications of draft resolution I submitted by the Third Committee (A/2829, para. 64)	7	
A/2860	Report of the Economic and Social Council (chapter IX)—Report of the Fifth Committee	16	
A/2865	United Nations narcotics laboratory—Financial implications of draft resolution I submitted by the Third Committee (A/2829, para. 64)—Report of the Fifth Committee	15	
A/2868	Report of the Economic and Social Council (chapters II and III)—Report of the Second Committee	8	
A/C.2/L.247	Measures to reduce unemployment and increase employment—Union of Soviet Socialist Republics: draft resolution		Covered in substance in A/2868, para. 5
A/C.2/L.248 and Corr.1	Removal of measures of discrimination applying to trade with individual States or groups of States—Union of Soviet Socialist Republics: draft resolution		Covered in substance in A/2868, para. 10
A/C.2/L.252 and Add.1	Removal of obstacles to international trade and means of developing international economic relations—Australia, Brazil, Canada, Colombia, Ecuador, France, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Yugoslavia: draft resolution		Covered in substance in A/2868, para. 12
A/C.2/L.252/Rev.1	Removal of obstacles to international trade and means of developing international economic relations—Australia, Brazil, Canada, Colombia, Ecuador, France, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Yugoslavia: revised draft resolution		Adopted without change. See A/2868 and A/RESOLUTION/258
A/C.2/L.253 and Add.1	Full employment—Australia, Brazil, Canada, Colombia, Ecuador, France, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Yugoslavia: draft resolution		Adopted without change. See A/2868 and A/RESOLUTION/259
A/C.2/L.256	Removal of obstacles to international trade and means of developing international economic relations—Chile: amendment to draft resolution A/C.2/L.252 and Add.1		Incorporated in A/2868, para. 13
A/C.2/L.257	Report of the Economic and Social Council (chapters II and III)—Draft report of the Second Committee		Same text as A/2868 except for two errors corrected at the 342nd meeting of the Second Committee
A/C.3/573	United Nations narcotics laboratory—Note by the Secretary-General	2	
A/C.3/573/Add.1	United Nations narcotics laboratory—Note from the Permanent Observer of Switzerland to the United Nations	3	
A/C.3/L.432	United Nations narcotics laboratory—France, Turkey and the United Kingdom of Great Britain and Northern Ireland: draft resolution		Adopted without change. See A/2829, para. 64 and A/RESOLUTION/278
A/C.3/L.433 and Add.1 and 2	United Nations Children's Fund—Australia, Belgium, Brazil, Canada, Dominican Republic, Ecuador, France, India, Indonesia, Iraq, the Philippines, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia: draft resolution		Adopted without change. See A/2829, para. 64 and A/RESOLUTION/279
A/C.3/L.434	World Children's Day—Uruguay: draft resolution	4	
A/C.3/L.435	Recommendations concerning international respect for the right of peoples and nations to self-determination—Afghanistan: draft resolution		See A/C.3/L.435/Rev.1
A/C.3/L.435/Rev.1	Recommendations concerning international respect for the right of peoples and nations to self-determination—Afghanistan: revised draft resolution		Covered in A/2829, para. 52
A/C.3/L.435/Rev.2	Recommendations concerning international respect for the right of peoples and nations to self-determination—Afghanistan: revised draft resolution	4	
A/C.3/L.436	World Children's Day—India: draft resolution	4	

Document No.	Title	Page	Observations and references
A/C.3/L.437	Recommendations concerning international respect for the right of peoples and nations to self-determination—Egypt, Indonesia, Iraq, Saudi Arabia, Syria, Pakistan and Yemen: draft resolution	5	
A/C.3/L.438	Denmark, Norway and Sweden: amendments to draft resolution A/C.3/L.436	5	
A/C.3/L.439	Costa Rica: amendments to draft resolution A/C.3/L.434	5	
A/C.3/L.440	Bolivia, Chile, Costa Rica, Egypt, Greece, Haiti, Indonesia, Iraq, Lebanon, Liberia, Mexico, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen: amendment to draft resolution A/C.3/L.435/Rev.1		Incorporated in A/2829, para. 53
A/C.3/L.441	Brazil, Peru and the United States of America: amendment to amendment A/C.3/L.440		Incorporated in A/2829, para. 56
A/C.3/L.442	Ecuador: amendment to draft resolution A/C.3/L.435/Rev.1 . . .	6	
A/C.3/L.443	India: amendment to draft resolution A/C.3/L.435/Rev.1		Incorporated in A/2829, para. 58
A/C.3/L.444	World Children's Day—India and Uruguay: draft resolution ..	6	
A/C.3/L.445	Costa Rica: amendments to draft resolution A/C.3/L.444		Incorporated in A/2829, para. 39
A/C.3/L.446	Afghanistan: amendments to draft resolution A/C.3/L.444		Incorporated in A/2829, para. 42
A/C.5/609	Financial implications of draft resolution adopted by the Third Committee (A/C.3/L.432)—Estimate submitted by the Secretary-General		Incorporated in the verbatim record of the 513th plenary meeting of the General Assembly
A/L.186	Report of the Economic and Social Council (chapters I, VI, VII and VIII)—Union of Soviet Socialist Republics: draft resolution		Incorporated in the verbatim record of the 512th plenary meeting of the General Assembly
A/L.187	Brazil, Peru and the United States of America: amendment to draft resolution IV submitted by the Third Committee (A/2829, para. 64)		
A/L.188	Measures to reduce unemployment and increase employment—Union of Soviet Socialist Republics: draft resolution		Same text as A/C.2/L.247
A/L.189	Removal of measures of discrimination applying to trade with individual States—Union of Soviet Socialist Republics: draft resolution		Same text as A/C.2/L.248
A/RESOLUTION/258	Resolution adopted by the General Assembly at its 511th plenary meeting, on 14 December 1954—Full employment	16	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 829 (IX)
A/RESOLUTION/259	Resolution adopted by the General Assembly at its 511th plenary meeting, on 14 December 1954—Removal of obstacles to international trade and means of developing international economic relations	16	<i>Ibid.</i> , resolution 830 (IX)
A/RESOLUTION/278	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954—United Nations Narcotics Laboratory	17	<i>Ibid.</i> , resolution 834 (IX)
A/RESOLUTION/279	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954—United Nations Children's Fund	17	<i>Ibid.</i> , resolution 835 (IX)
A/RESOLUTION/280	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954—Universal Children's Day	17	<i>Ibid.</i> , resolution 836 (IX)
A/RESOLUTION/281	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954—Recommendations concerning international respect for the right of peoples and nations to self-determination	18	<i>Ibid.</i> , resolution 837 (IX)
E/2333	Allegations regarding infringements of trade-union rights received under Council resolution 277 (X)		Mimeographed document only
E/2431	Report of the <i>Ad Hoc</i> Committee on Forced Labour		Joint UN and ILO document. See <i>Official Records of the Economic and Social Council, Sixteenth Session, Supplement No. 13</i> , and No. 36 in the <i>Studies and Report (New Series) of the International Labour Office</i>
E/2431/Add.5	Observations of the Government of the Union of South Africa on the report of the <i>Ad Hoc</i> Committee on Forced Labour (E/2431)		Mimeographed document only
E/2518	United Nations International Children's Emergency Fund, Report of the Executive Board		<i>Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 2</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
E/2535	Communication dated 19 January 1954 from the Deputy Permanent Representative of the Union of South Africa to the Secretary-General		Mimeographed document only
E/2540/Add.1	Letter dated 25 February 1954 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, addressed to the Secretary-General		<i>Official Records of the Economic and Social Council, Seventeenth Session, Annexes, agenda item 15 (a)</i>
E/2560	<i>World Economic Report 1952-53</i>		United Nations Publications, Sales No.: 1954.II.C.1
E/2571 and E/CN.6/253	Report of the Commission on the Status of Women (eighth session) (22 March to 9 April 1954)		<i>Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 6</i>
E/2573 and E/CN.4/705	Report of the Commission on Human Rights (tenth session)		<i>Ibid., Supplement No. 7</i>
E/2598	Review of the organization and work of the Secretariat in the economic and social field—Note by the Secretary-General		<i>Ibid., Annexes, agenda item 29</i>
E/AC.6/SR.160	Summary record of the 160th meeting of the Economic Committee		Mimeographed document only
E/ICEF/247	Apportionment to Japan for emergency feeding—Executive Board decision by mail poll		Ditto
E/ICEF/L.594	United Nations Children's Fund, Executive Board, Report of the Committee on Administrative Budget on its seventeenth session held at United Nations Headquarters on 17-18 March and 17-18 May 1954		Ditto
E/L.614/Rev.2	Union of Soviet Socialist Republics: revised draft resolution		Mimeographed document only. See <i>Official Records of the Economic and Social Council, Eighteenth Session, Annexes, agenda item 2 (c)</i>
E/L.624	Union of Soviet Socialist Republics: draft resolution		<i>Ibid., agenda item 2 (b) (iii)</i>



Agenda item 13 : Report of the Trusteeship Council

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DOCUMENT A/C.4/277

**Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia :
Report of the Secretary-General**

[Original text : English/Italian]
[10 November 1954]

1. By its resolution 1000 (XIV) of 6 July 1954, the Trusteeship Council decided to draw the attention of the General Assembly to its conclusion that the delimitation of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia was a matter of the utmost urgency in view both of the approach of the date of the grant of independence to the Trust Territory and of the continuing political, economic and social difficulties in the area of the present provisional frontier.

2. In the same resolution, the Trusteeship Council requested the Secretary-General to ask the Governments of Italy and Ethiopia to furnish all appropriate information as to the progress of the direct negotiations between the two Governments for submission to the General Assembly at its ninth regular session, and invited the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration to submit to the Secretary-General in the same period such information as it might obtain in the course of its regular functions as to the actual situation in the frontier area. It further requested the Secretary-General, in the light of the information thus obtained, to present to the General Assembly at its ninth regular session a report on the progress made in the negotiations undertaken in accordance with General Assembly resolution 392 (V) and on the situation in the area of the provisional frontier.

3. In pursuance of his obligation under the above resolution, the Secretary-General, by letters dated 23 July 1954, invited the Governments of Italy and Ethiopia, and the United Nations Advisory Council for Somaliland, to furnish him with the information requested by the Trusteeship Council for submission to the General Assembly at its ninth regular session.

4. By a letter dated 30 September 1954, the Under-Secretary of State for Foreign Affairs of Italy transmitted to the Secretary-General a memorandum of the Government of Italy on the negotiations between Italy and Ethiopia concerning the delimitation of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia. This memorandum is reproduced on pages 2 to 4 of the present report.

5. By a letter dated 8 November 1954, addressed to the Secretary-General, the Permanent Representative of Ethiopia to the United Nations set forth the position of his Government concerning this subject. This letter is reproduced on page 4 of the present report.

6. At its 107th meeting, on 25 October 1954, the United Nations Advisory Council for Somaliland adopted a report submitted by the representative of Egypt on his trip along the frontier between the Trust Territory and Ethiopia and decided to transmit it to the Secretary-General together with a historical notice prepared on the frontier question. The information submitted by the Advisory Council is reproduced on pages 4 to 6 of the present report.

MEMORANDUM OF THE GOVERNMENT OF ITALY ON THE NEGOTIATIONS BETWEEN ITALY AND ETHIOPIA CONCERNING THE DELIMITATION OF THE FRONTIER BETWEEN THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION AND ETHIOPIA

Rome, 30 September 1954

(1) Although the General Assembly of the United Nations recommended to the Italian and Ethiopian Governments as early as 15 December 1950 that they should undertake direct negotiations with a view to delimiting the frontier between Ethiopia and Somaliland, obviously such negotiations could not be started until diplomatic relations were re-established between the two Governments.

Diplomatic relations were re-established in February 1952, and the Italian Embassy at Addis Ababa broached the subject with the Ethiopian Minister of Foreign Affairs in May of the same year. About the end of that month, Ambassador Tacoli expressed to the Minister of Foreign Affairs, H.E. Ato Aklilou Abte-Wold, the Italian Government's desire that some start should be made with negotiations on the delimitation of the Somalo-Ethiopian frontiers before the session of the Trusteeship Council scheduled for the following July. Ambassador Tacoli stressed that the Italian Government attributed the utmost importance to the execution of the particular functions assigned to Italy as the Administering Authority in Somaliland under the Trusteeship Agreement of 2 December 1950. In this connexion the Ambassador recalled how, in the discussions that had preceded the resolution of the General Assembly concerning the delimitation of that frontier,¹ the Italian delegation had expressed the opinion that the matter could be settled more promptly if it were referred to a "Mediator" appointed by the United Nations and assisted by two delegations representing Italy and Ethiopia respectively. The Italian delegation had subsequently accepted the suggestion in that resolution that the delimitation of the frontier should be first sought through direct negotiations between the two countries, which was apparently preferred by the Ethiopian delegation. The Italian Government thus considered that the Ethiopian Government would be willing to start direct negotiations at the earliest opportunity. Ambassador Tacoli pointed out, however, for the information of all concerned, that the General Assembly resolution left each party free to resort to the good offices of a United Nations Mediator if difficulties arose during the bilateral negotiations.

Minister Aklilou agreed to give an early reply.

On the same occasion the Ambassador discussed with the Minister, among other Somalo-Ethiopian problems, the many incidents that had occurred in the border area, and obtained from him a promise that instructions would be given to the frontier authorities to approach the corresponding authorities in Somaliland.

(2) In a second conversation, held on 12 June 1952, at the request of Ambassador Tacoli, Minister Aklilou

¹ General Assembly resolution 392 (V).

stated that his Government agreed that it would be advisable to start conversations on the subject between the two countries at an early date. This assurance was communicated to the Trusteeship Council by the Italian representative on 17 June 1952.²

(3) On 5 July 1952, Ambassador Tacoli again drew the attention of Minister Aklilou to the advantages of starting the talks as soon as possible and in the meantime appointing the two delegations. On the same occasion, the Ambassador mentioned once more the value of contacts between the respective frontier authorities, and Minister Aklilou again confirmed that the Minister of Interior would issue the necessary instructions.

(4) On 10 July 1952, the Italian Ambassador addressed a letter to Minister Aklilou concerning incidents that had occurred in the frontier zones, and requested confirmation of the assurance that had been given him with regard to the desired contact between the respective frontier authorities.

A few days later an official of the Ethiopian Ministry of Foreign Affairs gave to a secretary of the Embassy a verbal reply to the Ambassador's letter, to the effect that the Ministry of Foreign Affairs would duly inform the Ministry of the Interior, as requested by us.

(5) Early in September 1952, Ambassador Tacoli again impressed upon the Vice-Minister of Foreign Affairs, Ato Menberè, the urgency of establishing relations between the respective frontier authorities (after an Ethiopian officer had refused to meet the Resident of Fer Fer). The Ambassador availed himself of this occurrence to draw the attention of the Vice-Minister to the importance and urgency of settling the frontier question.

(6) In the second half of the same month, the Ambassador proposed to Vice-Minister Menberè that the two delegations be appointed as soon as possible as a first step towards bilateral conversations.

(7) On 3 September, during a further conversation held at the request of Ambassador Tacoli, Vice-Minister Menberè stated that he had instructed an official of the Ministry of Foreign Affairs to approach the Counsellor of the Italian Embassy to examine with him the appropriate procedure and to submit his suggestions on the matter. Nevertheless, no communication was subsequently received on the appointment of the Ethiopian official.

(8) During the following months the matter remained in abeyance because of the absence of Minister Aklilou and Vice-Minister Menberè.

However, during that time the Counsellor of the Italian Embassy on his own initiative approached the Director-General of European Affairs, and brought to his attention the advisability of taking positive action to initiate the bilateral conversations before the end of the year, so that it would be possible for the Italian Administration in Somaliland to mention, in its annual report to the Trusteeship Council, some progress in the matter.

The Ethiopian official gave the assurance that he would refer the matter to the Acting Minister of Foreign Affairs.

(9) At the end of December 1952, as neither Minister Aklilou nor Vice-Minister Menberè had returned, Ambassador Tacoli took the matter up with Dr. Ambayè, Acting Minister of Foreign Affairs, urging him, among other things, to appoint an official of his Ministry who, together with a member of the Italian Embassy, would study the procedure for setting up the two delegations, in accordance with the agreement reached months before. Once more, the Acting Minister of Foreign Affairs would not commit himself to a definite answer.

(10) In April 1953, Ambassador Tacoli again impressed upon the Acting Minister of Foreign Affairs that, should the Ethiopian Government continue to defer action on the matter, the Italian Government would feel obliged to inform the Trusteeship Council, at its forthcoming session, of its many unsuccessful efforts, and to notify the Ethiopian Ministry of Foreign Affairs of its action in a *note verbale*.

Dr. Ambayè declared that because the matter had been referred to Vice-Minister Menberè, who was absent for reasons of health, he could not give a definite reply on the subject.

Similar action was taken by the Ambassador, during the same period, with the Director-General for European Affairs. Assurances were given that everything possible would be done to give an answer upon the return of Minister Aklilou.

(11) Having received no reply whatsoever, on 24 June 1953, just before the meeting of the Trusteeship Council, the Embassy addressed a *note verbale* to the Ethiopian Minister of Foreign Affairs, summarizing the various steps that had been taken in the matter and stating: "It was our impression that the Ethiopian Government had some objections to the Italian proposals", and formally requesting—so as to be able to answer the predictable queries of the Trusteeship Council on the implementation of the Council's recommendation of the summer of 1952³—that the Ethiopian Government should state whether or not it agreed to the procedure to be followed for bilateral negotiations, particularly with regard to the nomination of two commissions to undertake the negotiations.

(12) On 29 June 1953, the Ethiopian Minister of Foreign Affairs answered the Embassy's note with a note in which, after declaring that Ethiopia had always been willing to start direct bilateral negotiations in order finally to delimit the frontier, he expressed the opinion that the conversations referred to had not yet reached a stage where nomination of delegations or commissions for the delimitation of frontiers would be either useful or feasible. For this reason the Minister of Foreign Affairs proposed to instruct one of its officials "without further delay", to initiate together with a representative of the Italian Embassy (acting as a preparatory commission) preliminary discussions to establish "the guiding principles and preliminary conditions necessary for the effective future work of the two delegations concerned with delimiting the frontier".

(13) On 1 August 1953, Ambassador Tacoli informed the new Acting Minister of Foreign Affairs, Blatta Dawit, verbally of Italy's acceptance of the Ethiopian counter-proposal, and added that, on the Italian side, Counsellor Della Chiesa, assisted by an official who would be sent from Rome, had been appointed for the preliminary conversations.

The Acting Minister undertook to appoint an Ethiopian representative.

(14) On 21 August 1953, Ambassador Tacoli urged the Acting Minister of Foreign Affairs, Blatta Dawit, to nominate the Ethiopian representative.

(15) In a *note verbale* dated 12 September 1953, the Embassy once more confirmed in writing Italy's acceptance of the Ethiopian counter-proposals, repeated that Counsellor Della Chiesa and Dr. Vitali had been designated and again asked to be informed of the name of the Ethiopian representative.

(16) In another *note verbale* of the same date, some frontier incidents were deplored and a further request

² See *Official Records of the Trusteeship Council, Eleventh Session*, 422nd meeting, para. 6.

³ See A/2150, p. 109.

was submitted that the Ethiopian frontier authorities be instructed to adopt a more co-operative attitude towards their Italian colleagues.

(17) On 3 May 1954, Ambassador Tacoli explained to Minister Aklilou the reasons that had led the Italian Government to summarize, in its 1953 report to the General Assembly as Administering Authority for Somaliland under Italian administration,⁴ the status of the frontier question and the existing deadlock, responsibility for which could certainly not be attributed to Italy. Minister Aklilou replied that he took note of the Ambassador's statement and invited the Ambassador to pursue the subject further with the Vice-Minister, Ato Haddis, who was competent in such matters.

(18) On 21 May 1954, Ambassador Tacoli repeated to Vice-Minister Haddis in greater detail what he had already said to Minister Aklilou, and gave him the text of the pages regarding the frontier question that had been included in the Administering Authority's report for 1953.

The Vice-Minister thanked the Ambassador for the communication and said that he would inform him of any comments by the Ethiopian Government; he added that, as far as he was concerned, if the facts were correctly stated he would raise no objection.

(19) No comment was subsequently addressed by the Ethiopian Minister of Foreign Affairs to the Embassy about the Italian statements made to the Trusteeship Council last July, nor about the resolution adopted by the Council about the question of the Somalo-Ethiopian frontier.⁵

(20) On 23 September, Ambassador Tacoli requested a final interview with Vice-Minister Haddis, in order to hold another exchange of views with him concerning the Somalo-Ethiopian frontier in view of the imminent session of the United Nations General Assembly where the question would be raised on the Trusteeship Council's resolution.

The Ambassador explained to the Vice-Minister that the Italian Government had recently been requested by the Secretary-General of the United Nations to report on the situation, and planned to describe in a memorandum with all the pertinent details the successive but altogether unsuccessful steps taken with the Ethiopian Government ever since the re-establishment of diplomatic relations to make a start with the bilateral conversations recommended in the General Assembly resolution of November 1950. The Ambassador emphasized that the course of action so far pursued by the Italian Government had to be considered on a strictly United Nations plane, and did not affect Italo-Ethiopian relations in the least; in other words, that in taking this last step the Italian Government acted, as before, exclusively in its capacity as the Administering Authority of Somaliland and in conformity with the mandate assigned to it by the United Nations and with the obligations deriving therefrom. Within such a framework and in such a spirit, it was desired to have a final exchange of ideas with the Ethiopian Government.

The Vice-Minister replied that he fully appreciated the nature of this step and that he would refer the matter to Minister Aklilou. He added that he would inform the Ambassador as soon as possible of the reaction of the Ethiopian Government.

⁴ *Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie, 1953, Ministry of Foreign Affairs, Rome, 1954.*

⁵ Trusteeship Council resolution 1000 (XIV).

LETTER DATED 8 NOVEMBER 1954 FROM THE
PERMANENT REPRESENTATIVE OF ETHIOPIA
TO THE SECRETARY-GENERAL

I have the honour to refer to your note of 23 July (TR.457/1/04) addressed to the Minister of Foreign Affairs of the Imperial Ethiopian Government requesting information as to the progress of the negotiations concerning the delimitation of the frontier between Ethiopia and the power administering ex-Italian Somaliland.

The Imperial Ethiopian Government have always been ready to carry out the recommendations of the General Assembly and in this spirit are prepared to implement resolution 392 (V) of 15 December 1950 as and when it becomes applicable to the frontier with ex-Italian Somaliland. Over and beyond the well-known basic reservation of Ethiopia, the present difficulty is that, as regards that frontier as distinguished from the other frontiers mentioned in the resolution, the recommendation remains premature. It will be recalled that as long ago as 1949 the Ethiopian delegation pointed out that the Administering Power had for many years refused to accept the frontier for delimitation and that, in consequence, Ethiopia's consent to a Trusteeship Agreement would be required under Article 79 of the Charter, as an interested State. Unfortunately the position has not changed; there is still no basic agreement which can be delimited. As will be evident, this is not the fault of Ethiopia, but of the Administering Authority which have refused to recognize the present administrative frontier. So long as the Administering Authority persist in refusing to accept the frontier accepted by the Trusteeship Council at Geneva in 1950, there is no existing frontier agreement which could be delimited in accordance with the provisions of resolution 392 (V).

This regrettable situation is in no wise the fault of the Imperial Ethiopian Government which have, for many years, maintained the present administrative boundary as the true boundary. As soon as the Administering Authority indicate their willingness to take the line accepted by the Trusteeship Council in 1950 as the agreed boundary for delimitation, then, the Imperial Ethiopian Government can proceed immediately to work out the technical details of delimitation as recommended by resolution 392 (V).

With regard to various phrases appearing in T/Resolution (XIV)/4 of 20th July⁶ suggesting that a serious situation exists and that it is a matter of the utmost urgency, the Ethiopian delegation have to express their surprise and to add that according to their information such phrases are of great exaggeration. In any case, the delay is in no way imputable to the Imperial Ethiopian Government.

(Signed) Zaude Gabre HEYWOT

*Permanent Representative of
Ethiopia to the United Nations*

INFORMATION SUBMITTED BY THE UNITED NATIONS ADVISORY
COUNCIL FOR THE TRUST TERRITORY OF SOMALILAND
UNDER ITALIAN ADMINISTRATION

1. *Extract from the official records of the 107th meeting of the Advisory Council, held on 25 October 1954*

The Advisory Council, having heard the report of the Egyptian representative on his trip along the border, decides to adopt it and to transmit it to the Secretary-General together with the historical notice prepared on

⁶ This document contains Trusteeship Council resolution 1000 (XIV) of 6 July 1954.

that question, these documents representing the information which, at the time being, the Council may furnish in that field. The Council, however, in the course of its functions, will continue to gather information on that question and will, if necessary, transmit it to the Secretary-General.

2. *Report of the Egyptian representative on the Advisory Council on his trip along the border*

During my first stay in Mogadiscio last April, I heard, on several occasions, complaints from Somalis about the situation in the area of the provisional frontier between Ethiopia and the Trust Territory of Somaliland. The urgent necessity for a final delimitation, as expressed in resolution 1000 (XIV) of the Trusteeship Council of the 6 July 1954, appeared to me as entirely justified judging from what I observed at the time in Mogadiscio.

However, resolution 1000 (XIV) requesting the Advisory Council "to submit to the Secretary-General... such information as it may obtain in the course of its regular functions as to the actual situation in the frontier area", I decided when I returned to the Territory, in August 1954, to visit some of the regions located in the Trust Territory of Somaliland where first-hand information could be obtained, in order to be ready to give at the proper time to the Advisory Council the collaboration of the Egyptian delegation in the task entrusted to the Advisory Council by the Trusteeship Council.

Accompanied by the Principal Secretary of the Advisory Council and Dr. Benardelli, Director of Internal Affairs of the Administration, I went to Belet Uen on 8 September 1954 for an official visit in my capacity as member of the United Nations Advisory Council for the Trust Territory of Somaliland. We spent two days in Belet Uen. Belet Uen, a town of 7,000 inhabitants, is located on the banks of the Uebi Scebeli. It is a municipality and the headquarters of the Uebi Scebeli Province, and also the garrison of a company of regular troops and the head of the Police Corps especially organized and trained for the protection of the frontier areas against "razzias" from the other side of the border. Our whole attention was devoted to the examination and discussion of the problem raised by the delimitation made in 1948 between Somaliland and Ethiopia. I, personally, interviewed several groups of people, in public audience, with the usual precautions taken for the precise interpretation. We also went to Fer Fer, which is the place where the Somali and Ethiopian frontier forces are stationed along the main road from Mogadiscio and continuing into the territory on the other side of the border.

Nearly all the persons I heard in Belet Uen were Somalis who were born or had settled many years ago in the areas located now behind the provisional line of 1948. According to the declarations they made, most of them left their country in 1950; others left it in 1951, 1952, 1953 and some of them in 1954, and they came to the Trust Territory. They declared that they had to leave their country, their family, their properties, houses and all their belongings because they could not live any longer in their own country land. They said they had been subject to ill-treatment on the part of the Ethiopian officials; houses have been taken away from them; some of their chiefs have been arrested without reason, jailed and ill-treated to the point that some of them died. In some cases, they have even been prevented from practising their religion. Some of them are traditional chiefs, and, more than others, were subject to ill-treatment because of their influence in the country. Others are notables, traders, shepherds, etc. They left their country because, from what had happened to others,

they knew their freedom and possibly their lives were in danger.

These chiefs declared that they have been asked by the Administering Authority to use all their influence among the people on both sides of the provisional line in order to preserve peace and order. Conscious of their responsibilities, they did their best to comply with those requests, but their patience had come to an end and, if a solution is not reached in the near future which will permit them and their families to live in peace and enjoy the normal rights enjoyed by all people, they would do what they think the situation requires.

Owing to the fact that most of them have left their families on the other side of the border, it is evidently safer not to quote any names.

Continuing my trip, I went to visit small villages and areas where grass and water are to be found for the cattle—places located along the provisional line in the north-east direction of Mataban and Dusa Mareb. I also visited Mataban, Dusa Mareb and El Bur, centres of certain importance. I heard from the people I met the same complaints as in Belet Uen. Furthermore, these people bitterly complained about the "razzias" which frequently originate on the other side of the line and which result in the looting of cattle, and sometimes in the murdering of people.

They said that the Administering Authority was obliged to establish strong police posts along the border, but that did not prevent the "razzias".

They declared that they were living in a permanent state of fear and worry and that the general feeling of insecurity was due to the fact that the provisional line was arbitrary, separating tribes and families and depriving them of their traditional resources in grass and water, resources they had enjoyed traditionally for so many years in the past. They said that they had hoped the United Nations would improve their condition but that they are getting desperate and impatient to settle the dispute themselves.

Furthermore, at Belet Uen and along the border, the groups and individuals who were approached explained that the traditional frontier between Somaliland and Ethiopia is not the same as the one determined in 1948. This line should have been the same as the frontier which separated the two countries before 1935, that is, before Somaliland was united with Ethiopia under the Italian rule. That line had been, many years ago, established with a fairer consideration for local conditions, tribes, grazing and watering places, and there is no reason to punish them by changing that line and establishing it within the Somali territory as it has been done in 1948.

Those are the declarations I heard from many groups and individuals, chiefs, notables, traders, shepherds, etc.

I reserve, of course, the right to present orally or in writing, on behalf of the Egyptian delegation, any further comments on the question of the delimitation of the frontier between the Trust Territory of Somaliland and Ethiopia.

(Signed) K. E. SALAH

Mogadiscio, Somaliland
25 October 1954

3. *Notice on the question of the frontier between the Trust Territory of Somaliland and Ethiopia*

I. It seems that the treaty signed by the Italian and the Ethiopian Governments in 1897 is the first official document referring to the frontier between Somaliland and Ethiopia. It seems also that the line recommended at that time by the Nerazzini Commission and adopted by the Italian Government was an irregular line

following, inland, the design of the coast at a mean distance of 180 miles.

II. The frontier was again defined at the occasion of the Italo-Ethiopian Convention of 16 May 1908 (see annex I). The border was divided into two sections. The first one formed a wandering line going from Dolo, near the Kenya-Ethiopia border, and reaching the river Uebi Scebeli at a point which represented, in 1908, the division between two tribes (see art. II of the 1908 Convention). It would take further researches to find out whether the line reached the river at the point now known as Fer Fer, or at a point further north, as asserted by many Somalis who say that the village called Mustail, for instance, located now 45 kilometres north-east from the present provisional line was, before 1935, a town under the administration of the Italian Colony of Somaliland.

III. The second section of the line was more vaguely defined. The 1908 Convention refers to the 1897 Treaty, which was itself rather vague (see art. IV of the Convention). It seems that, generally speaking, that second section was formed by a line quite irregularly wandering, starting from a point on the river Uebi Scebeli (that point being Fer Fer as explained in para. II) and reaching the border of British Somaliland at a geographical point located at 8° latitude north and 47° longitude east.

IV. It seems quite difficult to ascertain, from international treaties and agreements, the position of the line dividing the Italian Colony of Somaliland from Ethiopia, in 1935, that is to say, before the Italian East African Federation was formed by uniting Ethiopia, Eritrea and Somaliland.

However, there certainly exist maps showing precise location of the border as existing between 1908 and 1935; researches would also show, in official gazettes and other documents, which national administration had its representatives, police forces, customs officers, etc. in the localities said to have been part of the Colony of Somaliland before 1935.

V. When the Italian East African Federation came to an end in 1941-1942, each territory, in principle, recovered its former frontiers. However, the Ogaden province, an Ethiopian province in 1935, was placed (Anglo-Ethiopian protocol of 24 July 1948) under the same British Military Authority which was trusted with the administration of the former Italian Colony of Somaliland.

The Ogaden province was evacuated in July-September 1948 and the Ethiopian administration re-established.

VI. Before the Italian Administration replaced the British Military Authority in April 1950, following the signature of the Trusteeship Agreement by the United Nations and the Government of Italy, a letter from the United Kingdom representative in the Trusteeship Council (T/484, dated 2 March 1950; see annex II) indicated the location of the provisional line separating the Trust Territory of Somaliland from Ethiopia, pending the final delimitation recommended by the General Assembly of the United Nations in resolution 392 (V) of 15 December 1950.

VII. It seems that, generally speaking, from Dolo to the Uebi Scebeli, the provisional line determined in 1950 is about the same as the border in 1935, with the remark that it reaches the river at Fer Fer, a point not unanimously recognized as marking the 1935 frontier (see para. II). From Fer Fer to the border of British Somaliland, a rather straight line has replaced the wandering border of 1935; it reaches a geographical point located at 8° latitude north and 47° longitude east (and not 48° as in 1935).

ANNEX I

EXCERPT FROM THE PUBLICATION: *The Map of Africa by Treaty*
No. 330.5 *Convention between Italy and Ethiopia for the settlement of the frontier between the Italian possessions of Somalia and the Provinces of the Ethiopian Empire.*
Signed at Addis Ababa, 16 May 1908

(Translation)

His Majesty King Victor Emmanuel III of Italy, in his own name and in the name of his successors, by means of his representative in Addis Ababa, Cavaliere Giuseppe Colli di Felizzano, Captain of Cavalry, and His Majesty, Menelek II, King of Kings of Ethiopia, in his own home and that of his successors, desiring to settle definitively the frontier between the Italian possessions of Somalia and the provinces of the Ethiopian Empire, have determined to sign the following Convention:

Art. I. The line of frontier between the Italian possessions of Somalia and the provinces of the Ethiopian Empire starts from Dolo, at the confluence of the Daua and the Ganale, proceeds eastwards by the sources of the Maidaba, and continues as far as the Uebi Scebeli following the territorial boundaries between the tribe of Rahanuin, which remains dependent on Italy, and all the tribes to its north, which frontier line shall be dependent on Abyssinia.

Art. II. The frontier on the Uebi Scebeli shall be the point where the boundary between the territory of the Baddi-Addi tribe, which remains dependent on Italy, and the territory of the tribes above the Baddi-Addi, which remain dependent on Abyssinia, touches the river.

Art. III. The tribes on the left of the Juba, that of Rahanuin, and those on the Uebi Scebeli below the frontier point, shall be dependent on Italy. The tribes of Digodia of Afgab, of Djedjedi and all the others to the north of the frontier line shall be dependent on Abyssinia.

Art. IV. From the Uebi Scebeli the frontier proceeds in a north-easterly direction, following the line accepted by the Italian Government in 1897; all the territory belonging to the tribes towards the coast shall remain dependent on Italy; all the territory of Ogaden, and all that of the tribes towards the Ogaden, shall remain dependent on Abyssinia.

Art. V. The two Governments undertake to delimit on the spot and as soon as possible the actual line of the frontier as above mentioned.

Art. VI. The two Governments formally undertake not to exercise any interference beyond the frontier line, and not to allow the tribes dependent on them to cross the frontier in order to commit acts of violence to the detriment of the tribes on the other side of the line; but, should questions or incidents arise between or on account of the limitrophe tribes, the two Governments shall settle them by common accord.

Art. VII. The two Governments mutually undertake to take no action and to allow their dependants to take no action which may give rise to questions or incidents or disturb the tranquillity of the frontier tribes.

Art. VIII. The present Convention shall, as regards Italy, be submitted to the approval of the Parliament and ratified by His Majesty the King.*

Done in duplicate and in identic terms in the two languages, Italian and Amharic.

One copy remains in the hands of the Italian Government, and the other in the hands of the Ethiopian Government.

Given in the city of Addis Ababa, the 16th day of the month of May of the year 1908.

GIUSEPPE COLLI DI FELIZZANO
(Seal of Menelek)

ANNEX II

LETTER DATED 1 MARCH 1950 RECEIVED BY THE PRESIDENT OF THE TRUSTEESHIP COUNCIL FROM THE PERMANENT UNITED KINGDOM REPRESENTATIVE ON THE COUNCIL

[For the text of this letter, see Official Records of the Trusteeship Council, Sixth Session, Annex, Vol. I, p. 112-113.]

* *The Map of Africa by Treaty*, by Sir Edward Hertslet, K.C.B., Vol. III, Nos. 260 to 382, Printed for His Majesty's Stationery Office by Harrison and Sons, 1909 (third edition), p. 1223-1224.

* Sanctioned by Royal Italian Decree of 17th July, 1908.

DOCUMENT A/C.4/L.332

Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council
Syria : draft resolution

[Original text : English]
 [17 November 1954]

The General Assembly,

Recalling its resolutions 554 (VI) of 18 January 1952 and 653 (VII) of 21 December 1952 in so far as they concern the participation of the indigenous inhabitants in the work of the Trusteeship Council,

Being concerned to ensure that the objective of promoting the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence shall be attained, in accordance with Article 76 b of the Charter, by means appropriate, *inter alia*, to "the freely expressed wishes of the peoples concerned",

Considering that it is essential to develop to their fullest extent the means which already exist in the Charter to ensure that, as free public opinion evolves in each Trust Territory, it will be brought effectively to bear on the examination by the Trusteeship Council of conditions in that Territory,

Recalling in this connexion rule 61 of the provisional rules of procedure of the Trusteeship Council adopted by the Preparatory Commission of the United Nations in 1945 as follows :

"The Council shall conduct, as one means of giving effect to Article 76 b of the Charter, periodic surveys of the development of the political institutions and capacity for self-government or independence of the inhabitants of each Trust Territory for which the Council is empowered to conduct such surveys by the terms of the Trusteeship Agreements. During such surveys the Council is empowered to use various methods to ensure the fullest possible expression of the wishes of the local population, such as the voice of the representative organs if they exist, the holding of public elections of spokesmen, consultation with the national organizations, popular referendum, direct contact by the special representatives of the Council with the people of the Territory, or other methods appropriate to the progressive state of political development of the people. The results of these surveys shall be submitted to the General Assembly or the Security Council, as the case may be."

1. *Recommends* to the Trusteeship Council that, in order to develop further the participation of the

indigenous inhabitants in its work through the medium of the visiting missions, it should instruct each visiting mission :

(a) Not only to consider such public opinions as may be spontaneously brought before it by all sections of the population, but also to take the initiative in seeking out public opinion on all important problems and to undertake popular consultations in whatever forms it may deem appropriate ;

(b) To report fully on the development of the free expression of the wishes of the people and on the main trends of their opinions and to make recommendations concerning the further development of the free public opinion ;

2. *Recommends* to the Trusteeship Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of their right of petition, it should :

(a) Examine and take specific action, as part of its examination of conditions in each Trust Territory, upon all petitions which may reflect public opinion on questions of general concern to the development of the Territory ;

(b) Request the Administering Authorities to make copies of their annual reports promptly available to all organs of public opinion existing in each Territory concerned, to encourage these organs to examine the reports, and to inform them that it falls within their right of petition to submit their own views to the United Nations and to have these views considered by the Trusteeship Council ;

(c) Instruct each visiting mission to encourage in the Trust Territories such public discussion and expression of views on the annual reports, and to report on the extent to which facilities have been made available to the population for the purpose ;

3. *Recommends* to the Trusteeship Council that, as a means of ensuring in cases of urgency that a given situation in a Trust Territory meets with the freely expressed wishes of the people, it should be prepared to communicate with appropriate representatives of public opinion and ask them to submit their views on the problem in writing or by telegraph, or to invite such spokesmen to appear in person before it.

DOCUMENT A/C.4/L.332/Rev.2⁸

Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council
Egypt, Haiti and Syria : second revised text of draft resolution

[Original text : English/French]
 [26 November 1954]

The General Assembly,

Recalling its resolutions 554 (VI) of 18 January 1952 and 653 (VII) of 21 December 1952 in so far as they concern the participation of the indigenous inhabitants in the work of the Trusteeship Council,

Being concerned to ensure that the objective of promoting the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence shall be attained, in accordance with Article 76 b of the Charter, by means appropriate, *inter alia*, to "the freely expressed wishes of the peoples concerned",

⁸ The differences between this document and A/C.4/L.332/Rev.1 are explained in footnotes 9 to 11, on the next page.

Considering that it is essential to develop to their fullest extent the means which already exist in the Charter to ensure that, as free public opinion evolves in each Trust Territory, it will be brought effectively to bear on the examination by the Trusteeship Council of conditions in that Territory,

1. *Recommends* to the Trusteeship Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of the visiting missions, it should instruct each mission;

(a) Not only to consider such public opinions as may be spontaneously brought before it by all sections of the population, but also to take the initiative in seeking out public opinion on all important problems and to undertake popular consultations in whatever forms it may deem appropriate;

(b) To report fully on the development of the free expression of the wishes of the people and on the main trends of their opinions and to make recommendations concerning the further development of a free public opinion;

2. *Recommends* to the Trusteeship Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of their right of petition, it should:

(a) Examine and propose action,⁹ as part of its

examination of conditions in each Trust Territory, upon all petitions which may reflect public opinion on questions of general concern to the development of the Territory;

(b)¹⁰ Request the Administering Authorities to make copies of their annual reports promptly available to all responsible organs of public opinion existing in each Territory concerned and to provide them an opportunity to examine the reports;

(c) Instruct each visiting mission to encourage in the Trust Territories such public discussion and expression of views on the annual reports, and to report on the extent to which facilities have been made available to the population for the purpose;

3. *Recommends* to the Trusteeship Council that, as a means of ensuring in cases which it deems urgent that a given situation in a Trust Territory meets with the freely expressed wishes of the people, it should immediately grant a hearing to those qualified representatives of public opinion who apply for one, or in the case of representatives who are unable to travel, examine all communications, letters or telegrams expressing their points of view.

4.¹¹ *Reiterates* the views and recommendations put forwards in its resolutions 554 (VI) of 18 January 1952 and 653 (VII) of 21 December 1952.

DOCUMENT A/C.4/L.365/Rev.1¹²

Form of the annual report of the Trusteeship Council to the General Assembly Belgium, India, Syria and the United States of America: revised draft resolution

[Original text: English/French]
[18 November 1954]

The General Assembly,

Recalling its resolution 433 (V) of 2 December 1950 on the annual reports of the Trusteeship Council,

Recalling its resolution 789 (VIII) of 9 December 1953 on the control and limitation of documentation,

Having taken note of the conclusions of the Trusteeship Council on this question as contained in its report covering the period from 22 July 1953 to 16 July 1954 (A/2680),

Approves, on a trial basis,¹³ the proposals of the Trusteeship Council concerning the form of its report

to the General Assembly to the effect that a comprehensive report on a given Trust Territory should be presented by the Council only every third year coinciding with the Council's examination of the report on the Territory by a visiting mission, and that the Council should submit a shorter report in the intervening years, giving only an account of the developments and progress made during the year under review but including such background material as would enable the Assembly to appreciate the significance of important developments and the conclusions and recommendations of the Council.

DOCUMENT A/C.4/L.367

Financing of the economic development plans of the Trust Territory of Somaliland under Italian administration El Salvador and Mexico: draft resolution

[Original text: Spanish]
[17 November 1954]

The General Assembly,

Having considered Trusteeship Council resolution 1001 (XIV) of 7 July 1954 on the financing of the economic development plans of the Trust Territory of Somaliland under Italian administration,

1. *Requests* the Secretary-General:

(a) To consider, in consultation with the Italian Government and the International Bank for Reconstruction and Development, whether the financing of the economic development plan for Somaliland may be assisted, either

⁹ In A/C.4/L.332/Rev.1, paragraph 2(a) began as follows: "(a) Examine and propose specific action..."

¹⁰ In A/C.4/L.332/Rev.1, paragraph 2(b) read as follows: "Request the Administering Authorities to make copies of their annual reports promptly available to all organs of public opinion existing in each Territory concerned and to encourage these organs to examine the reports;"

¹¹ A/C.4/L.332/Rev.1 did not include this paragraph.

¹² The difference between this document and A/C.4/L.365 is explained in the footnote below.

¹³ The words "on a trial basis" did not appear in A/C.4/L.365.

by the Bank within the limits of its statutes and policy, or by other means to be applied by the United Nations;

(b) For the purpose mentioned in the preceding paragraph, to request the Bank to send a mission to Somaliland to study the situation and the economic possibilities of the Territory;

(c) To report to the Trusteeship Council at its sixteenth session on the results obtained;

2. *Requests* the Trusteeship Council to report on the matter to the General Assembly at its tenth regular session.

DOCUMENT A/C.4/L.367/Rev.1

Financing of the economic development plans of the Trust Territory of Somaliland under Italian administration El Salvador and Mexico : revised draft resolution

[Original text : Spanish]
[29 November 1954]

The General Assembly,

Having considered Trusteeship Council resolution 1001 (XIV) of 7 July 1954 on the financing of the economic development plans of the Trust Territory of Somaliland under Italian administration,

Bearing in mind the fact that a United Nations Visiting Mission has recently visited the Territory and will submit a full report to the Trusteeship Council on the general situation in the Territory including the economic development plans prepared by the Administering Authority,

1. *Takes sympathetic note* of the above-mentioned resolution of the Trusteeship Council;

2. *Requests* the Secretary-General to consider in agreement with the Italian Government the advisability of requesting the International Bank for Reconstruction and Development to send a mission to study the situation and the possibilities of economic development in the Territory;

3. *Requests* the Trusteeship Council to continue its study of the question and, on the basis of the Visiting Mission's conclusions and of the report of the Bank, if the mission referred to in the preceding paragraph is undertaken, to endeavour to decide on practical measures for financing economic development plans for Somaliland and report to the General Assembly at its next session.

DOCUMENT A/C.4/L.373

Attainment by the Trust Territories of the objective of self-government or independence Egypt, Greece, Guatemala, India, Indonesia, Lebanon, the Philippines and Yugoslavia : draft resolution

[Original text : English]
[24 November 1954]

The General Assembly,

Recalling its resolution 558 (VI) of 18 January 1952 by which it invited the Administering Authority of each Trust Territory other than Somaliland under Italian administration to include in each annual report information concerning measures taken or contemplated towards self-government or independence, and, *inter alia*, the estimated period of time required for such measures and for the attainment of the ultimate objective,

Recalling further its resolution 752 (VIII) of 9 December 1953 by which it requested the Trusteeship Council to include in its next and succeeding reports to the General Assembly a separate section dealing with the implementation of resolutions 558 (VI) and 752 (VIII), specifying the various measures taken or contemplated toward self-government or independence and stating in each case its conclusions and recommendations in the light of these resolutions,

1. *Notes with satisfaction* that in response to the request of the General Assembly, the Trusteeship Council

has included in its report covering the period from 22 July 1953 to 16 July 1954 (A/2680) a separate section dealing with the attainment by the Trust Territories of the objective of self-government or independence;

2. *Notes*, however, that the Trusteeship Council has not formulated in this report any conclusions or recommendations on the measures taken or contemplated toward self-government or independence;

3. *Expresses the hope* that the Trusteeship Council will include its conclusions and recommendations on this question in its next and succeeding reports to the General Assembly;

4. *Recommends* that the Trusteeship Council instruct its visiting missions to give special attention in their reports to the Council to the question of attainment by the Trust Territories of self-government or independence in the light of resolutions 558 (VI) and 752 (VIII) and of the present resolution.

DOCUMENT A/C.4/L.379**Hearing of petitioners from the Trust Territory of the Cameroons under French administration
Mexico : draft resolution**

[Original text : Spanish]
[29 November 1954]

The General Assembly,
Recalling General Assembly resolutions 655 (VII) and 758 (VIII),
Having granted hearings to petitioners representing organizations in the Cameroons under French administration,

1. *Takes note* of the statements of the petitioners representing organizations in the Cameroons under French administration ;
2. *Decides* to transmit the statements of the petitioners to the Trusteeship Council ;
3. *Recommends* to the Trusteeship Council that it should give appropriate attention at its next regular session to the matters raised by the petitioners.

DOCUMENT A/C.4/L.379/Rev.2**Hearing of petitioners from the Trust Territory of the Cameroons under French administration
Denmark, Mexico, Pakistan, the Philippines and the United States of America :
second revised text of draft resolution**

[Original text : English/Spanish]
[30 November 1954]

The General Assembly,
Recalling its resolutions 655 (VII) and 758 (VIII),
Having granted oral hearings to petitioners, representatives of organizations in the Cameroons under French administration,

1. *Takes note* of the statements of the petitioners, representatives of organizations in the Cameroons under French administration ;
2. *Decides* to transmit to the Trusteeship Council the statements of the petitioners ;
3. *Recommends* to the Trusteeship Council :
 - (a) To continue giving appropriate attention to the matters raised by the petitioners,
 - (b) To request its next visiting mission to study these matters, and
 - (c) To report accordingly to the General Assembly.

DOCUMENT A/C.5/617**Financial implications of the draft resolution adopted by the Fourth Committee (A/C.4/L.366)
Estimate submitted by the Secretary-General**

[Original text : English]
[9 December 1954]

1. The draft resolution contained in document A/C.4/L.366 urges the Governments of Ethiopia and Italy to exert their utmost effort to achieve a final settlement of the frontier question by direct negotiations and recommends that, should direct negotiations fail to achieve any results by July 1955, the two Governments agree to the procedure outlined in General Assembly resolution 392 (V) which provides, *inter alia*, the appointment of a United Nations Mediator by the Secretary-General.

2. As the funds which might be required for the implementation of the draft resolution are contingent on factors which cannot yet be determined, the Secretary-General is unable to submit an estimate at the present stage.

3. In the event that the appointment of a United Nations Mediator should be found necessary, the Secretary-General would propose that the required expenditures be met by advances from the Working Capital Fund. This would necessitate amendment of the resolution relating to unforeseen and extraordinary expenses to include an additional sub-paragraph reading as follows :

“Such commitments as are required for the appointment of a United Nations Mediator, his staff and other necessary expenditures in connexion with the question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia”.

DOCUMENT A/2840

Report of the Fourth Committee

[Original text: English]
[9 December 1954]

1. The General Assembly, at its 478th plenary meeting, on 25 September 1954, referred to the Fourth Committee item 13 of its agenda, namely, the report of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954 (A/2680).

2. At its 434th meeting, the Committee acceded to the request of the Italian Observer to the United Nations, as representative of the Administering Authority for Somaliland under Italian administration, to be allowed to participate in the Committee's work during its examination of the report of the Trusteeship Council.

3. At the same meeting, the President of the Trusteeship Council, Mr. M. R. Urquía (El Salvador), introduced the Council's report.

4. At the 435th meeting, the Committee began a general debate on the report of the Council; the debate was concluded at the 445th meeting.

5. Seven draft resolutions and a number of amendments thereto were submitted to the Committee and were considered from the 435th to the 451st meetings. These draft resolutions concerned the following matters:

A. Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council;

B. Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia;

C. Financing of the economic development plans of the Trust Territory of Somaliland under Italian administration;

D. Form of the annual report of the Trusteeship Council to the General Assembly;

E. Report of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954;

F. Attainment by the Trust Territories of the objective of self-government or independence;

G. Hearings of petitioners from the Trust Territory of the Cameroons under French administration.

6. A detailed account of the consideration by the Committee of the various proposals before it is given in sections A to G below.

7. The Committee approved seven draft resolutions the texts of which are reproduced in annexes A to G of the present report.

A. PARTICIPATION OF THE INDIGENOUS INHABITANTS OF THE TRUST TERRITORIES IN THE WORK OF THE TRUSTEESHIP COUNCIL

8. At the 435th meeting, Syria submitted a draft resolution (A/C.4/L.332) concerning the participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council. At the 437th meeting, a revised text of the draft resolution (A/C.4/L.332/Rev.1) was submitted, to which Egypt and Haiti became co-sponsors. According to the revised text the General Assembly would: (1) recommend to the Trusteeship Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of the visiting missions, it should instruct each mission (a) not only to consider such public opinions as

might be spontaneously brought before it by all sections of the population, but also to take the initiative in seeking out public opinion on all important problems and to undertake popular consultations in whatever forms it might deem appropriate; (b) to report fully on the development of the free expression of the wishes of the people and on the main trends of their opinions and to make recommendations concerning the further development of a free public opinion; (2) recommend to the Trusteeship Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of their right of petition, it should (a) examine and propose specific action, as part of its examination of conditions in each Trust Territory, upon all petitions which might reflect public opinion on questions of general concern to the development of the Territory; (b) request the Administering Authorities to make copies of their annual reports promptly available to all organs of public opinion existing in each Territory concerned and to encourage these organs to examine the reports; (c) instruct each visiting mission to encourage in the Trust Territories such public discussion and expression of views on the annual reports, and to report on the extent to which facilities had been made available to the population for the purpose; and (3) recommend to the Trusteeship Council that, as a means of ensuring in cases of urgency that a given situation in a Trust Territory met with the freely expressed wishes of the people, it should immediately grant a hearing to those qualified representatives of public opinion who applied for one, or in the case of representatives who were unable to travel, examine all communications, letters or telegrams expressing their points of view.

9. At the 439th meeting, Israel proposed an amendment (A/C.4/L.369) to the revised draft resolution which would replace in the third paragraph of the preamble the phrase "it is essential to develop to their fullest extent the means which already exist in the Charter" by "it is essential to employ to their fullest extent the means which are already enumerated in the Charter".

10. At the 442nd meeting, the United States of America proposed amendments (A/C.4/L.372) to the revised draft resolution providing for (1) deletion of the word "specific" in operative paragraph 2 (a); (2) insertion of the word "responsible" between "to all" and "organs of public opinion" in operative paragraph 2 (b); (3) substitution of the words "provide them an opportunity" for the words "encourage these organs" in the same sub-paragraph; and (4) substitution of the words "which it deems urgent" for the words "of urgency" in operative paragraph 3.

11. At the 444th meeting, the Philippines proposed amendments (A/C.4/L.375) to the draft resolution, which would: (1) redraft the second paragraph of the preamble to read: "Concerned at ensuring that the political, economic, social and educational advancement of the inhabitants of Trust Territories and their progressive development towards self-government or independence shall be attained in accordance with the freely expressed wishes of the peoples concerned"; (2) redraft the third paragraph of the preamble to read: "Considering it essential that free public opinion, when it evolves, be brought effectively to bear in the examination by the Trusteeship Council of conditions in Trust Territories"; (3) delete the word "the" before "visiting missions"

and the word "should" before "instruct each mission", in operative paragraph 1; (4) in operative paragraph 1 (a): delete the word "spontaneously"; delete the words "and to undertake" and substitute for them the word "through"; delete the words "in whatever" and substitute for them the words "or other"; delete also the words "it may" and replace the word "deem" by the word "deemed"; (5) redraft operative paragraph 2 (b) to read: "Requests the Administering Authorities to distribute at least twenty copies of their annual reports to different representative organs of public opinion in their respective Trust Territories simultaneously with the transmittal of the required copies to the Secretary-General of the United Nations"; (6) add a new paragraph 4 to the operative part of the draft resolution to read: "Reiterates its views and recommendations in its resolutions 554 (VI) of 18 January 1952 and 653 (VII) of 21 December 1952".

12. The amendments proposed by the United States of America (A/C.4/L.372) and the sixth amendment proposed by the Philippines (A/C.4/L.375, para. 6) were accepted by the sponsors of the revised draft resolution, who accordingly submitted, at the 446th meeting, a further revised text (A/C.4/L.332/Rev.2).

13. At this meeting, India proposed an amendment (A/C.4/L.378) to the new revised draft resolution which would replace, in operative paragraph 2 (b), the words "all responsible organs of public opinion existing in each Territory concerned and to provide them an opportunity to examine the reports" by the words "the peoples of the Territories". The representative of Yugoslavia proposed an oral amendment to the revised draft resolution by which the word "concrete" would be inserted before the word "action" in operative paragraph 2 (a).

14. At the 447th meeting, the Philippines withdrew the first part of its fourth amendment (A/C.4/L.375, para. 4) calling for deletion of the word "spontaneously" and also its fifth amendment (A/C.4/L.375, para. 5).

15. Thereafter, at the same meeting, the Committee voted on the revised draft resolution and the amendments thereto. The voting was as follows:

The Philippine amendment to the second paragraph of the preamble (A/C.4/L.375, para. 1) was adopted by 15 votes to 7, with 24 abstentions.

The Philippine amendment to the third paragraph of the preamble (A/C.4/L.375, para. 2) was rejected by 11 votes to 4, with 30 abstentions.

The Israel amendment to the third paragraph of the preamble (A/C.4/L.369) was adopted by 30 votes to 1, with 13 abstentions.

The Philippine amendment to operative paragraph 1 (A/C.4/L.375, para. 3) was adopted by 15 votes to 1, with 26 abstentions.

The Philippine amendment to operative paragraph 1 (a) (A/C.4/L.375, para. 4, as revised by the Philippine representative) was rejected by 3 votes to 3, with 36 abstentions.

The oral amendment proposed by Yugoslavia to operative paragraph 2 (a) was adopted by 25 votes to 10, with 11 abstentions.

The Indian amendment to operative paragraph 2 (b) (A/C.4/L.378) was adopted by 20 votes to 1, with 23 abstentions.

The phrase "and to undertake popular consultations" in operative paragraph 1 (a) of the draft resolution was adopted by 31 votes to 7, with 9 abstentions.

Operative paragraph 2 (c) of the draft resolution was adopted by 33 votes, to 9, with 6 abstentions.

The revised draft resolution as a whole, as amended, was approved by 38 votes to 8, with 3 abstentions.

16. The text of the draft resolution as approved is annexed to the present report as draft resolution A.

B. QUESTION OF THE FRONTIER BETWEEN THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION AND ETHIOPIA

17. At the 435th meeting, Haiti submitted a draft resolution (A/C.4/L.366) in which the General Assembly would: (1) note with concern that no progress had been made to date in the direct negotiations between the Governments of Ethiopia and Italy on the delimitation of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia; (2) urge the Governments of Ethiopia and Italy to exert their utmost effort to achieve a final settlement of the frontier question by direct negotiations; and (3) recommend that, should direct negotiations fail to achieve any results by July 1955, the two Governments concerned should agree to the procedure outlined in resolution 392 (V).

18. At the 444th meeting, the United States of America submitted an amendment (A/C.4/L.377) to the draft resolution. This amendment would replace operative paragraph 3 by a text in which the General Assembly would recommend that, should direct negotiations fail to achieve results, the Trusteeship Council, preferably not later than the conclusion of the sixteenth session of the Council, should propose to the two parties concerned procedures for a settlement of the frontier question taking into account General Assembly resolution 392 (V), the discussions in the Fourth Committee at the ninth session of the General Assembly and the report of the 1954 Visiting Mission to Trust Territories in East Africa. This amendment was, however, subsequently withdrawn, at the 451st meeting.

19. At the 451st meeting, the representative of Yugoslavia made an oral proposal that the debate on the draft resolution should be postponed until the next regular session of the General Assembly. This proposal was rejected by 20 votes to 13, with 14 abstentions.

20. The voting on the draft resolution, which took place at the 451st meeting, was as follows:

The draft resolution, minus operative paragraph 3, was adopted by 38 votes to none, with 13 abstentions.

Operative paragraph 3 was adopted by 22 votes to 7, with 20 abstentions.

The draft resolution as a whole was approved by a roll-call vote of 24 to none, with 27 abstentions, as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, Egypt, El Salvador, Haiti, Honduras, Iran, Iraq, Lebanon, Mexico, Pakistan, Peru, Philippines, Saudi Arabia, Syria, United States of America, Uruguay, Yemen.

Against: None.

Abstaining: Australia, Belgium, Burma, Byelorussian Soviet Socialist Republic, Canada, China, Czechoslovakia, Denmark, Ethiopia, France, Greece, Guatemala, India, Indonesia, Israel, Liberia, Netherlands, New Zealand, Norway, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

21. The text of the draft resolution as approved is annexed to the present report as draft resolution B.

C. FINANCING OF THE ECONOMIC DEVELOPMENT PLANS OF THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION

22. At the 437th meeting, El Salvador and Mexico proposed a draft resolution (A/C.4/L.367) which was subsequently resubmitted in a revised form (A/C.4/L.367/Rev.1) at the 446th meeting. In accordance with the revised version, the General Assembly would: (1) take sympathetic note of Trusteeship Council resolution 1001 (XIV); (2) request the Secretary-General to consider in agreement with the Italian Government the advisability of asking the International Bank for Reconstruction and Development to send a mission to study the situation and the possibilities of economic development in the Territory; (3) request the Trusteeship Council to continue its study of the question and, on the basis of the Visiting Mission's conclusions and the report of the Bank, if the plan for the mission referred to in the preceding paragraph was carried out, to endeavour to decide on practical measures for financing the economic development plans for Somaliland and report to the General Assembly at its next session.

23. At the 447th meeting, the Philippines submitted an amendment (A/C.4/L.380) to the revised draft resolution according to which the following operative paragraph would be added: "4. Expresses the hope that in the meantime the Administering Authority would continue unremittingly in its efforts to further the economic development of the Trust Territory." This amendment was accepted by the sponsors of the draft resolution, which was consequently resubmitted in a further revised form (A/C.4/L.367/Rev.2) at the 448th meeting.

24. At the 448th meeting, the Committee voted on the draft resolution in its new form. The result of the voting was as follows:

The draft resolution, minus operative paragraph 4, was adopted by 41 votes to none, with 5 abstentions.

Operative paragraph 4 was adopted by 31 votes to 1, with 12 abstentions.

The draft resolution as a whole was approved by 40 votes to none, with 5 abstentions.

25. The text of the draft resolution as approved is annexed to the present report as draft resolution C.

D. FORM OF THE ANNUAL REPORT OF THE TRUSTEESHIP COUNCIL TO THE GENERAL ASSEMBLY

26. At the 435th meeting, Belgium, India, Syria and the United States of America submitted a draft resolution (A/C.4/L.365) in which the General Assembly would approve the proposals of the Trusteeship Council concerning the form of its report to the General Assembly to the effect that a comprehensive report on a given Trust Territory should be presented by the Council only every third year coinciding with the Council's examination of the report on the Territory by a visiting mission, and that the Council should submit a shorter report in the intervening years giving only an account of the developments and progress made during the year under review but including such background material as would enable the Assembly to appreciate the significance of important developments and the conclusions and recommendations of the Council.

27. At the 437th meeting, Pakistan proposed an amendment (A/C.4/L.368) which would add the following new operative paragraph to the draft resolution: "2. Requests, however, that in view of the time limit for the attainment of independence by Somaliland under Italian administration in 1960, the Trusteeship Council annually submit a comprehensive report on that Trust Territory."

28. At the same meeting, the representative of Yugoslavia proposed an oral amendment to the draft resolution to the effect that the words "on a trial basis" should be inserted after the word "Approves" in the operative paragraph. This amendment was accepted by the sponsors of the draft resolution, who subsequently submitted a revised text thereof (A/C.4/L.365/Rev.1).

29. At the 444th meeting, the Philippines submitted amendments (A/C.4/L.376) to the draft resolution in its new form. According to these amendments (1) the words "a condensed review of conditions and" would be inserted between the words "only" and "an" in the operative paragraph and (2) the words "the comments and observations of Member States" would be inserted after the word "developments" in the last phrase of the operative paragraph.

30. At the 448th meeting, the Committee voted on the joint draft resolution and the amendments thereto. The result of the voting was as follows:

The amendment proposed by Pakistan (A/C.4/L.368) was adopted by 18 votes to 1, with 17 abstentions.

The first amendment proposed by the Philippines (A/C.4/L.376, para. 1) was rejected by 15 votes to 11, with 13 abstentions.

The second amendment proposed by the Philippines (A/C.4/L.376, para. 2) was adopted by 16 votes to 11, with 14 abstentions.

The draft resolution, as amended, was approved by 33 votes to 6, with 5 abstentions.

31. The text of the draft resolution as approved is annexed to the present report as draft resolution D.

E. REPORT OF THE TRUSTEESHIP COUNCIL COVERING THE PERIOD FROM 22 JULY 1953 TO 16 JULY 1954

32. At the 435th meeting, Canada submitted a draft resolution (A/C.4/L.364) in which the General Assembly would: (1) take note of the report of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954; and (2) recommend that the Trusteeship Council, in its future deliberations, should take into account the comments and suggestions made in the course of the discussions of its report at the ninth session of the General Assembly.

33. At the 448th meeting, the Committee voted on the draft resolution, which was approved unanimously.

34. The text of the draft resolution as approved is annexed to the present report as draft resolution E.

F. ATTAINMENT BY THE TRUST TERRITORIES OF THE OBJECTIVE OF SELF-GOVERNMENT OR INDEPENDENCE

35. At the 442nd meeting, Egypt, Greece, Guatemala, India, Indonesia, Lebanon, the Philippines and Yugoslavia submitted a draft resolution (A/C.4/L.373) according to which the General Assembly would (1) note with satisfaction that in response to the request of the General Assembly, the Trusteeship Council had included in its report covering the period from 22 July 1953 to 16 July 1954 a separate section dealing with the attainment by the Trust Territories of the objective of self-government or independence; (2) note, however, that the Council had not formulated in this report any conclusions or recommendations on the measures taken or contemplated toward self-government or independence; (3) express the hope that the Council would include its conclusions and recommendations on this question in its next and succeeding reports to the General Assembly; (4) recom-

mend that the Council should instruct its visiting missions to give special attention in their reports to the Council to the question of attainment by the Trust Territories of self-government or independence in the light of resolutions 558 (VI) and 752 (VIII) and of the present resolution.

36. At the 444th meeting, Chile, Ecuador, Peru and Venezuela submitted amendments to the draft resolution which, in their first revised version (A/C.4/L.374/Rev.1) would (1) add the following as third paragraph of the preamble: "Considering that one of the most effective means of assisting the peoples of the Trust Territories to achieve the objectives set forth in Article 76 b of the Charter is to provide them with an opportunity to obtain experience in the work of government and administration by participation in representative bodies with adequate powers to carry out such work"; and (2) add at the end of the operative part a paragraph which would read: "5. *Recommends* to the Administering Authorities that, as a means to facilitate an approximate determination of the date on which the populations of the Trust Territories would be prepared for self-government or independence, they should make every effort to hasten the establishment of new organs of government and administration, with increasing participation by indigenous elements, or to develop organs of that type already in existence, on the principle that such organs should be a characteristic expression of the special nature of the status conferred on the Trust Territories by the Charter and the Trusteeship Agreements."

37. At the 448th meeting, Chile, Ecuador, Peru and Venezuela submitted a further revised text of their amendments (A/C.4/L.374/Rev.2). According to this new version, the first amendment would remain unchanged but the second amendment would read: "5. *Recommends* to the Administering Authorities that, as a means to facilitate an approximate determination of the date on which the populations of the Trust Territories would be prepared for self-government or independence, they should intensify their efforts to the utmost to bring about the establishment of new representative organs of government and administration in the Trust Territories, with increasing participation by indigenous elements of those Territories, or to develop on the same basis organs of that type already in existence; that they should ensure that the nature and powers of these organs reflect the special status conferred on the Trust Territories by Chapter XII of the Charter and the Trusteeship Agreements; and that they should hasten the attainment of the objectives set forth in Article 76 of the Charter."

38. The voting on the draft resolution and the proposed amendments thereto, which took place at the 448th meeting, was as follows:

The first amendment proposed by Chile, Ecuador, Peru and Venezuela (A/C.4/L.374/Rev.2, para. 1) was adopted by 46 votes to none, with 2 abstentions.

The second amendment proposed by Chile, Ecuador, Peru and Venezuela (A/C.4/L.374/Rev.2, para. 2) was adopted by 38 votes to 3, with 6 abstentions.

The draft resolution, as amended, was approved by 36 votes to 7, with 5 abstentions.

39. The text of the draft resolution as approved is annexed to the present report as draft resolution F.

G. HEARINGS OF PETITIONERS FROM THE TRUST TERRITORY OF THE CAMEROONS UNDER FRENCH ADMINISTRATION

40. The Committee received six requests from organizations and political parties in the Cameroons under French administration that their representatives should be allowed to make oral presentations to the Committee.

These requests were from the Mbalmayo branch of the Union des populations du Cameroun (A/C.4/262), the Evolution sociale camerounaise (A/C.4/262), the Union des populations du Cameroun (A/C.4/262), the Secretary-General of the Bureau and the Honorary Chairman of the Coordination des indépendants camerounais (A/C.4/262 and A/C.4/264) and the Mouvement de la jeunesse démocratique du Cameroun (A/C.4/L.267).

41. At its 398th meeting, the Committee decided to grant the first five of these requests as follows:

(a) Request from the Union des populations du Cameroun, Mbalmayo branch, by 40 votes to 11, with 1 abstention;

(b) Request from the Evolution sociale camerounaise by 41 votes to 11, with 1 abstention;

(c) Request from the Union des populations du Cameroun by 40 votes to 11, with 2 abstentions;

(d) Request from the Secretary-General of the Bureau of the Coordination des indépendants camerounais by 41 votes to 11, with 1 abstention;

(e) Request from the Honorary Chairman of the Coordination des indépendants camerounais by 41 votes to 11, with 1 abstention.

42. At its 401st meeting, the Committee decided, by 28 votes to 11, with 3 abstentions, to grant the request for a hearing received from the Mouvement de la jeunesse démocratique du Cameroun.

43. The Union des populations du Cameroun, Mbalmayo branch, the Evolution sociale camerounaise and the Coordination des indépendants camerounais failed to send representatives to appear before the Committee.

44. At the 442nd and 443rd meeting, Mr. Ruben Um Nyobé, representative of the Union des populations du Cameroun, made statements (A/C.4/280 and Add.1) and answered questions put to him by members of the Committee.

45. At the 446th meeting, Mr. Abel Kingué, representative of the Mouvement de la jeunesse démocratique du Cameroun, made a statement (A/C.4/281) and answered questions put to him by members of the Committee.

46. At the 446th meeting, Mexico submitted a draft resolution (A/C.4/L.379) in which the General Assembly would: (1) take note of the statements of the petitioners, representatives of organizations in the Cameroons under French administration; (2) decide to transmit to the Trusteeship Council the statements of the petitioners; and (3) recommend to the Council to give appropriate attention at its next regular session to the matters raised by the petitioners.

47. At the 447th meeting, the Philippines submitted an amendment (A/C.4/L.381) to the draft resolution to the effect that the words "at its next regular session" should be deleted from operative paragraph 3 and the following words added "and to study in connexion therewith the question of unification of the two Cameroons as a single unit for eventual self-government or independence as envisaged in Article 76 of the Charter, and to report accordingly to the tenth regular session of the General Assembly". This amendment was accepted by the sponsor, and was incorporated in a revised text of the draft resolution (A/C.4/L.379/Rev.1) submitted at the 448th meeting.

48. At the 449th meeting, Mexico submitted a new revised version of the draft resolution (A/C.4/L.379/Rev.2), of which Denmark, Pakistan, the Philippines and the United States of America became co-sponsors. In accordance with the revised version the General Assembly would: (1) take note of the statements of the petitioners,

representatives of organizations in the Cameroons under French administration; (2) decide to transmit to the Trusteeship Council the statements of the petitioners; (3) recommend to the Council (a) to continue giving appropriate attention to the matters raised by the petitioners, (b) to request its next visiting mission to study these matters, and (c) to report accordingly to the General Assembly.

49. At the same meeting, the representative of Poland proposed oral amendments to the revised draft resolution under which (1) the words "for its study" would be added at the end of operative paragraph 2; and (2) the words "at its tenth session" would be added at the end of operative paragraph 3 (c).

50. The voting on the draft resolution and the amendments thereto, which took place at the 449th meeting, was as follows:

The oral amendment to operative paragraph 2 proposed by Poland was adopted by 39 votes to none, with 8 abstentions;

The oral amendment to operative paragraph 3 proposed by Poland was adopted by 22 votes to 6, with 20 abstentions;

The draft resolution, as amended, was approved by 41 votes to none, with 1 abstention.

51. The text of the draft resolution as approved is annexed to the present report as draft resolution G.

Recommendations of the Fourth Committee

52. The Fourth Committee accordingly recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution A

PARTICIPATION OF THE INDIGENOUS INHABITANTS OF THE TRUST TERRITORIES IN THE WORK OF THE TRUSTEESHIP COUNCIL

[Text adopted without change by the General Assembly. See document A/RESOLUTION/270, below.]

Draft resolution B

QUESTION OF THE FRONTIER BETWEEN THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION AND ETHIOPIA

[Text adopted without change by the General Assembly. See document A/RESOLUTION/271, below.]

Draft resolution C

FINANCING OF THE ECONOMIC DEVELOPMENT PLANS OF THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION

[Text adopted without change by the General Assembly. See document A/RESOLUTION/272, below.]

Draft resolution D

FORM OF THE ANNUAL REPORT OF THE TRUSTEESHIP COUNCIL TO THE GENERAL ASSEMBLY

[Text adopted without change by the General Assembly. See document A/RESOLUTION/273, below.]

Draft resolution E

REPORT OF THE TRUSTEESHIP COUNCIL COVERING THE PERIOD FROM 22 JULY 1953 TO 16 JULY 1954

[Text adopted without change by the General Assembly. See document A/RESOLUTION/274 below.]

Draft resolution F

ATTAINMENT BY THE TRUST TERRITORIES OF THE OBJECTIVE OF SELF-GOVERNMENT OR INDEPENDENCE

[Text adopted without change by the General Assembly. See document A/RESOLUTION/275 below.]

Draft resolution G

HEARINGS OF PETITIONERS FROM THE TRUST TERRITORY OF THE CAMEROONS UNDER FRENCH ADMINISTRATION

[Text adopted without change by the General Assembly. See document A/RESOLUTION/276 below.]

DOCUMENT A/2859

Financial implications of the draft resolution submitted by the Fourth Committee (A/2840, draft resolution B)

Report of the Fifth Committee

[Original text: English]
[11 December 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee, at its 481st meeting, held on 10 December 1954, considered the financial implications of the draft resolution approved by the Fourth Committee (A/2840, draft resolution B) which provides, *inter alia*, for the appointment of a United Nations Mediator by the Secretary-General, in the circumstances outlined in General Assembly resolution 392 (V).

2. In a note to the Fifth Committee (A/C.5/617), the Secretary-General informed the Committee that, as the funds which might be required for the implementation of the draft resolution were contingent on factors which

could not yet be determined, he was unable to submit an estimate at the present time. Accordingly, he proposed that expenditures which might follow from the adoption of the draft resolution of the Fourth Committee should be met from the Working Capital Fund.

3. The Fifth Committee decided, by 30 votes to 5, with 1 abstention, to recommend to the General Assembly that, in the event of the adoption of the resolution proposed by the Fourth Committee, the Secretary-General should be authorized to meet such commitments as are required thereby from the Working Capital Fund, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions.

DOCUMENT A/RESOLUTION/270

[Resolution 853 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

PARTICIPATION OF THE INDIGENOUS INHABITANTS OF THE TRUST TERRITORIES IN THE WORK OF THE TRUSTEESHIP COUNCIL

The General Assembly,

Recalling its resolutions 554 (VI) of 18 January 1952 and 653 (VII) of 21 December 1952 in so far as they concern the participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council,

Concerned to ensure that the political, economic, social and educational advancement of the inhabitants of the Trust Territories and their progressive development towards self-government or independence shall be attained in accordance with the freely expressed wishes of the peoples concerned,

Considering that it is essential to employ to their fullest extent the means which are already enumerated in the Charter to ensure that, as free public opinion evolves in each Trust Territory, it will be brought effectively to bear on the examination by the Council of conditions in that Territory,

1. *Recommends* to the Trusteeship Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of visiting missions, it instruct each mission :

(a) Not only to consider such expressions of public opinion as may be spontaneously brought before it by all sections of the population, but also to take the initiative in seeking out public opinion on all important problems and to undertake popular consultations in whatever forms it may deem appropriate ;

(b) To report fully on the development of the free expression of the wishes of the people and on the main

trends of their opinions and to make recommendations concerning the further development of a free public opinion ;

2. *Recommends* to the Council that, in order to develop further the participation of the indigenous inhabitants in its work through the medium of their right of petition, it should :

(a) Examine and propose concrete action upon, as part of its examination of conditions in each Trust Territory, petitions which may reflect public opinion on questions of general concern to the development of the Territory ;

(b) Request the Administering Authorities to make copies of their annual reports promptly available to the peoples of the Territories ;

(c) Instruct each visiting mission to encourage in the Trust Territories public discussion of and expression of views on the annual reports, and to report on the extent to which facilities have been made available to the population for the purpose ;

3. *Recommends* to the Council that, as a means of ensuring, in cases which it deems urgent, that a given situation in a Trust Territory meets with the freely expressed wishes of the people, it should immediately grant a hearing to those qualified representatives of public opinion who apply for one, or in the case of representatives who are unable to travel, the Council should examine all communications, letters or telegrams expressing their points of view ;

4. *Reiterates* the views and recommendations put forward in its resolutions 554 (VI) of 18 January 1952 and 653 (VII) of 21 December 1952.

DOCUMENT A/RESOLUTION/271

[Resolution 854 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

QUESTION OF THE FRONTIER BETWEEN THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION AND ETHIOPIA

The General Assembly,

Recalling that, in its resolution 392 (V) of 15 December 1950, it recommended that the boundary between the Trust Territory of Somaliland under Italian administration and Ethiopia should be delimited by bilateral negotiations between the Administering Authority of the Trust Territory and the Government of Ethiopia and that, in order to resolve any and all differences arising in the course of such negotiations, the parties to such bilateral negotiations should agree, on the request of either party, to a procedure of mediation by a United Nations Mediator to be appointed by the Secretary-General and, further, in the event of the inability of the parties to accept the recommendations of the Mediator, to a procedure of arbitration,

Recalling further that, in its resolution 755 (VIII) of 9 December 1953, it recommended to the two Governments

that they should intensify their efforts to achieve a final, just, equitable and friendly settlement of the question,

Having taken note of the conclusion of the Trusteeship Council, contained in its resolution 1000 (XIV) of 6 July 1954, that the delimitation of the frontier is a matter of the utmost urgency in view both of the approach of the date of the attainment of independence by the Trust Territory and of the continuing political, economic and social difficulties in the area of the present provisional frontier,

Having taken note of the information (A/C.4/277) submitted by the Governments of Ethiopia and Italy concerning the progress of the direct negotiations between them on the delimitation of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia,

Having further taken note of the information (A/C.4/277) submitted by the United Nations Advisory Council for the Trust Territory of Somaliland under Italian

administration concerning the situation in the frontier area,

1. *Notes with concern* that no progress has been made to date in the direct negotiations between the Governments of Ethiopia and Italy on the delimitation of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia ;

2. *Urges* the Governments of Ethiopia and Italy to exert their utmost efforts to achieve a final settlement of the frontier question by direct negotiations ;

3. *Recommends* that, should direct negotiations fail to achieve any results by July 1955, the two Governments agree to the procedure outlined in General Assembly resolution 392 (V) of 15 December 1950.

DOCUMENT A/RESOLUTION/272

[*Resolution 855 (IX)*]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

FINANCING OF THE ECONOMIC DEVELOPMENT PLANS OF THE TRUST TERRITORY OF SOMALILAND UNDER ITALIAN ADMINISTRATION

The General Assembly,

Having considered Trusteeship Council resolution 1001 (XIV) of 7 July 1954 on the financing of the economic development plans of the Trust Territory of Somaliland under Italian administration,

Bearing in mind the fact that a United Nations Visiting Mission has just travelled through the Territory and will have to submit to the Trusteeship Council a full report on the general situation there, including reference to the economic development plans prepared by the Administering Authority,

1. *Takes sympathetic note* of Trusteeship Council resolution 1001 (XIV) of 7 July 1954 ;

2. *Requests* the Secretary-General to consider in agree-

ment with the Italian Government the advisability of asking the International Bank for Reconstruction and Development to send a mission of experts to study the situation and the possibilities of economic development in the Trust Territory of Somaliland under Italian administration ;

3. *Requests* the Trusteeship Council to continue its study of the question and on the basis of the conclusions of the 1954 Visiting Mission to Trust Territories in East Africa and the report of the Bank, if the plan for the mission referred to in the preceding paragraph is carried out, to endeavour to decide on practical measures for financing the economic development plans for Somaliland and to report to the General Assembly at its next session ;

4. *Expresses the hope* that, in the meantime, the Administering Authority will continue unremittingly in its efforts to further the economic development of the Trust Territory.

DOCUMENT A/RESOLUTION/273

[*Resolution 856 (IX)*]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

FORM OF THE ANNUAL REPORT OF THE TRUSTEESHIP COUNCIL TO THE GENERAL ASSEMBLY

The General Assembly,

Recalling its resolution 433 (V) of 2 December 1950 on the annual reports of the Trusteeship Council,

Recalling its resolution 789 (VIII) of 9 December 1953 on the control and limitation of documentation,

Having taken note of the conclusions of the Council on this question as contained in its report (A/2680) covering the period from 22 July 1953 to 16 July 1954,

1. *Approves*, on a trial basis, the proposals of the Trusteeship Council concerning the form of its report to the General Assembly to the effect that a comprehensive report on a given Trust Territory should be presented

by the Council only every third year coinciding with the Council's examination of the report on the Territory by a visiting mission, and that the Council should submit a shorter report in the intervening years, giving only an account of the developments and progress made during the year under review but including such background materials as would enable the Assembly to appreciate the significance of important developments, the comments and observations of Member States and the conclusions and recommendations of the Council ;

2. *Requests, however*, that in view of the time limit set for the attainment by 1960 of independence by the Trust Territory of Somaliland under Italian administration, the Council annually submit a comprehensive report on that Trust Territory.

DOCUMENT A/RESOLUTION/274

[*Resolution 857 (IX)*]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

REPORT OF THE TRUSTEESHIP COUNCIL COVERING THE PERIOD FROM 22 JULY 1953 TO 16 JULY 1954

The General Assembly

1. *Takes note* of the report (A/2680) of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954 ;

2. *Recommends* that the Council, in its future deliberations, take into account the comments and suggestions made in the course of the discussions of its report at the ninth session of the General Assembly.

A/RESOLUTION/275

[Resolution 858 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

ATTAINMENT BY THE TRUST TERRITORIES OF THE OBJECTIVE
OF SELF-GOVERNMENT OR INDEPENDENCE

The General Assembly,

Recalling its resolution 558 (VI) of 18 January 1952 by which it invited the Administering Authority of each Trust Territory, other than Somaliland under Italian administration, to include in each annual report information concerning measures taken or contemplated towards self-government or independence and, *inter alia*, the estimated period of time required for such measures and for the attainment of the ultimate objective,

Recalling further its resolution 752 (VIII) of 9 December 1953 by which it requested the Trusteeship Council to include in its next and succeeding reports to the General Assembly a separate section dealing with the implementation of resolutions 558 (VI) and 752 (VIII), specifying the various measures taken or contemplated toward self-government or independence and stating in each case its conclusions and recommendations in the light of these resolutions,

Considering that one of the most effective means of assisting the peoples of the Trust Territories to achieve the objectives set forth in Article 76 b of the Charter is to provide them with an opportunity to obtain experience in the work of government and administration by participation in representative bodies with adequate powers to carry out such work,

1. *Notes with satisfaction* that, in response to the request of the General Assembly, the Trusteeship Council has included in its report covering the period from 22 July 1953 to 16 July 1954 a separate section (A/2680, p. 279 *et seq.*) dealing with the attainment by the Trust

Territories of the objective of self-government or independence ;

2. *Notes, however,* that the Council has not formulated in this report any conclusions or recommendations on the measures taken or contemplated towards self-government or independence ;

3. *Expresses the hope* that the Council will include its conclusions and recommendations on this question in its next and succeeding reports to the General Assembly ;

4. *Recommends* that the Council instruct its visiting missions to give special attention in their reports to the Council to the question of attainment by the Trust Territories of self-government or independence in the light of resolutions 558 (VI) and 752 (VIII) and of the present resolution ;

5. *Recommends* to the Administering Authorities that, as a means to facilitate an approximate determination of the date on which the populations of the Trust Territories would be prepared for self-government or independence, they should intensify their efforts to the utmost to bring about the establishment of new representative organs of government and administration in the Trust Territories, with increasing participation therein by indigenous elements of those Territories, or to develop on the same basis organs of that type already in existence ; that they should ensure that the nature and powers of these organs reflect the special status conferred on the Trust Territories by Chapter XII of the Charter and by the Trusteeship Agreements ; and that they should hasten the attainment of the objectives set forth in Article 76 of the Charter.

DOCUMENT A/RESOLUTION/276

[Resolution 859 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

HEARINGS OF PETITIONERS FROM THE TRUST TERRITORY
OF THE CAMEROONS UNDER FRENCH ADMINISTRATION

The General Assembly,

Recalling its resolutions 655 (VII) of 21 December 1952 and 758 (VIII) of 9 December 1953,

Having granted oral hearings¹⁴ to petitioners, representatives of organizations in the Trust Territory of the Cameroons under French administration,

1. *Takes note* of the statements of the petitioners, representatives of organizations in the Trust Territory of the Cameroons under French administration ;

2. *Decides* to transmit to the Trusteeship Council the statements of the petitioners for its study ;

3. *Recommends* to the Council :

(a) To continue to give appropriate attention to the matters raised by the petitioners ;

(b) To request its next visiting mission to study these matters ;

(c) To report accordingly to the General Assembly at its tenth session.

¹⁴ See *Official Records of the General Assembly, Ninth Session, Fourth Committee, 442nd, 443rd and 446th meetings.*

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted draft resolutions A, B, C, D, E, F and G submitted by the Fourth Committee. For the final texts, see documents A/RESOLUTION/270, A/RESOLUTION/271, A/RESOLUTION/272, A/RESOLUTION/273, A/RESOLUTION/274, A/RESOLUTION/275 and A/RESOLUTION/276, respectively, above.

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A/2150	Report of the Trusteeship Council covering its fourth special session and its tenth and eleventh sessions		<i>Official Records of the General Assembly, Seventh Session, Supplement No. 4</i>
A/2427	Report of the Trusteeship Council covering the period 4 December 1952-21 July 1953		<i>Ibid., Eighth Session, Supplement No. 4</i>
A/2660	The future of the Trust Territory of Togoland under United Kingdom trusteeship—Letter dated 21 June 1954 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General, and explanatory memorandum		<i>Ibid., Ninth Session, Annexes, agenda items 35 and 52</i>
A/2680	Report of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954		<i>Ibid., Ninth Session, Supplement No. 4</i>
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A/C.4/262	Letter dated 22 September 1954 from the President of the General Assembly to the Chairman of the Fourth Committee transmitting requests for hearings		Mimeographed document only
A/C.4/264	Letter dated 20 September 1954 from the Honorary Chairman of the Coordination des indépendants camerounais to the Secretary-General		Ditto
A/C.4/267	Letter dated 29 September 1954 from the Chairman and General Secretary of the Jeunesse démocratique du Cameroun to the Chairman of the Fourth Committee		Ditto
A/C.4/277	Question of the Frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia : report of the Secretary-General	2	
A/C.4/280	Statement by Mr. Ruben Um Nyobé, representative of the Union des populations du Cameroun, at the 442nd meeting of the Fourth Committee, on 24 November 1954		Mimeographed document only
A/C.4/280/Add.1	Statement by Mr. Ruben Um Nyobé, representative of the Union des populations du Cameroun, at the 443rd meeting of the Fourth Committee, on 25 November 1954		Ditto
A/C.4/281	Statement by Mr. Abel Kingué, representative of the Jeunesse démocratique du Cameroun, at the 446th meeting of the Fourth Committee, on 29 November 1954		Ditto
A/C.4/L.332	Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council—Syria : draft resolution	7	
A/C.4/L.332/Rev.1	Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council—Egypt, Haiti and Syria : revised draft resolution		See footnote to document A/C.4/L.332/Rev.2
A/C.4/L.332/Rev.2	Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council—Egypt, Haiti and Syria : second revised text of draft resolution	7	
A/C.4/L.364	Report of the Trusteeship Council—Canada : draft resolution		Same text as A/2840, draft resolution E
A/C.4/L.365	Form of the annual report of the Trusteeship Council to the General Assembly—Belgium, India, Syria and the United States of America : draft resolution		See footnote to document A/C.4/L.365/Rev.1

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A/C.4/L.366	Question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia—Haiti : draft resolution		Same text as A/2840, draft resolution B
A/C.4/L.367	Financing of the economic development plans of the Trust Territory of Somaliland under Italian administration—El Salvador and Mexico : draft resolution	8	
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A/C.4/L.367/Rev.2	Financing of the economic development plans of the Trust Territory of Somaliland under Italian administrative—El Salvador and Mexico : second revised text of draft resolution		Same text as A/2840, draft resolution C
A/C.4/L.368	Pakistan : amendment to draft resolution A/C.4/L.365/Rev.1		See A/2840, para. 27
A/C.4/L.369	Israel : amendment to draft resolution A/C.4/L.332/Rev.1		See A/2840, para. 9
A/C.4/L.372	United States of America : amendment to draft resolution A/C.4/L.332/Rev.1		See A/2840, para. 10
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A/C.4/L.374/Rev.2	Chile, Ecuador, Peru and Venezuela : second revised text of amendments to draft resolution A/C.4/L.373		See A/2840, para. 37
A/C.4/L.375	Philippines : amendments to draft resolution A/C.4/L.332/Rev.1		See A/2840, para. 11
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T/1076	Report of the United Nations Visiting Mission to Trust Territories in the Pacific, 1953, on Nauru, together with the relevant resolution of the Trusteeship Council		<i>Ibid., Twelfth Session, Supplement No. 2</i>
T/1078	Report of the United Nations Visiting Mission to Trust Territories in the Pacific, 1953, on New Guinea, together with the relevant resolution of the Trusteeship Council		<i>Ibid., Twelfth Session, Supplement No. 4</i>
T/1100	Report of the Secretary-General		<i>Ibid., Thirteenth Session, Annexes, agenda item 14</i>
T/1109	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under British administration, together with related documents		<i>Ibid., Thirteenth Session Supplement No. 4</i>
T/1110	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Cameroons under French administration, together with related documents		<i>Ibid., Thirteenth Session, Supplement No. 5</i>
T/1116	Report of the delegation of Colombia on the activities of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration covering the period 1 April 1953 to 31 March 1954		<i>Ibid., Fourteenth Session, Annexes, agenda item 4</i>
T/1120	Report of the Secretary-General		<i>Ibid., Fourteenth Session, Annexes, agenda item 13</i>
T/1127	Report of the Secretary-General		<i>Ibid., Fourteenth Session, Annexes, agenda item 15</i>
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T/L.458	Syria: draft resolution		<i>Ibid., Thirteenth Session Annexes, agenda item 9</i>
T/L.459	Haiti: amendment to the draft resolution submitted by Syria (T/L.458)		<i>Ibid., Thirteenth Session, Annexes, agenda item 9</i>
T/L 464 and Corr.1 and Add 1	Report of the Secretary-General		Mimeographed document only. The draft report contained in this document constitutes part III of the report of the Trusteeship Council to the General Assembly at its ninth session (A/2680).
T/L.474	Haiti: draft resolution		For this text, as amended at the 549th meeting of the Trusteeship Council, see <i>Official Records of the Trusteeship Council, Fourteenth Session, Supplement No. 1, resolution 1000 (XIV)</i>
T/L.477	Report of the Committee on Control and Limitation of Documentation		<i>Official Records of the Trusteeship Council, Fourteenth Session, Annexes, agenda item 13</i>
T/L.500	India: draft conclusions and recommendations for the draft report of the Secretary-General (T/L.464 and Corr.1 and Add.1, annex)		Mimeographed document only
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Agenda item 14: Election of three non-permanent members of the Security Council

Agenda item 15: Election of six members of the Economic and Social Council

[No documents]

For the decisions taken by the General Assembly on these two items see *Official Records of the General Assembly, Ninth Session, Supplement No. 21*.



Agenda item 16: Election of members of the International Court of Justice:

- (a) Election of a member of the Court to fill the vacancy caused by the death of Sir Benegal Rau
(b) Election of five members of the Court

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DOCUMENT A/2668-S/3270 and Add.1 and 2

List of candidates nominated by national groups: note by the Secretary-General

[Original text: English]
[20 July 1954]

In accordance with Article 7 of the Statute of the International Court of Justice, the Secretary-General has the honour to submit herewith to the General Assembly and to the Security Council a list in alphabetical order of all the persons nominated by national groups for the election to be held in the General Assembly and in the Security Council in order to fill the vacancy in the International Court of Justice caused by the death of Sir Benegal Rau on 30 November 1953. In accordance with Article 15 of the Statute, the term of office of the person elected to fill the vacancy will expire on 5 February 1961—the date on which the deceased member's term of office would have expired.

Curricula vitæ of the candidates accompany the list.

- | | |
|------------------------------------|--|
| Pal, Radhabinod (India) | Bolivia
Ecuador
Egypt
India
Liechtenstein
Mexico
Peru
Switzerland
United Kingdom
United States of America
Yugoslavia |
| Thein, Myint ¹ (Burma) | Yugoslavia |
| de Visscher, Charles (Belgium) | Egypt
France
Luxembourg
Mexico
Netherlands
Norway
Yugoslavia |
| Zafrulla Khan, Mohammad (Pakistan) | United States of America |

(For the curricula vitæ of the candidates, see the mimeographed text of document A/2668 and Corr.1—S/3270 and Corr.1)

¹ The candidate has informed the Secretary-General that he does not wish to be considered for election.

<i>Name and nationality of candidate</i>	<i>Nominated by the national group of:</i>
Colov, Ernst S.B. (Denmark)	Denmark
Cruz, Ramón E. (Honduras)	Honduras
Frølund, Thomas (Denmark)	Denmark
Garrido Diaz, Luis (Mexico)	Honduras
Lara Bustamante, Fernando (Costa Rica)	Costa Rica
de Laval, Juan Bautista (Peru)	Peru
Matindaftari, Ahmed (Iran)	Iran
Odio González, Edgar (Costa Rica)	Costa Rica

DOCUMENT A/2695-S/3281 and Add.1 to 4

List of Candidates Nominated by the National Groups: note by the Secretary-General

[Original text: English]
[20 August 1954]

In accordance with Article 7 of the Statute of the International Court of Justice, the Secretary-General has the honour to submit to the General Assembly and to the Security Council a list in alphabetical order of the candidates nominated by national groups for the election to be held during the forthcoming regular session of the General Assembly in order to elect five judges to succeed Judges Sir Arnold Duncan McNair (United Kingdom), José Gustavo Guerrero (El Salvador), Alejandro Alvarez (Chile), Jules Basdevant (France), and Levi Fernandes Carneiro (Brazil), whose terms of office are due to expire on 5 February 1955.

Curricula vitae of the candidates are included in this document, with the exception of those which have already been published in document A/2668—S/3270, concerning the election of a member of the Court to fill the vacancy caused by the death of Sir Benegal Rau.

<i>Name and nationality of candidate</i>	<i>Nominated by the national group of:</i>	<i>Name and nationality of candidate</i>	<i>Nominated by the national group of:</i>
		Guerrero José G. (El Salvador)	China Cuba El Salvador Greece Haiti Honduras Japan Liechtenstein Mexico New Zealand Nicaragua Paraguay Thailand Turkey United Kingdom United States of America
		Kuriyama, Shigeru (Japan)	China Iran Japan United States of America
Accioly, Hildebrando ¹ (Brazil)	Brazil	Lauterpacht, Hersch (United Kingdom)	Belgium Canada New Zealand United Kingdom United States of America
Alfaro, Ricardo J. (Panama)	Bolivia Brazil Cuba Haiti Panama Peru	Maridakis, Georges S. (Greece)	Greece
Basdevant, Jules (France)	Belgium Brazil Canada Egypt France Greece Japan Lebanon Liechtenstein Netherlands New Zealand Norway Pakistan Switzerland United Kingdom United States of America Yugoslavia	Matindaftari, Ahmed (Iran)	Iran
Cardahi, Choucri (Lebanon)	Lebanon	McNair, Sir Arnold Duncan ¹ (United Kingdom)	France Japan Lebanon Liechtenstein Netherlands Norway Sweden Switzerland Yugoslavia
Carmona, Ramón (Venezuela)	Venezuela	Moreno Quintana, Lucio M. (Argentina)	Argentina Bolivia China Ecuador Egypt Haiti Honduras Mexico Nicaragua Paraguay Peru Venezuela Yugoslavia
Colov, Ernst S. B. (Denmark)	Denmark	Paras, Ricardo (Philippines)	Philippines
Cordova, Roberto (Mexico)	Argentina Brazil China Cuba Ecuador Egypt Haiti Honduras Mexico Netherlands Nicaragua Panama Peru Philippines Sweden Thailand Turkey Venezuela Yugoslavia	Petrén, Sture (Sweden)	Sweden
		Plaza, Eduardo (Venezuela)	Venezuela
		Pramoj, Mom Rajawongse Seni (Thailand)	Thailand
		Rolin, Henri (Belgium)	Denmark Iran Panama
		Sapena Pastor, Raúl (Paraguay)	Argentina Bolivia Ecuador El Salvador Honduras Paraguay Peru
Frølund, Thomas (Denmark)	Denmark		

<i>Name and nationality of candidate</i>	<i>Nominated by the national group of:</i>	<i>Name and nationality of candidate</i>	<i>Nominated by the national group of:</i>
Sausser-Hall, Georges (Switzerland)	Belgium France Liechtenstein Sweden Switzerland	de Visscher, Charles (Belgium)	Belgium Canada Denmark France New Zealand Norway Switzerland United Kingdom
Spiropoulos, Jean ¹ (Greece)	Greece	Viteri Lafronte, Homero (Ecuador)	Ecuador
Thamaprakhan, Phya Ladp ¹ (Thailand)	Thailand	Zafrulla Khan, Mohammad (Pakistan)	Canada Egypt Lebanon Pakistan
Tuason, Pedro M. (Philippines)	Philippines		
Valle, Modesto (Nicaragua)	Nicaragua		
Verzijl, Jan H. W. (Netherlands)	Netherlands		

DOCUMENT A/2735-S/3293

Memorandum by the Secretary-General

[Original text: English]
[24 September 1954]

I. INTRODUCTORY NOTE

1. The names and nationalities of the present members of the International Court of Justice, and the years in which their present terms expire, are as follows:

<i>Name</i>	<i>Nationality</i>	<i>Expiration of present term (on 5 February)</i>
Sir Arnold McNair, President	United Kingdom of Great Britain and Northern Ireland	1955
J. G. Guerrero, Vice-President	El Salvador	1955
A. Alvarez	Chile	1955
J. Basdevant	France	1955
G.H. Hackworth	United States of America	1961
B. Winiarski	Poland	1958
M. Zoricic	Yugoslavia	1958
H. Klaestad	Norway	1961
A. H. Badawi	Egypt	1958
J. E. Read	Canada	1958
Hsu Mo	China	1958
Levi Carneiro	Brazil	1955
E. C. Armand Ugon	Uruguay	1961
F. I. Kozhevnikov	Union of Soviet Socialist Republics	1961

2. In view of the fact that the terms of office of five judges are due to expire on 5 February 1955, it is necessary for the General Assembly and the Security Council, during the ninth session of the Assembly, to elect five judges for a term of office of nine years beginning on 6 February 1955.

3. Moreover, there is at present a vacancy in the Court because of the death of Sir Benegal Narsing Rau (India) on 30 November 1953. In pursuance of Article 14 of the Statute of the Court, the Security Council, at its 677th meeting on 28 July 1954, decided "that an election to fill the vacancy shall take place during the ninth session of the General Assembly", and further decided "that this election shall take place prior to the regular election to be held at the same session to fill the five vacancies which will occur owing to the expiration on 5 February 1955 of the terms of five members" (see document A/2684). In accordance with Article 15 of the Statute, the member of the Court elected to fill this vacancy will hold office for the remainder of Sir Benegal Rau's term, which expires on 5 February 1961.

4. The Secretary-General has requested nominations from the national groups of States parties to the Statute

of the Court. The nominations which he has received respecting the election to fill the single vacancy have been transmitted to the General Assembly and to the Security Council in documents A/2668—S/3270 and Add. 1 and 2 and Corr.1, and the nominations respecting the election of five members of the Court have been transmitted in documents A/2695—S/3281 and Add.1, 2 and 3. The two lists of candidates will be printed in the *Journal of the United Nations*, and the names of the candidates will also appear on the ballot papers which will be distributed at the time of the elections.

II. PROCEDURE IN THE GENERAL ASSEMBLY AND IN THE SECURITY COUNCIL

5. The elections will take place in the order indicated by the Security Council in its resolution of 28 July 1954 (see paragraph 3 above), and in accordance with the following:

(a) The Statute of the Court, in particular Articles 2 to 4, 8 to 12 and 14;

(b) Rules 151 and 152 of the rules of procedure of the General Assembly;

(c) Rules 40 and 61 of the provisional rules of procedure of the Security Council.

6. In accordance with General Assembly resolution 264 (III) of 8 October 1948, Japan, Liechtenstein, San Marino and Switzerland, which are parties to the Statute of the Court but not Members of the United Nations, will participate, in the General Assembly, in electing the members of the Court in the same manner as the Members of the United Nations.

7. On the day of the elections the General Assembly and the Security Council will first proceed, independently of one another, to elect one member of the Court in place of the late Sir Benegal Rau; this done, the two bodies will proceed, again independently of one another, to elect five members of the Court (Article 8 of the Statute).

8. According to Article 2 of the Statute, the judges are to be elected, regardless of their nationality, from among persons of high moral character who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law. Article 9 requires electors to bear in mind not only that

the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

9. Those candidates who obtain an absolute majority of votes both in the General Assembly and in the Security Council will be considered as elected (Article 10, paragraph 1 of the Statute).

10. In the Security Council, six votes constitute an absolute majority and no distinction is to be made between permanent and non-permanent members of the Council (Article 10, paragraph 2 of the Statute).

11. Not more than one national of the same State may be elected; if more than one national of the same State obtains an absolute majority of votes in the two bodies, the eldest of them only will be considered as elected (Article 10, paragraph 3, of the Statute).

12. The electors in the General Assembly and in the Security Council will indicate the candidates for whom they wish to vote by placing crosses against their names on the ballot papers. In the first election to fill the single vacancy, each elector may vote for only one candidate. In the second election of five judges, each elector may vote for not more than five candidates on the first ballot, and on later ballots for five less the number who have already received absolute majorities. Under Article 7 of the Statute, only those candidates whose names appear in the list prepared by the Secretary-General are eligible for election, unless the procedure outlined in Article 12, paragraph 2, is used.

13. In the election of five judges, if in the first ballot in either the General Assembly or the Security Council less than five candidates receive an absolute majority, a second ballot will be taken and balloting will continue in the same meeting until five of the candidates have received the required majority. When this occurs, the President of the General Assembly will notify the President of the Security Council of the names of these five candidates and, after receipt of the corresponding list of candidates from the Security Council, will announce the election of those candidates who have received an absolute majority of votes in both the Assembly and the Council.

14. If less than five candidates have been thus elected, the General Assembly and the Security Council will proceed, again independently of one another, in a second meeting, and if necessary a third meeting, to elect by further ballots the candidates for the remaining vacancies (Article 11 of the Statute).

15. The above procedure will be continued until the two bodies have elected five candidates. If, however, after the third of these meetings one or more seats are still unfilled, the General Assembly and the Security Council may at any time, at the request of either body, form a joint conference consisting of six members, three appointed by each body. This joint conference may, by an absolute majority, agree upon one candidate for each seat still vacant and submit his name for the approval of the Assembly and of the Council. If unanimously agreed, the joint conference may submit the name of a candidate not included in the list of nominations provided that candidate fulfils the required conditions (Article 12 of the Statute).

16. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected will, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council. In the event of an equality of votes among the judges, the eldest judge will have a casting vote (Article 12 of the Statute).

17. In the first election to fill the single vacancy, the procedure outlined above will be followed *mutatis mutandis*. If after the first ballot in both the General Assembly and the Security Council one candidate receives an absolute majority in both bodies, he will be considered elected. Otherwise, balloting will continue at the same meeting until a candidate receives an absolute majority. If necessary, the procedure outlined in Articles 11 and 12 of the Statute will be followed, to the extent applicable.

18. After the conclusion of the two elections the Secretary-General will inform the successful candidates of their election, asking them whether they are prepared to accept office. Should any of the persons elected declare that he is not so prepared, a further election for the remaining vacant seat will take place as soon as possible.

ACTION TAKEN BY THE GENERAL ASSEMBLY

For the decisions taken by the General Assembly on this item, see *Official Records of the General Assembly, Ninth Session, Supplement No. 21*.

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A/2684	Letter dated 29 July 1954 from the President of the Security Council to the Secretary-General, transmitting a resolution adopted by the Security Council at its 677th meeting, on 28 July 1954		Mimeographed document only; for the text of the resolution, see <i>Official Records of the Security Council, Ninth Year, 677th meeting, para. 12</i>
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Agenda item 17: The Korean question :

- (a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea ;
- (b) Report of the United Nations Agent General for Korean Reconstruction

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**(a) Report of the United Nations Commission for the Unification
and Rehabilitation of Korea**

DOCUMENT A/2786

Report to the United Nations on the Korean Political Conference at Geneva

[Original text: English and French]
[11 November 1954]

LETTER DATED 11 NOVEMBER 1954 FROM THE MEMBERS OF THE UNITED NATIONS WHICH PARTICIPATED IN THE UNITED NATIONS ACTION IN KOREA AND ATTENDED THE KOREAN POLITICAL CONFERENCE, AT GENEVA, ADDRESSED TO THE SECRETARY-GENERAL

In paragraph 60 of the Korean Armistice Agreement¹ signed on 27 July 1953 the military commanders of both sides recommended that, in order to ensure the peaceful settlement of the Korean question, a "political conference of a higher level of both sides" be held. The General Assembly, in its resolution of 28 August 1953,² welcomed the holding of such a conference and recommended that "the side contributing armed forces under the United Nations Command in Korea shall have as participants in the conference those among the Member States contributing armed forces pursuant to the call of the United Nations which desire to be represented, together with the Republic of Korea". It also recommended that the Union of Soviet Socialist Republics participate in the conference, "provided the other side desires it". The United States Government was requested to make the arrangements for the political conference with the other participants. Finally, the Assembly recommended that Member States participating in the political conference on the United Nations side should inform the United Nations when agreement was reached at the conference and keep the United Nations informed at other appropriate times.

Efforts by the United States to make arrangements for the conference in accordance with these resolutions were for long frustrated. However, the Foreign Ministers of France, the United Kingdom, the United States, and the USSR, meeting in Berlin, proposed on 18 February 1954 that "a conference of representatives of the United States, France, the United Kingdom, the Union of Soviet Socialist Republics, the Chinese People's Republic, the Republic of Korea, the Democratic People's Republic of Korea, and the other countries the armed forces of which participated in the hostilities in Korea, and which desire to attend, shall meet in Geneva on 26 April for the purpose of reaching a peaceful settlement of the Korean question".³

The Conference convened as scheduled on 26 April in accordance with the Berlin *communiqué* of 18 February 1954 with all eligible countries attending except the Union of South Africa. In our view this Conference was in effect the conference referred to in paragraph 60 of the Korean Armistice Agreement and the General Assembly's resolution of 28 August 1953. The Korean problem was discussed in fifteen plenary sessions and one special

meeting over a period of seven weeks, from 26 April to 15 June.

Pursuant to the Assembly's resolution of 28 August 1953, the Members of the United Nations who participated in the United Nations action in Korea and attended the Geneva Conference believe it appropriate to inform the United Nations of their efforts to bring about, by negotiation, a peaceful solution of the Korean problem. It is requested that their report on the Conference, and this letter, be circulated to the Members of the United Nations. Copies of the records of the Conference have been transmitted to the United Nations Secretariat.

(Signed)

For Australia : Percy SPENDER

For Belgium : F. VAN LANGENHOVE

For Canada : Paul MARTIN

For Colombia : Francisco URRUTIA

For Ethiopia : Z. G. HEYWOT

For France : H. HOPPENOT

For Greece : Alexis KYROU

For Luxembourg : J.-P. KREMER

For the Netherlands : D. J. VON BALLUSECK

For New Zealand : L. K. MUNRO

For the Philippines : Felixberto M. SERRANO

For Thailand : Wan WAITHAYAKON

For Turkey : Selim SARPER

For the United Kingdom of Great Britain
and Northern Ireland : Anthony NUTTING

For the United States of America : Henry Cabot LODGE, Jr.

1. Our Governments, which participated in the United Nations action in Korea, made every effort at the Korean Political Conference in Geneva to obtain agreement that would lead to the establishment of a unified, independent, and democratic Korea. To this end, our delegations made a number of proposals and suggestions, consistent with the authority and principles of the United Nations, to achieve the unification of Korea by peaceful means on a practical and honorable basis. Agreement was sought on the basis of the following two fundamental principles :

(1) The United Nations, under its Charter, is fully and rightly empowered to take collective action to repel aggression, to restore peace and security, and to extend its good offices to seeking a peaceful settlement in Korea ; and

(2) In order to establish a unified, independent and democratic Korea genuinely free elections should be held under United Nations supervision for representatives in a

¹ See *Official Records of the Security Council, Eighth Year, Supplement for July, August and September 1953*, document S/3079, appendix A.

² Resolution 711 (VII).

³ See A/2640.

National Assembly, in which representation shall be in direct proportion to the indigenous population in all parts of Korea.

2. The three Communist delegations rejected these principles. In the first place, they argued that the United Nations, through the collective action taken in Korea, had lost its moral and legal authority to deal with the Korean problem. For example, in a speech to the Conference on 11 May 1954, Mr. Molotov said :

“In the situation which has arisen the United Nations has deprived itself of the possibility of acting as an impartial international organ and it can no longer play an objective part in the settlement of the Korean question.”

The same viewpoint was expressed on 22 May by Mr. Chou En-lai, who asserted that :

“...the United Nations has been placed in the position of a belligerent in the Korean War and has lost its competence and moral authority to deal impartially with the Korean question”.

Mr. Nam Il told the Conference on 22 May that :

“We fail to understand the statement of some delegates who have called upon the Korean people to respect the United Nations’ actions and resolutions on the Korean question.”

3. The Governments which participated in the United Nations action in Korea believed that it was essential to declare and adhere to the first of the principles mentioned above in order to uphold the validity of the Charter of the United Nations and the legality of the collective action undertaken by the United Nations to repel the Communist aggression and to restore peace and security in Korea. This principle was reaffirmed by the General Assembly which, in a resolution of 28 August 1954⁴, expressed satisfaction that “the first efforts pursuant to the call of the United Nations to repel armed aggression by collective military measures have been successful” and expressed its firm conviction that “...this proof of the effectiveness of collective security under the United Nations Charter will contribute to the maintenance of international peace and security”. Our delegations at the Geneva Conference therefore rejected the contention that the United Nations, in taking collective action against aggression, had lost its authority under the Charter to find a peaceful solution of the Korean question. We believe that, had we taken any other position in this matter at Geneva and accepted the repudiation of the authority and competence of the United Nations in Korea, this would have gravely undermined the principle of collective security which is embodied in the Charter of the United Nations.

4. Our Governments also strongly believed that the second principle—genuinely free elections—was essential to the achievement of the objectives of the United Nations in Korea. Free elections are the only means by which the Korean people can express their will without fear of coercion; they are, therefore, the essential first step towards the unification of Korea. To ensure that the elections are held under conditions of genuine freedom in Korea, we maintained that they must be conducted under appropriate supervision. In our view, such supervision must be impartial and effective and should be under the authority and auspices of the United Nations.

5. The proposals put forward by the three Communist delegations on the subject of elections were, briefly, that :

(1) Elections in Korea must be prepared and conducted

by an “all-Korean commission” in which North and South Korea would have equal representation and which would function only by agreement between the two.

(2) International supervision of the elections must be limited to a “neutral nations supervisory commission”, composed of an equal number of Communist and non-Communist nations to be designated by the Conference, and operating only by unanimous agreement.

6. In our view, these proposals were unacceptable. They repudiated the competence of the United Nations and were inherently unworkable. They failed entirely to provide any guarantee that elections would be carried out in genuine freedom. They rejected the principle of proportional representation by insisting that in the so-called “all-Korean commission” the minority of the population who inhabit North Korea should have the same number of representatives as the overwhelming majority of the population who live in South Korea. Even if the “all-Korean commission” could successfully have been constituted, it could only have functioned to the extent that its North Korean and South Korean members were in complete agreement. There was no provision for resolving points of disagreement. In practice, the Communist members would have retained an absolute veto over the conduct of the elections, which would have meant that they could never have taken place in freedom, if at all.

7. As for the proposed “Neutral Nations Supervisory Commission”, it could only have functioned in the unlikely event that the “all-Korean commission” was able to agree on a plan for the elections. Even then the equal representation of Communist and non-Communist nations, and the provisions under which decisions could only be taken by unanimous agreement, would have enabled the Communist members of the supervisory commission to frustrate the commission’s operations and to prevent any effective observation of the elections. As was pointed out at Geneva, this form of international supervision would have been identical with that of the neutral nations supervisory commission established under the Korean Armistice Agreement. The inherent vice in the proposal becomes the more patent in the light of past experiences when we consider that Communist representatives have freely used the veto to frustrate any contemplated action no matter how reasonable. There was no basis for believing that the proposed Commission would have been any more effective in practice than the neutral nations supervisory commission established by the Armistice Agreement which, because of Communist obstruction, has been unable to ensure compliance with the Agreement in North Korea.

8. The proposals of the three Communist delegations indicated plainly a refusal to submit the solution of the Korean problem to the will of the Korean people expressed in honest and free elections, adequately and impartially supervised. They sought to obliterate the distinction between the Government of the Republic of Korea, and the North Korean régime whose forces were declared by the United Nations to have committed aggression in Korea. The Communist proposals would have served to extend their control over all of Korea or, at the very least, to perpetuate its division.

9. The three Communist delegations also called for the withdrawal of all foreign forces from Korea before the holding of elections. This proposal would have involved the withdrawal of the United Nations forces before the mission of the United Nations to establish peace and security in Korea had been completed, leaving behind them a country still divided, still without a single government, and with no early hope of obtaining one. Furthermore, the proposal amounted to a demand that the

⁴ Resolution 712 (VII).

aggressor forces in Korea should be placed on a plane of equality with the United Nations forces which are in Korea in accordance with United Nations resolutions to repel aggression.

10. Our Governments were all agreed that all United Nations forces should be withdrawn as soon as this could be done without prejudice to the objectives of the United Nations to restore peace and security in the area. We believed, therefore, that the withdrawal of the United Nations forces from Korea should be completed as soon as these objectives had been achieved and after the establishment of a unified Korea.

11. For more than seven weeks every effort was made by our delegations to secure agreement on a basis consistent with the principles set out in paragraph 1 above. These efforts were in vain. It became clear that serious negotiation was impossible and that the Conference was being exploited by the Communist spokesmen to attack the very basis of the United Nations action in Korea and to attempt to confuse world opinion on the fundamental issues in the Korean question. To the very end, the Communist proposals would have made the unification of Korea impossible, except on the basis of extending Communist control over all of Korea. We came to the conclusion, therefore, that further discussions at the Geneva Conference could hold out no prospect of success.

12. At the final session of the Conference on 15 June, the three Communist delegations presented a number of further proposals. These were designed essentially to blur the issues at stake and to make it appear that the Conference was in complete agreement on the objectives it sought in Korea. Nevertheless, it quickly became evident that the Communist delegations maintained their previous position on the points of principle discussed above. They still insisted on the withdrawal of all foreign forces from Korea before the beginning of the elections, and that these elections should be arranged by an "all-Korean commission" and supervised by a "neutral nations supervisory commission" in each of which the Communist members would retain a power of veto. They continued to assert (in the words of the Foreign Minister of the Soviet Union on 15 June) that the United Nations Organization "has acted in Korea as a belligerent and...in consequence has no moral right to function as an impartial organization for the solution of the Korean problem".

13. They also claimed that the adoption of their proposals was necessary in order to bind all parties in Korea to maintain peace there. It was pointed out to them that the Korean Armistice Agreement already contained formal and exact provisions for the maintenance of the cease-fire in paragraph 62, which lays down that:

"The articles and paragraphs of this Armistice Agreement shall remain in effect until expressly superseded either by mutually acceptable amendments and additions or by provision in an appropriate agreement for a peaceful settlement at a political level between both sides."

14. In our view the proposals submitted by the three Communist delegations at the final session could have served only to conceal the serious issues of principle which remained unresolved. We considered that it was better to face the fact of our disagreement and that it would be wrong to raise false hopes and mislead the peoples of the world into believing there was agreement when in truth there was none. Accordingly, at the final plenary session of 15 June, our delegates and the delegate of the Republic of Korea made the Declaration by the Sixteen (of which the text is annexed to this report), in which

we informed the Communist delegations that we had been compelled, reluctantly and regretfully, to conclude that, so long as they rejected the two fundamental principles which we consider indispensable, further consideration and examination of the Korean question by the Conference would serve no useful purpose.

15. The Governments which participated in the United Nations action in Korea deeply regret that the Communist delegations persisted at Geneva in the same refusal to accept elections impartially supervised which has frustrated the efforts of the United Nations since 1947 to bring about the unification of Korea.

Our delegations made it clear that the failure of the Geneva Conference to solve the Korean question does not prejudice the armistice in Korea, which remains in effect. We expressed our intent to continue to support the objectives of the United Nations in Korea, in particular that of achieving a unified, independent, and democratic Korea by peaceful means. It is our hope that, through the acceptance of the fundamental principles set forth in the first paragraph of this report, it may yet prove possible to achieve this objective.

ANNEX

DECLARATION BY THE SIXTEEN (15 June 1954)

Pursuant to the resolution (711(VII)) of 28 August 1953, of the United Nations General Assembly, and the Berlin communiqué of 18 February 1954, we, as nations who contributed military forces to the United Nations Command in Korea, have been participating in the Geneva Conference for the purpose of establishing a united and independent Korea by peaceful means.

We have made a number of proposals and suggestions in accord with the past efforts of the United Nations to bring about the unification, independence and freedom of Korea; and within the framework of the following two principles which we believe to be fundamental:

1. The United Nations, under its Charter, is fully and rightfully empowered to take collective action to repel aggression, to restore peace and security, and to extend its good offices to seeking a peaceful settlement in Korea.

2. In order to establish a unified, independent and democratic Korea, genuinely free elections should be held under United Nations supervision, for representatives in the National Assembly, in which representation shall be in direct proportion to the indigenous population in Korea.

We have earnestly and patiently searched for a basis of agreement which would enable us to proceed with Korean unification in accordance with these fundamental principles.

The Communist delegations have rejected our every effort to obtain agreement. The principal issues between us therefore are clear. Firstly, we accept and assert the authority of the United Nations. The Communists repudiate and reject the authority and competence of the United Nations in Korea and have labelled the United Nations itself as the tool of aggression. Were we to accept this position of the Communists, it would mean the death of the principle of collective security and of the United Nations itself. Secondly, we desire genuinely free elections. The Communists insist upon procedures which would make genuinely free elections impossible. It is clear that the Communists will not accept impartial and effective supervision of free elections. Plainly, they have shown their intention to maintain Communist control over North Korea. They have persisted in the same attitudes which have frustrated United Nations efforts to unify Korea since 1947.

We believe, therefore, that it is better to face the fact of

our disagreement than to raise false hopes and mislead the peoples of the world into believing that there is agreement where there is none.

In the circumstances we have been compelled reluctantly and regretfully to conclude that, so long as the Communist delegations reject the two fundamental principles which we consider indispensable, further consideration and examination

of the Korean question by the Conference would serve no useful purpose. We reaffirm our continued support for the objectives of the United Nations in Korea.

In accordance with the resolution of the General Assembly of the United Nations of 28 August 1953, the Member States parties to this declaration will inform the United Nations concerning the proceedings at this Conference.

(Signed)

For Australia : R. G. CASEY
 For Belgium : P. H. SPAAK
 For Canada : C. A. RONNING
 For Colombia : Francisco URRUTIA
 For Ethiopia : Z. G. HEYWOT
 For France : Jean CHAUVEL
 For Greece : Jean KINDYNIS
 For Luxembourg : J. STURM

For the Netherlands : A. BENTINCK
 For New Zealand : A. D. McINTOSH
 For the Philippines : Carlos P. GARCIA
 For the Republic of Korea : Y. T. PYUN
 For Thailand : Wan WAITHAYAKON
 For Turkey : M. C. ACIKALIN
 For the United Kingdom of Great Britain
 and Northern Ireland : Anthony EDEN
 For the United States of America : Walter Bedell SMITH

DOCUMENT A/2809

Note by the Secretary-General

[Original text : English]
 [29 November 1954]

In connexion with the consideration of the Korean question, the Secretary-General deems it appropriate to bring to the attention of the General Assembly certain problems arising from the fact that a number of former prisoners of war who had expressed their wish to the Neutral Nations Repatriation Commission⁵ to go to neutral countries have, since February 1954, been cared for by the Government of India on behalf of the United Nations. Relevant information pertaining thereto is set out below.

1. By a communication dated 8 February 1954, the Indian delegation to the United Nations, acting on instructions from its Government, conveyed to the Secretary-General, for his information and for such appropriate action as he might be able to take, the matter of eighty-nine prisoners of war who had finally expressed their wish to the Neutral Nations Repatriation Commission to go to neutral countries. Following an account of the relevant background, the communication continued :

"The Neutral Nations Repatriation Commission has now ascertained the final wishes of the prisoners of war remaining under their protection. Seven (7) Chinese and twenty-two (22) Koreans have opted for India. Five (5) Chinese and fifty-four (54) Koreans are unwilling to make their choice of a neutral country until they are informed which of the neutral countries will agree to receive them. One (1) prisoner of war out of the eighty-nine (89) has still to be accounted for and inquiries are being pursued in respect of him.

"All the prisoners of war have, however, agreed to be sent to India pending decision as to their final disposition. The Neutral Nations Repatriation Commission has therefore arranged to send eighty-eight (88) prisoners of war to India by S.S. Asturias on 8 February.

"The Government of India desire me to give you the particulars in respect of the eighty-eight (88) prisoners of war in as far as such particulars are available to them. The average age of these prisoners of war is between twenty (20) and thirty (30) years.

All of these prisoners of war are educated. The largest category amongst them consists of students. The remainder consist of mechanics, factory workers, labourers, farmers, electricians, merchants and others.

"The Government of India would be grateful if inquiries are addressed, without delay, to neutral countries as you deem appropriate in regard to their willingness to receive some of these prisoners of war.

"The wishes of the prisoners of war in respect of countries to which they wished to go were ascertained when they were taken into the protective custody of the Custodial Force, India, after they had elected to go to neutrals. On or about 12 January 1954, eighteen (18) prisoners of war expressed their desire to go to the Argentine, seven (7) to Mexico, thirteen (13) to Switzerland, eleven (11) to India and twenty-two (22) made more than one choice covering all these countries and Brazil. The Swiss delegate, however, informed the Chairman of the Neutral Nations Repatriation Commission that his country was unable to take any of these prisoners of war.

"The Government of India consider that although the wishes of the prisoners of war as thereto ascertained are only in respect of the neutral countries above-mentioned, that other neutral countries may also be approached so that the responses received may be intimated to the prisoners of war to enable them to make their final choices.

"The Government of India direct me to state that the prisoners of war that are now being taken to India, on humanitarian grounds and in conformity with the intent of the repatriation agreement, are being cared for by the Government of India, on behalf of the United Nations, on whom rests the responsibility for the care and maintenance of these prisoners of war.

"The Government of India would look to the United Nations for the discharge of this responsibility, while the Government of India, for practical and humanitarian reasons, continue to carry out the functions in respect of their care, maintenance and protection on behalf of the United Nations."

⁵ For the reports of the Neutral Nations Repatriation Commission, see A/2641.

2. In his reply dated 9 February 1954 to the above communication, the Secretary-General advised the

delegation of India that he would be glad to use his good offices in approaching certain neutral countries in regard to their willingness to receive some of the prisoners of war. In conclusion, the Secretary-General stated :

"I am unable, as you are aware, to give your Government any assurance regarding United Nations responsibility for the care and maintenance of these prisoners of war. This is a matter which the General Assembly, as the appropriate organ, would have to decide in due course."

3. Copies of the above-mentioned communication from the delegation of India and the Secretary-General's reply thereto were transmitted, under cover of a note verbale dated 1 March 1954, to the Permanent Representatives of all Member States.

4. Following this exchange of communications, and in accordance with his offer to use his good offices, the Secretary-General addressed inquiries to the Governments of those countries to which the prisoners of war had indicated their wish to go, with a view to ascertaining the general attitude of those Governments as to the possibility of receiving some of these prisoners. In order to enable those Governments whose replies indicated a favourable reaction in principle to his inquiry to consider the matter further, the Secretary-General asked for and obtained additional data with regard to the prisoners from the delegation of India, which data he transmitted to the Governments concerned.

5. In the course of continuous consultations with the delegation of India in this matter, the Secretary-General, at the beginning of May 1954, was informed of a con-

siderable change in the situation, in that a new poll taken among the prisoners had shown that a large majority had indicated Mexico as their choice of neutral country for repatriation. This information was immediately transmitted to the Government of Mexico since it was felt that in the light of the new development, the outcome of that Government's consideration would have a significant bearing on any future efforts to find a satisfactory solution of the problem on the resettlement of the prisoners of war.

6. According to the latest information as given in a communication from the delegation of India dated 1 July 1954, the number of ex-prisoners having opted for Mexico is fifty-two, whereas thirty-four have expressed their desire to settle in India, one wishes to be sent to South Korea and one has been repatriated to China.

7. As of the present time, none of the Governments which were approached in the matter has been in a position to make any definite commitment to receive any of the ex-prisoners although, as indicated above, favourable reactions in principle have been received.

8. As regards the care and maintenance of the ex-prisoners, it would seem to be for the General Assembly, as the appropriate organ, to consider the possibility of discharging the financial responsibility in this respect pending a final settlement of these prisoners now temporarily cared for by the Government of India. The Secretary-General is not in possession of estimates which would enable him at the present time to make any proposals to that effect.

DOCUMENT A/2832

Letter dated 4 December 1954 from the delegation of the Union of Soviet Socialist Republics, addressed to the President of the General Assembly, communicating the text of proposals submitted by the USSR to the Geneva Conference on 5 June and 15 June 1954

[Original text : Russian]
[6 December 1954]

New York, 4 December 1954

I have the honour to forward the text of the proposals on the Korean question introduced by the delegation of the Union of Soviet Socialist Republics at the Conference of Foreign Ministers held at Geneva from April to July this year.

I beg you to arrange for the distribution of these proposals to the representatives attending the ninth session of the General Assembly.

(Signed) Y. MALIK
Chairman, delegation of the USSR to
the ninth session of the
General Assembly

PROPOSAL OF THE DELEGATION OF THE USSR, MOVED AT THE
GENEVA CONFERENCE ON 5 JUNE 1954

The delegations at the Geneva Conference have agreed upon the following fundamental principles for a peaceful settlement of the Korean question :

1. With a view to unifying Korea and establishing a united, independent and democratic Korean State, free elections shall be held throughout Korea. The elections shall take place within six months from the date of the present agreement. The elections shall be conducted on the basis of universal suffrage and secret ballot.

Representation in the all-Korean legislature shall be in proportion to the population in all parts of Korea.

2. For the purpose of preparing and conducting the free all-Korean elections and facilitating the establishment of close relations between the Democratic People's Republic of Korea and the Republic of Korea, an all-Korean body shall be set up composed of representatives of the Democratic People's Republic of Korea and the Republic of Korea. The composition and functions of this body shall be a subject of supplementary examination.

3. All foreign armed forces shall be withdrawn from Korea within definite time-limits. The time-limits and stages of withdrawal of all foreign armed forces from North and South Korea prior to the free all-Korean elections shall be a subject of supplementary examination.

4. It is resolved that an appropriate international commission shall be formed to supervise the free all-Korean elections. The composition of the supervisory commission shall be a subject of supplementary examination.

5. Recognizing the importance of preventing violations of the peace in Korea, it is considered necessary that the States most interested in the maintenance of peace in the Far East shall assume obligations ensuring Korea's peaceful development, which would facilitate the national unification of Korea. Which States shall assume the obligations ensuring Korea's peaceful development, and the nature of these obligations, shall be a subject of supplementary examination.

PROPOSAL OF THE DELEGATION OF THE USSR, MOVED AT THE
GENEVA CONFERENCE ON 15 JUNE 1954

Declaration on Korea

The States participating in the Geneva Conference have agreed that, pending a final settlement of the Korean question based on the establishment of a united, indepen-

dent and democratic Korean State, no action shall be taken which might jeopardize the maintenance of peace in Korea.

The participants in the Conference are confident that both the Democratic People's Republic of Korea and the Republic of Korea will abide by the present Declaration in the interest of peace.

DOCUMENT A/2833

Letter dated 4 December 1954 from the delegation of the Union of Soviet Socialist Republics, addressed to the President of the General Assembly, communicating the text of proposals submitted by the delegation of the Democratic People's Republic of Korea to the Geneva Conference on 27 April and 15 June 1954

[Original text : Russian]
[6 December 1954]

New York, 4 December 1954

I have the honour to forward the text of the proposals on the Korean question introduced by the delegation of the Democratic People's Republic of Korea at the Conference of Foreign Ministers held at Geneva from April to July this year.

I beg you to arrange for the distribution of these proposals to the representatives attending the ninth session of the General Assembly.

(Signed) Y. MALIK

*Chairman, delegation of the USSR to
the ninth session of the
General Assembly*

PROPOSALS OF THE DELEGATION OF THE DEMOCRATIC PEOPLE'S
REPUBLIC OF KOREA MOVED AT THE GENEVA CONFERENCE
ON 27 APRIL 1954

National reunion of Korea and free all-Korean elections

With a view to the speedy restoration of Korea's national unity and the establishment of a united, independent and democratic Korean State :

1. The Governments of the Democratic People's Republic of Korea and the Republic of Korea shall be recommended :

(a) To hold, on the basis of a free expression of will by the population of the whole of Korea, all-Korean elections to a National Assembly, which shall set up a single Government of Korea ;

(b) To appoint an all-Korean commission composed of representatives of North and South Korea, elected respectively by the Supreme People's Assembly of the Democratic People's Republic of Korea and the National Assembly of the Republic of Korea, for the purpose of preparing and conducting free all-Korean elections to the Korean National Assembly, and of implementing urgent measures for the promotion of economic and cultural intercourse between North and South Korea. The Commission should also include representatives of the major democratic public organizations of North and South Korea respectively ;

(c) To provide that one of the primary duties of the all-Korean commission shall be to draft an all-Korean electoral law which will ensure that the elections are of a truly democratic character and conducted in conditions of freedom that preclude foreign interference and the exercise of pressure on the electorate by local authorities or terrorist groups. The Commission shall likewise take the necessary measures to ensure to the people of Korea freedom of assembly and of the Press,

and the freedom of all citizens of the country, regardless of their political and religious convictions, sex or nationality to nominate candidates to legislative bodies ;

(d) With a view to assisting the economic recovery of Korea, promoting higher living standards for the Korean people, and preserving and developing their national culture, which will be an important step towards creating the conditions necessary for the national reunion of Korea, the all-Korean commission shall without delay adopt measures for establishing and developing economic and cultural intercourse between the Democratic People's Republic of Korea and the Republic of Korea : trade, financial settlements, transport, frontier relations, freedom of movement and correspondence, cultural and scientific exchange etc.

2. All foreign armed forces shall be withdrawn from Korean territory within six months.

3. The peaceful development of Korea shall be guaranteed by the States most interested in the maintenance of peace in the Far East, thus creating conditions conducive to the speediest solution of the problem of peacefully reuniting Korea as a united, independent and democratic State.

PROPOSALS OF THE DELEGATION OF THE DEMOCRATIC PEOPLE'S
REPUBLIC OF KOREA MOVED AT THE GENEVA CONFERENCE
ON 15 JUNE 1954

Safeguarding of conditions of peace in Korea

The States participating in the Geneva Conference have agreed to continue their effort to achieve agreement on a peaceful settlement of the Korean question based upon the establishment of a united, independent and democratic Korean State.

For the purpose of safeguarding conditions of peace in Korea :

1. The Governments of the countries concerned shall be recommended to take measures for the withdrawal of all foreign armed forces from Korean territory as speedily as possible in accordance with the principle of proportionality.

2. The armed forces of the Democratic People's Republic of Korea and the Republic of Korea shall within a period of not more than one year be reduced so as not to exceed a limit of 100,000 men on each side.

3. A commission composed of representatives of the Democratic People's Republic of Korea and the Republic of Korea shall be set up to examine the creation of conditions for the gradual liquidation of the state of war and

the placing of the forces of both sides on a peace-time footing, and to submit to the Government of the Democratic People's Republic of Korea and the Government of the Republic of Korea proposals for an agreement to this effect.

4. Treaties between either part of Korea and other States involving military commitments shall be recognized as incompatible with promotion of the peaceful unification of Korea.

5. With a view to bringing North and South Korea closer together, an all-Korean commission shall be set up

to work out and put into effect agreed measures for the establishment and development of economic and cultural relations between the Democratic People's Republic of Korea and the Republic of Korea (trade, financial settlements, transport, frontier matters, freedom of movement and correspondence, cultural and scientific intercourse etc.).

6. It shall be recognized that the States participating in the Geneva Conference are bound to guarantee Korea's peaceful development, thereby creating conditions facilitating the speedy peaceful unification of Korea as a united, independent and democratic State.

DOCUMENT A/2834

Letter dated 4 December 1954 from the delegation of the Union of Soviet Socialist Republics, addressed to the President of the General Assembly, communicating the text of proposals submitted by the delegation of the People's Republic of China to the Geneva Conference on 3 May, 22 May and 15 June 1954

[Original text : Russian]
[6 December 1954]

New York, 4 December 1954

I have the honour to forward the text of the proposals on the Korean question moved by the delegation of the Chinese People's Republic at the Conference of Foreign Ministers held at Geneva from April to July of this year.

I beg you to arrange for the distribution of these proposals to the representatives attending the ninth session of the General Assembly.

(Signed) Y. MALIK

*Chairman, delegation of the USSR to
the ninth session of the
General Assembly*

PROPOSALS OF THE DELEGATION OF THE CHINESE PEOPLE'S REPUBLIC, MOVED AT THE GENEVA CONFERENCE ON 3 MAY 1954

1. That measures be taken to ensure the return to their countries of the Korean and Chinese captured personnel who were forcibly retained by the United Nations Command in June 1953 and January 1954 and were impressed into military service.

2. That a commission, composed of representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland, France, the People's Republic of China, the Union of Soviet Socialist Republics, the Democratic People's Republic of Korea and the Republic of Korea be set up to assist in carrying out the measures for the repatriation of Korean and Chinese captured personnel as provided in the foregoing paragraph.

3. That, pending settlement of the prisoner-of-war question by the aforementioned commission, joint teams be formed, composed of representatives of the Red Cross Societies of the States on both sides signatory to the Korean Armistice Agreement, and sent to the present locations of the war prisoners for inspection.

PROPOSAL OF THE DELEGATION OF THE CHINESE PEOPLE'S REPUBLIC, MOVED AT THE GENEVA CONFERENCE ON 22 MAY 1954

In paragraph 1 of the proposal of the delegation of the Democratic People's Republic of Korea (document A/2833), add the following sub-paragraph :

(e) With a view to assisting the all-Korean commission in the conduct of nation-wide elections on the basis of an all-Korean electoral law, in freedom and in conditions excluding foreign interference, a neutral nations commission shall be appointed to supervise the all-Korean elections.

PROPOSAL OF THE DELEGATION OF THE CHINESE PEOPLE'S REPUBLIC, MOVED AT THE GENEVA CONFERENCE ON 15 JUNE 1954

The States participating in the Geneva Conference have agreed to continue their effort to achieve agreement on a peaceful settlement of the Korean question based upon the establishment of a united, independent and democratic Korean State. The time and place for the resumption of negotiations for that purpose shall be determined later by the States concerned.

DOCUMENT A/C.1/761

Resolution adopted by the First Committee at its 737th meeting, on 1 December 1954

[Original text : English]
[1 December 1954]

The First Committee

Decides that a representative of the Republic of Korea be invited to participate, without the right to vote, in the debates of the Committee on the agenda item : "The Korean question".

DOCUMENT A/C.1/L.112**Union of Soviet Socialist Republics : draft resolution**

[Original text : Russian]
[1 December 1954]

The First Committee,

Recognizing the necessity for the participation of the Democratic People's Republic of Korea and the People's Republic of China in the peaceful settlement of the Korean question,

Decides to invite representatives of the Democratic People's Republic of Korea and the People's Republic of China to participate in the discussion of the Korean question.

DOCUMENT A/C.1/L.115**Syria : draft resolution**

[Original text : English]
[1 December 1954]

The First Committee,

Considering the necessity for the participation of the representatives of Korea in the peaceful settlement of the Korean question,

Decides to invite representatives of the Democratic People's Republic of Korea and the Republic of Korea to participate in the discussion of the Korean question.

DOCUMENT A/C.1/L.116**Union of Soviet Socialist Republics : draft resolution**

[Original text : Russian]
[1 December 1954]

The General Assembly,

Considering that the earliest possible settlement of the Korean question, with a view to the national unification of Korea and the safeguarding of peace, is a matter of urgent necessity,

Deems it advisable that the States concerned should continue their efforts to reach agreement on the peaceful settlement of the Korean question on the basis of the creation of a unified, independent and democratic Korean State, and, to that end, should convene a conference of interested States at an early date.

DOCUMENT A/C.1/L.117**Union of Soviet Socialist Republics : draft resolution**

[Original text : Russian]
[1 December 1954]

The General Assembly,

Decides to discontinue the United Nations Commission for the Unification and Rehabilitation of Korea.

DOCUMENT A/C.1/L.118**India : draft resolution**

[Original text : English]
[2 December 1954]

The General Assembly,

Having received the report (A/2786) on the Korean Political Conference held in Geneva from 26 April to 15 June 1954, in pursuance of General Assembly resolution 711 (VII) of 28 August 1953,

Noting that the negotiations in Geneva have not resulted in the steps for a final settlement of the Korean question,

Noting that article 62 of the Armistice Agreement of 27 July 1953, provides that the Agreement "shall remain

in effect until expressly superseded either by mutually acceptable amendments and additions or by provisions in an appropriate agreement for a peaceful settlement at a political level between both sides”,

1. *Reaffirms* that the objectives of the United Nations remain the achievement by peaceful means of a unified, independent and democratic Korea under a representative form of government and the full restoration of international peace and security in the area;

2. *Recognizes* that these objectives should be achieved by peaceful methods and constructive efforts on the part of all concerned;

3. *Expresses* the earnest hope that progress in respect of the settlement of the Korean question will be made;

4. *Requests* the Governments concerned to take note of this resolution;

5. *Requests* the Secretary-General to place this item on the agenda of the tenth session.

DOCUMENT A/C.1/L.121

Union of Soviet Socialist Republics : amendment to draft resolution A/C.1/L.118

[Original text : Russian]
[8 December 1954]

Delete the first paragraph of the preamble of the draft resolution submitted by India (A/C.1/L.118).

DOCUMENT A/2853

Report of the First Committee

[Original text : English]
[9 December 1954]

1. At its 294th meeting on 7 October 1950, the General Assembly adopted resolution 376 (V) on the problem of the independence of Korea and established the United Nations Commission for the Unification and Rehabilitation of Korea.

2. On 17 August 1954, in accordance with its terms of reference, the United Nations Commission for the Unification and Rehabilitation of Korea submitted a report (A/2711) covering the period from 14 August 1953 to 17 August 1954.

3. At its 478th meeting on 25 September 1954, the General Assembly included the report of the Commission in the agenda of the ninth session under the title : “The Korean question : (a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea”, and referred it to the First Committee for consideration and report.

4. The First Committee considered the item at its 736th to 745th meetings, inclusive, held from 1 to 9 December 1954.

5. At the 736th meeting, on 1 December, the Union of Soviet Socialist Republics submitted a draft resolution (A/C.1/L.112), the operative part of which provided that the First Committee should decide to invite representatives of the Democratic People’s Republic of Korea and the People’s Republic of China to participate in the discussion of the Korean question.

6. At the same meeting, Thailand submitted a draft resolution (A/C.1/L.113), providing that a representative of the Republic of Korea should be invited to participate in the debate without the right to vote.

7. At the same meeting, India submitted amendments (A/C.1/L.114) to the draft resolution of the USSR, calling for : (1) deletion of the preamble; (2) insertion of the words “the Republic of Korea”, before the words : “the Democratic People’s Republic of Korea”; (3) addition of the words : “, without the right to vote,” at the end of the draft resolution.

8. Also at the same meeting, Syria submitted a draft resolution (A/C.1/L.115), according to which the First Committee would decide to invite representatives of the Democratic People’s Republic of Korea and the Republic of Korea to participate in the discussion of the Korean question.

9. At the 737th meeting, on the same date, the representative of the USSR accepted the amendments submitted by India and an oral amendment submitted by the representative of Poland which provided that, in the operative paragraph, the Democratic People’s Republic of Korea would be mentioned first.

10. At the same meeting, a motion by the representative of Iraq that priority in the voting should be given to the draft resolution submitted by Thailand was adopted by 39 votes to 9, with 9 abstentions.

The draft resolution submitted by Thailand (A/C.1/L.113) was thereafter adopted by 43 votes to 5, with 10 abstentions.

The modified USSR draft resolution (A/C.1/L.112) was rejected by 39 votes to 9, with 10 abstentions.

The draft resolution submitted by Syria (A/C.1/L.115) was rejected by 37 votes to 5, with 16 abstentions.

11. At the same meeting, the USSR submitted a draft resolution (A/C.1/L.116) to the effect, *inter alia*, that the General Assembly deemed it advisable that the States concerned should continue their efforts to reach agreement on the peaceful settlement of the Korean question and, to that end, should convene a conference of interested States at an early date.

12. At the same meeting, the USSR submitted a second draft resolution (A/C.1/L.117), according to which the General Assembly would decide to discontinue the United Nations Commission for the Unification and Rehabilitation of Korea.

13. At the 738th meeting, on 2 December, India submitted a draft resolution (A/C.1/L.118), providing, *inter alia*, that the General Assembly, having received the report (A/2786) on the Korean Political Conference held

in Geneva from 26 April to 15 June 1954, in pursuance of General Assembly resolution 711 (VII) of 28 August 1953, should (1) reaffirm that the objectives of the United Nations remained the achievement by peaceful means of a unified, independent and democratic Korea under a representative form of government and the full restoration of international peace and security in the area; (2) recognize that these objectives should be achieved by peaceful methods and constructive efforts on the part of all concerned; (3) express the earnest hope that progress in respect of the settlement of the Korean question would be made; (4) request the Governments concerned to take note of the resolution; and (5) request the Secretary-General to place the item on the agenda of the tenth session.

14. At the same meeting, Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America submitted a joint draft resolution (A/C.1/L.119) providing, *inter alia*, that the General Assembly should (1) approve the report on the Korean Political Conference (A/2786); (2) reaffirm that the objectives of the United Nations remained the achievement by peaceful means of a unified, independent and democratic Korea under a representative form of government and the full restoration of international peace and security in the area; (3) express the hope that it would soon prove possible to make progress towards these objectives; and (4) request the Secretary-General to place the item on the provisional agenda of the tenth session.

15. At the 739th meeting, on 3 December, India submitted and subsequently withdrew a draft resolution (A/C.1/L.120), providing, *inter alia*, that the General Assembly, having received and taken note of the reports of the Neutral Nations Repatriation Commission (A/2641) established under the Korean Armistice Agreement, and of the Secretary-General's note of 29 November 1954 (A/2809) concerning prisoners of war temporarily being cared for by the Government of India pending decision as to their final disposition, should (1) decide to defer further consideration of the reports in question; and (2) request the Secretary-General to assist the Government of India in the earliest possible final disposition of the prisoners concerned to the countries of their choice which would accept them.

16. At the 744th meeting, on 8 December, the USSR withdrew its first draft resolution (A/C.1/L.116), and submitted an amendment (A/C.1/L.121) to the Indian draft resolution (A/C.1/L.118), providing for the deletion of the part of the preamble referred to in paragraph 13 above.

17. At the same meeting, a motion by the representative of Turkey that priority in the voting should be given to the fifteen-Power draft resolution was adopted by 37 votes to 11, with 11 abstentions. The Committee proceeded to vote, paragraph by paragraph, on the fifteen-Power draft resolution (A/C.1/L.119), as follows:

The first paragraph of the preamble was adopted by 54 votes to 5.

The second paragraph of the preamble was adopted by 53 votes to 5.

The third, fourth and fifth paragraphs of the preamble were adopted by 59 votes to none.

Operative paragraph 1 was adopted by a roll-call vote of 46 to 5, with 8 abstentions, as follows:

In favour: Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Burma, India, Indonesia, Saudi Arabia, Syria, Yemen, Yugoslavia.

Operative paragraphs 2 and 3 were adopted by 59 votes to none.

Operative paragraph 4 was adopted by 54 votes to none, with 5 abstentions.

The fifteen-Power draft resolution as a whole was approved by 50 votes to 5, with 4 abstentions.

The Committee thereafter agreed not to vote on the draft resolution of India.

The second draft resolution of the USSR (A/C.1/L.117) was rejected by 50 votes to 5, with 1 abstention.

Recommendation of the First Committee

18. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

THE KOREAN QUESTION

[Text adopted without change by the General Assembly. See A/RESOLUTION/249, below.]

DOCUMENT A/RESOLUTION/249

[Resolution 811 (IX)]

Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954

THE KOREAN QUESTION

The General Assembly,

Having noted the report (A/2711) of the United Nations Commission for the Unification and Rehabilitation of Korea signed at Seoul, Korea, on 17 August 1954,

Having received the report (A/2786) on the Korean Political Conference held in Geneva from 26 April to 15 June 1954, in pursuance of General Assembly resolution 711 (VII) of 28 August 1953,

Noting that the negotiations in Geneva have not resulted in agreement on a final settlement of the Korean question in accordance with the United Nations objectives in Korea,

Recognizing that these objectives should be achieved by peaceful methods and by constructive efforts on the part of the Governments concerned,

Noting that paragraph 62 of the Armistice Agreement (S/3079) of 27 July 1953 provides that the Agreement "shall remain in effect until expressly superseded either

by mutually acceptable amendments and additions or by provision in an appropriate agreement for a peaceful settlement at a political level between both sides”,

1. *Approves* the report on the Korean Political Conference (A/2786) ;

2. *Reaffirms* that the objectives of the United Nations remain the achievement by peaceful means of a unified,

independent and democratic Korea under a representative form of government and the full restoration of international peace and security in the area ;

3. *Expresses the hope* that it will soon prove possible to make progress towards these objectives ;

4. *Requests* the Secretary-General to place the item on the provisional agenda of its tenth session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 510th plenary meeting, on 11 December 1954, the General Assembly adopted the draft resolution submitted by the First Committee (A/2853, para. 18). For the final text see A/RESOLUTION/249, above.

(b) Report of the United Nations Agent General for Korean Reconstruction

DOCUMENT A/2810

Comments of the United Nations Commission for the Unification and Rehabilitation of Korea on the report of the Agent General (A/2750)

[Original text : English]
[29 November 1954]

Note by the Secretary-General—The Secretary-General has the honour to circulate, for the information of the Members of the General Assembly, the text of the comments approved by the United Nations Commission for the Unification and Rehabilitation of Korea on 29 November 1954, on the report of the United Nations Agent General for Korean Reconstruction (A/2750). These comments are transmitted to the General Assembly in accordance with paragraph 2 (e) of General Assembly resolution 410 A (V) adopted on 1 December 1950.

Seoul, 29 November 1954

UNCURK approved twenty-ninth November following comments UNKRA report (A/2750) for transmission Economic and Social Council and General Assembly :

“UNCURK has studied the report of the United Nations Agent General for Korean Reconstruction to the ninth session of the General Assembly which was transmitted to the Commission by the Agent General in accordance with resolution 410 (V). The Commission believes that the report does not contain any information or raise any points that were not known to the Commission at the time that it prepared its own report to the General Assembly (See UNCURK report, A/2711, paragraphs 89 to 136) ”.

DOCUMENT A/2867

Report of the Second Committee

[Original text : English]
[13 December 1954]

1. The General Assembly, at its 478th plenary meeting on 25 September 1954, allocated to the Second Committee agenda item 17 (b) “The Korean question : Report of the United Nations Agent General for Korean Reconstruction ” (A/2750).

2. The Committee considered this item at its 340th and 341st meetings. Twelve delegations, as well as the Agent General of the United Nations Korean Reconstruction Agency, took part in the general debate.

3. With regard to this item, Australia, Canada, Greece, the Netherlands, New Zealand, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America submitted a draft resolution (A/C.2/L.254 and Add.1), under which the General Assembly would (1) commend the United Nations Agent General for Korean Reconstruction for the excellent progress made by the Agency in pursuing its mission of assisting the Korean people to relieve the sufferings and to repair the devastation caused by aggression ; (2) stress

the desire that implementation of the programmes of the Agency as approved by the General Assembly in resolution 725 (VIII) should be achieved to the maximum extent possible; (3) urge all Governments to give the financial support necessary for the continuation of the Agency's programme, whether in the prompt payment of existing pledges or in the pledging of new contributions to the programme; (4) express appreciation for the valuable and continuing assistance given to the Agency by United Nations specialized agencies and by voluntary non-governmental organizations; and (5) request the Negotiating Committee for Extra-Budgetary Funds, appointed pursuant to the General Assembly resolution of 29 October 1954 (A/RESOLUTION/205), to undertake steps designed to secure new pledges and the prompt payment of existing pledges to the Agency.

4. The Committee voted on the joint draft resolution at its 341st meeting as follows:

Operative paragraph 1, on which a separate vote was requested by the representative of Chile, was adopted by 35 votes to 5, with 3 abstentions.

The draft resolution as a whole was adopted by 38 votes to 5.

Recommendation of the Second Committee

5. The Second Committee therefore recommends to the General Assembly the adoption of the following resolution:

REPORT OF THE AGENT GENERAL OF THE UNITED NATIONS KOREAN RECONSTRUCTION AGENCY

[Text adopted without change by the General Assembly. See A/RESOLUTION/257, below.]

DOCUMENT A/RESOLUTION/257

[Resolution 328 (IX)]

Resolution adopted by the General Assembly at its 511th plenary meeting on 14 December 1954

REPORT OF THE AGENT GENERAL OF THE UNITED NATIONS KOREAN RECONSTRUCTION AGENCY

The General Assembly,

Recalling General Assembly resolutions 410 (V) of 1 December 1950, 701 (VII) of 11 March 1953 and 725 (VIII) of 7 December 1953,

Taking note of the report of the Agent-General on the work of the United Nations Korean Reconstruction Agency for the period 1 October 1953 to 1 September 1954 (A/2750), and of the comments (A/2810) thereon by the United Nations Commission for the Unification and Rehabilitation of Korea,

Recognizing the particular importance of the continuation of the Agency's programme for the relief and rehabilitation of the Republic of Korea and the urgent need of additional contributions from Governments to enable the Agency to continue the implementation of that programme,

1. Commends the Agent-General of the United Nations Korean Reconstruction Agency for the excellent progress

made by the Agency in pursuing its mission of assisting the Korean people to relieve the sufferings and to repair the devastation caused by aggression;

2. Stresses the desire that implementation of the programmes of the Agency as approved by the General Assembly in resolution 725 (VIII) of 7 December 1953 be achieved to the maximum extent possible;

3. Urges all Governments to give the financial support necessary for the continuation of the Agency's programme, whether by the prompt payment of existing pledges or by the pledging of new contributions to the programme;

4. Expresses appreciation for the valuable and continuing assistance given to the Agency by United Nations specialized agencies and by voluntary non-governmental organizations;

5. Requests the Negotiating Committee for Extra Budgetary Funds, appointed pursuant to General Assembly resolution 861 (IX) of 29 October 1954, to undertake steps designed to secure new pledges and the prompt payment of existing pledges to the Agency.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 511th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the Second Committee (A/2867, para. 5). For the final text see A/RESOLUTION/257, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
(a) Report of the United Nations Commission for the Unification and Rehabilitation of Korea			
A/2634	Note by the Secretary-General transmitting a communication dated 10 January 1954, addressed to the President of the General Assembly by the Government of India		Mimeographed document only
A/2635	Reconvening of the eighth session of the General Assembly—Note by the Secretary-General		Ditto
A/2640	Communiqué issued by agreement on 18 February 1954 by the Foreign Ministers of France, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the Union of Soviet Socialist Republics, meeting at Berlin		Ditto
A/2641	Reports of the Neutral Nations Repatriation Commission covering the period 9 September 1953 to 21 February 1954		<i>Official Records of the General Assembly, Eighth Session, Supplement No. 18</i>
A/2642	Report of the United Nations Command on the Operation of the Neutral Nations Repatriation Commission		<i>Ibid., Supplement No. 19</i>
A/2711	Report of the United Nations Commission for the Unification and Rehabilitation of Korea		<i>Ibid., Ninth Session, Supplement No. 15</i>
A/2786	Report to the United Nations on the Korean Political Conference at Geneva	2	
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A/2832	Letter dated 4 December 1954 from the delegation of the Union of Soviet Socialist Republics, addressed to the President of the General Assembly, communicating the text of proposals submitted by the USSR to the Geneva Conference on 5 June and 15 June 1954	6	
A/2833	Letter dated 4 December 1954 from the delegation of the Union of Soviet Socialist Republics, addressed to the President of the General Assembly, communicating the text of proposals submitted by the delegation of the Democratic People's Republic of Korea to the Geneva Conference on 27 April and 15 June 1954	7	
A/2834	Letter dated 4 December 1954 from the delegation of the Union of Soviet Socialist Republics, addressed to the President of the General Assembly, communicating the text of proposals submitted by the delegation of the People's Republic of China to the Geneva Conference on 3 May, 22 May and 15 June 1954	7	
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A/C.1/567	Union of Soviet Socialist Republics, Ukrainian Soviet Socialist Republic, Byelorussian Soviet Socialist Republic, Poland and Czechoslovakia: draft resolution		<i>Official Records of the General Assembly, Fifth Session, Annexes, agenda item 24</i>
A/C.1/729/Rev.1/Corr.1	Union of Soviet Socialist Republics: revised draft resolution		<i>Ibid., Seventh Session, Annexes, agenda item 16</i>
A/C.1/729/Rev.1/Add.1	Union of Soviet Socialist Republics: addendum to the revised draft resolution submitted by the USSR (A/C.1/729/Rev.1/Corr.1)		<i>Ibid.</i>
A/C.1/761	Resolution adopted by the First Committee at its 737th meeting, on 1 December 1954	8	
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A/C.1/L.113	Thailand: draft resolution		Same text as A/C.1/761
A/C.1/L.114	India: amendments to draft resolution A/C.1/L.112		Text incorporated in document A/2853, para. 7
A/C.1/L.115	Syria: draft resolution	9	
A/C.1/L.116	Union of Soviet Socialist Republics: draft resolution	9	
A/C.1/L.117	Union of Soviet Socialist Republics: draft resolution	9	
A/C.1/L.118	India: draft resolution	9	
A/C.1/L.119	Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution		See A/2853, para. 18 and A/RESOLUTION/249
A/C.1/L.120	India: draft resolution		Text incorporated in A/2853, para. 15

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A/L.153	Australia, Canada, New Zealand and the United Kingdom of Great Britain and Northern Ireland: draft resolution		<i>Official Records of the General Assembly, Seventh Session, Annexes, agenda item 16</i>
A/L.184	Union of Soviet Socialist Republics: draft resolution		Same text as A/C.1/L.117
A/RESOLUTION/249	Resolution adopted by the General Assembly at its 510th plenary meeting, on 11 December 1954—The Korean question	11	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 811 (IX)</i>
S/1511	Resolution concerning the complaint of aggression upon the Republic of Korea adopted at the 474th meeting of the Security Council, on 27 June 1950		<i>Official Records of the Security Council, Fifth Year, No. 16</i>
S/3079	Note dated 7 August 1953 from the acting representative of the United States of America to the Secretary-General transmitting a special report of the United Nations Command on the armistice in Korea in accordance with the Security Council resolution of 7 July 1950 (S/1588)		<i>Ibid., Supplement for July, August and September 1953</i>
(b) Report of the United Nations Agent General for Korean Reconstruction			
A/2711	Report of the United Nations Commission for the Unification and Rehabilitation of Korea		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 15</i>
A/2750	Report of the United Nations Agent General for Korean Reconstruction for the period 1 October 1953 to 1 September 1954		<i>Ibid., Supplement No. 20</i>
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Agenda item 18: Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

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DOCUMENT A/2629 and Corr.1

Thirteenth progress report of the United Nations Conciliation Commission for Palestine for the period from 28 November 1952 to 31 December 1953

[*Original text : English*]
[4 January 1954]

Note by the Secretary-General : The Secretary-General has the honour to communicate to the Members of the United Nations, in accordance with the provisions of paragraph 6 of General Assembly resolution 512 (VI) of 26 January 1952, the thirteenth progress report of the United Nations Conciliation Commission for Palestine.

GENERAL

1. On 28 January 1953, the United Nations Conciliation Commission for Palestine met to consider the situation as it presented itself following the discussion of the Palestine question during the seventh session of the General Assembly. In view of the fact that the Assembly had not taken any new decisions bearing upon the work of the Commission, the Commission considered that it was still guided by resolution 512 (VI) adopted by the General Assembly on 26 January 1952. In that resolution the General Assembly expressed the view that the

Governments concerned had the primary responsibility for reaching a settlement of their outstanding differences and that the Conciliation Commission for Palestine should continue its efforts to secure the implementation of the resolutions of the General Assembly on Palestine and accordingly should be available to the parties to assist them in reaching agreement. It urged the Governments concerned to seek agreement and for that purpose to make full use of United Nations facilities. After the adoption of this resolution the Commission advised the interested parties that it would be available to them to assist them in reaching agreement. In the absence of

a specific request from the parties, the Commission has again this year had no opportunity of exercising its general function of conciliation. In the past, the Commission has successively employed all the procedures which were at its disposal under the relevant General Assembly resolutions, without tangible results. There was no evidence during the past year that the attitude of the parties towards these efforts of the Commission had changed. The Commission decided, therefore, to continue for the present to meet at the Headquarters of the United Nations in New York and to pursue its efforts towards the solution of the concrete questions of compensation for the Palestine refugees and the release of Arab refugee bank accounts blocked in Israel.

RELEASE OF ARAB REFUGEE BANK ACCOUNTS BLOCKED IN ISRAEL

2. Under the agreement reached between the Conciliation Commission and the Government of Israel¹ for the complete release of Arab accounts blocked in Israel banks, the scheme for payment of the first instalment to Arab refugees came into effect at the beginning of March 1953. The Government of Israel had agreed to release, as a first instalment, the sum of £1 million at the rate of one pound sterling for one pound Israeli.

3. The general scheme and the necessary banking procedures had been worked out in London in discussions between the Government of Israel, Barclay's Bank Limited (Dominion, Colonial and Overseas) and a representative of the Commission. Detailed arrangements were completed on the spot in consultations between the banks concerned and the Government of Israel. Applications for payment were to be received and registered at Barclay's Bank in Nablus, Gaza, Cairo and Alexandria; at the Ottoman Bank in Amman, Nablus, the Old City of Jerusalem, Irbid, Cairo and Baghdad; and at branches of the Banque de Syrie et du Liban in Lebanon and in Syria. Applications were also to be received at the refugee camps of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which had agreed to assist in the distribution of application forms and to arrange transportation of completed applications to the Old City of Jerusalem, where a representative of the United Nations Truce Supervision Organization would arrange for their transmission across the lines to the Joint Control Office in the New City of Jerusalem. This Office, set up by Barclay's Bank and the Ottoman Bank, would forward the claims to the appropriate bank branches in Israel, where they would be examined and, after verification, would be returned to the Joint Control Office for transmission to the Israel Custodian of Absentees' Property. The latter would authorize payments by the banks on those applications which he approved under the agreed scheme.

4. Shortly after the scheme went into operation, certain difficulties arose from the fact that the Government of Israel had imposed a general 10 per cent levy on bank accounts, including those of refugees, and because balances of current accounts of refugees in excess of 500 pounds sterling had been transferred to the Israel Custodian of Absentees' Property. Such action, it was alleged, constituted confiscation. Refugees were reluctant to sign the letter contained in the application form for these reasons and because of fears that by so doing they would prejudice their claims to any other unreleased balances and to any other assets they might have in Israel. The Commission was advised that, on 5 April

1953, the Jordan Council of Ministers had issued a *communiqué* urging the refugees to refrain from filing applications pending an investigation of the implications of the text of the application form, and requesting Barclay's Bank, the Ottoman Bank and UNRWA to refuse to accept any applications filed.

5. On 10 April 1953, the Commission issued a statement to the effect that by submitting their applications the refugees would not, in the opinion of the Commission, prejudice whatever other claims they might have, nor would payment of the first instalment in any way prejudice the claims of the owners of accounts to the balance of their accounts. In its statement the Commission also pointed out once more that it regarded the release of the blocked accounts as an important step towards the settlement of differences existing between Israel and its neighbours and that it believed that speedy implementation of the release and payment would have the immediate effect of alleviating the condition of a number of refugees.

6. At the same time, the Commission addressed a letter to the Governments of Egypt, Iraq, the Hashemite Kingdom of the Jordan, Lebanon, Saudi Arabia, Syria and Yemen, requesting them to facilitate wherever possible the prompt submission of applications by refugees owning accounts.

7. As a result of the suspension of the release operation following the action of the Jordan Government, the Commission decided to send Mr. John Reedma to the areas as its special representative to observe the situation and to assist in bringing about an early resumption of the scheme.

8. Following several weeks of negotiations between the Commission's representative and representatives of the banks and the Governments concerned, and in view of the assent of the Government of Israel to a revised form of application recording certain assurances given to the Conciliation Commission by that Government, the Council of Ministers in Jordan on 3 June 1953 passed a resolution permitting Jordan citizens to sign revised forms. Arrangements for issuance of new forms under the authority of the Commission were completed on 18 June.

9. The forms involved an additional sheet, to be attached to the original application form, setting out the terms of the release, and stating the firm assurance given by the Government of Israel to the Conciliation Commission (a) that the 10 per cent compulsory loan would be refunded in full on all accounts when they were paid; and (b) that the availability and payment of amounts over 500 pounds sterling would in no way be affected by their transfer to the Custodian of Absentees' Property. Those amounts would be fully available in such future instalments as were released.

10. Also included in the additional sheet was a revised letter of application addressed to the branch of the bank in which the account was deposited. That letter omitted certain clauses which, in the letter incorporated in the original forms, had given rise to misgivings on the part of the applicants.

11. Before the suspension of the scheme and up to the end of May, 933 applications had been received by the banks, of which more than 600 had already been approved for payment by the Custodian of Absentees' Property. In addition, some 1,000 forms had been filed by refugees in Lebanon, Syria and Egypt. When the scheme was suspended, those forms had been held up by administrative action, although no official action similar to that of the Jordan Government had been taken by the Governments concerned.

¹ See twelfth progress report of the Commission and supplement thereto: *Official Records of the General Assembly, Seventh Session, Annexes*, agenda item 67, A/2216 and Add.1.

12. In order to give applicants time to receive and file the revised forms, the time limit for the submission of applications was extended to 31 July and subsequently extended once more to 31 August 1953. In mid-August, a liaison officer, Mr. John Gaillard, was sent by the Commission to the area to observe and report on the operation and lend his assistance wherever necessary.

13. By the end of September, the total number of applications filed before the dead-line date of 31 August had reached approximately 3,200, of which some 1,590 have been approved for payment. It is estimated that when all the applications have been processed, the total value of the payments approved will amount to approximately £750,000.

14. The Conciliation Commission is gratified that a solution of the difficulties encountered was apparently reached, and that payments from the first instalment of funds allocated to the release of blocked accounts have been resumed. It is hoped that the procedures adopted will permit payments to all eligible applicants without further complications. The Commission considers that progress to date on the release of the blocked accounts has been reasonably successful in view of the complex and unique nature of the operation. The Commission is convinced that the final liquidation of this question will remove a constant irritant in the relations between Israel and the Arab States. The Commission has therefore decided to pursue with the Government of Israel the matter of carrying out the plan for the total release to their legitimate owners of all blocked accounts, regardless of amounts, belonging to former residents of Palestine.

IDENTIFICATION AND EVALUATION OF ARAB PROPERTY

15. The special staff set up at the end of last year by the Secretary-General, at the request of the Conciliation Commission, to undertake the identification and evaluation of Arab property holdings in Israel for which compensation might be claimed, was strengthened at the beginning of the current year by the addition of a former officer of the Mandatory Administration, Mr. Sami Hadawi, who has spent his lifetime in Palestine and is a recognized authority on land values in that country. The task at present occupying this staff consists in examining microfilms of the Palestine Land Registers and extracting information regarding ownership, area, description and value of the hundreds of thousands of parcels of land involved. Additional information will be secured from the taxation records of the former Mandatory Administration which the Government of Israel has promised to make available to the Commission, as well as from other sources. When the Commission decided last year to undertake this work, it had considered it desirable to start a kind of pilot project on a small scale to examine the microfilms in its possession, with the possibility of accelerating the work at the proper time. The Commission adopted this attitude because it did not wish to commit the United Nations to the heavy expenditure of transporting to New York the vast quantity of material involved, unless it were proved that the information required could not be extracted from the microfilm of the Land Registers alone and before a system could be worked out which would ensure the practical utilization of the supplementary material in question.

16. During the current year, the foundations of the work have been laid and solutions have been worked out for the problems met or likely to be met in the future. The principal experience gained from this year's work—other than the processing of considerable numbers of property units—has been that the work cannot be com-

pleted exclusively on the basis of the microfilmed documents available in New York and that a sub-office must be set up in the area. It has emerged clearly that the information contained in the microfilm is by itself insufficient for the identification and valuation of the property, both because of certain basic omissions in the documents photographed and because of the considerable number of illegible prints. These lacunæ have therefore to be filled by cross reference to the land taxation records in the possession of the Governments of Egypt, Israel and Jordan. It is believed that the best method of securing the necessary information from those documents is not to transport them to New York, a costly and complex undertaking and one which might encounter opposition from the Governments concerned, but to station a competent person in the area who would be able to consult the documents or request specific information from the authorities concerned as the need arises. The presence of a qualified man on the spot is expected not only to permit the accurate checking of results arrived at in New York, but also to accelerate the progress of the latter office very considerably. It is in fact estimated that, with the slightly expanded staff which will be required, it will be possible by the end of 1954 to complete the work of identification for the Gaza sub-district. Once this larger project has been finished and the methods of procedure clearly understood and perfected, it should be possible to view the undertaking of the complete operation, when the need for it arises, with much greater confidence that it can be fulfilled efficiently within a reasonable period of time.

17. The Commission has therefore decided that it can speed up the programme by a modest expansion of personnel in New York and the establishment of a sub-office in Jerusalem. The Commission's Land Specialist will proceed to Palestine early in the year for a short period to set up the sub-office in co-operation with the Commission's Liaison Representative (see paragraph 26 below).

ARAB PROPERTY IN ISRAEL

18. On 23 March 1953, the Conciliation Commission received a memorandum from the Permanent Representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen to the United Nations, alleging that the Government of Israel had recently undertaken the disposal of property in Israel belonging to Palestinian Arab refugees and that the proceeds from the transactions involved were being used for the purpose of financing the settlement of new immigrants to Israel. Similar communications on this subject were also received from the Ministers for Foreign Affairs of Lebanon and Jordan. On 10 July 1953, the Commission received a memorandum from the Permanent Representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen to the United Nations recalling their memorandum of 23 March and emphasizing that the question was regarded by their Governments as extremely important and one which might be seriously detrimental to the interests of the Arab refugees.

19. On receipt of the first Arab memorandum the Commission had sought information on the matter from the delegation of Israel. The Chairman of the Commission was informed orally by the Israel representative that any action taken would not impair any legal claims of the Arab refugees and that his Government would provide the Commission with further information. In a letter dated 7 July 1953, Ambassador Eban informed the Commission that "the Government of Israel has on repeated occasions affirmed its policy in regard to payment of compensation for abandoned Arab lands

in Israel and is prepared, as indicated on those occasions, to discuss the question in practical terms. The Government's declared policy on this question is not affected by any internal arrangements which might be made for dealing with the property according to the laws of Israel".

20. In a letter dated 29 July addressed to Ambassador Eban, in reply to his letter of 7 July, the Commission pointed out that it was on the question of the manner in which Arab property was being dealt with in Israel, and not on the question of compensation, that the Commission had sought information from the delegation of Israel. The letter went on to recall that in its resolutions of 11 December 1948 (resolution 194 (III)) and 14 December 1950 (resolution 394 (V)) the General Assembly had given the Commission a responsibility in connexion with the property rights of the refugees. The letter included the following specific questions: (a) Has the disposal of property belonging to Arab refugees now residing outside the borders of Israel been authorized by the Government of Israel? (b) If so, under what conditions is this disposal to be carried out and to what extent, if any, has it already been put into effect? (c) If such property has been disposed of, is the money realized being held in the name of the original owner to be paid to him at some future date as compensation for the loss of his property, if he chooses not to return? (d) Have the necessary measures been taken to ensure the restitution of their property to such refugees as might be repatriated?

21. With regard to the question of compensation, the Commission noted in its letter the reaffirmation by the Government of Israel of its readiness to discuss the matter in practical terms, and stated that it would be pleased to receive in greater detail the present views of Israel regarding the initiation of such discussion.

22. At the same time, the Commission addressed a letter to the representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen informing them that information had been sought from the delegation of Israel on the question of Arab refugee property in Israel as raised in the two Arab memoranda of 23 March and 10 July. The Commission stated that it was continuing to seek clarifications of the attitude of Israel and expressed the hope that such clarifications would provide the Commission with a clear understanding of the present status of Arab refugee property in Israel which would enable it to consider the possibilities of future action.

23. At a meeting held on 14 September, the Commission, having received no reply to the questions put to the delegation of Israel, decided to request its Chairman to ask the Israel delegation when a reply could be expected. He was informed that the questions put by the Commission were under consideration by the Government of Israel and that replies would be forthcoming.

24. On 9 October, the Commission received a letter from Ambassador Eban in reply to its letter of 29 August. In the letter it was stated (a) that the disposal of property had been authorized by the Government of Israel and effected in accordance with the provisions of the Absentees' Property Law (No. 5710) of 1950; (b) under the above law this property became vested in the Custodian of Absentees' Property and had been transferred to the Development Authority which was set up under the terms of the Development Authority Law, 5710-1950; (c) funds realized in consideration for the property were treated in accordance with the provisions

of section 4 (d) of the Absentees' Property Law and the countervalue was credited to the property for which it had been received; and (d) the policy of the Government of Israel was to ensure the integration of those refugees who were legally authorized to enter Israel. On the other hand, the letter continued, the views of the Israel Government "with respect to the over-all solution of the refugee problem are sufficiently well known and have been presented to the Commission as well as in authorized statements by representatives of the Government of Israel in the United Nations and elsewhere". The letter concluded by stating that the Government of Israel was "actually engaged in preparatory work in implementation of its declared policy to offer compensation for abandoned Arab lands in Israel" and that, once the work was completed, it would be prepared to state its views on the subject in concrete terms.

TRANSFER TO JERUSALEM OF THE MINISTRY FOR FOREIGN AFFAIRS OF ISRAEL

25. On 16 July 1953, the Secretary-General received identical letters from the Permanent Representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen protesting against the decision of Israel to transfer its Ministry for Foreign Affairs to Jerusalem. The text of this letter was transmitted by the Secretary-General to the Chairman of the Conciliation Commission in accordance with a wish expressed by the above-mentioned representatives. In its reply to the Secretary-General, dated 2 September, the Commission recalled the position adopted by it in the past on the question of the transfer of Ministries of the Israel Government to Jerusalem, in the light of the special status accorded that city by the relevant decisions of the General Assembly. It pointed out that, during the course of the Commission's work in 1949 on the preparation of a draft instrument establishing an international régime for the Jerusalem area, it was informed that the Government of Israel proposed to transfer certain Ministries and Departments to Jerusalem. On 30 March 1949, the Commission had addressed a letter to the Prime Minister of Israel pointing out that such a measure would be incompatible with paragraph 8 of General Assembly resolution 194 (III) of 11 December 1948 in which the Assembly had resolved that the Jerusalem area should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control. The Commission had then assumed the position that, with the presentation to the General Assembly of its proposals for an international régime for Jerusalem, the Commission's responsibilities under paragraph 8 of resolution 194 (III) were fulfilled. With regard to the situation created by the transfer of the Israel Ministry for Foreign Affairs, the Commission could only recall the position already adopted by it in March 1949.

LIAISON REPRESENTATIVE OF THE COMMISSION IN JERUSALEM

26. The Commission has decided to send Mr. Alexis Ladas to Jerusalem early in January 1954 to serve as its Liaison Representative in the area. He will carry out the Commission's instructions with regard to the questions of compensation and blocked accounts and will keep the United Nations Truce Supervision Organization and the Conciliation Commission informed with regard to those activities which each might consider of interest to the other.

DOCUMENT A/AC.76/15

Letter dated 4 November 1954 from the Ambassador of the Hashemite Kingdom of the Jordan to the United States of America, addressed to the Secretary-General

[Original text : English]
[9 November 1954]

I have the honour to ask you to transmit the following request to the Chairman of the Political Committee and to the President of the General Assembly.

Upon instructions from my Government, I request to be given the privilege of representing my Government as an observer in the Political Committee and in the General Assembly during the discussions of the Palestine Question on the Arab Refugees of Palestine.

I hope that this request will be accepted and that I be notified of the date of these discussions.

(Signed) Abdul Monem RIFA'I

DOCUMENT A/AC.76/16

Letter dated 15 November 1954 from the Ambassador of the Hashemite Kingdom of the Jordan to the United States of America, addressed to the Chairman of the "Ad Hoc" Political Committee

[Original text : English]
[16 November 1954]

I should be much obliged if you would kindly arrange to distribute the following letter to the distinguished members of the *Ad Hoc* Political Committee :

LETTER FROM THE REPRESENTATIVE OF THE JORDAN GOVERNMENT AT THE ADVISORY COMMISSION OF THE UNRWA TO ITS CHAIRMAN

I have been authorized by my Government to sign the special report subject to the following conditions :

First : The refusal of Israel to carry out the United Nations resolutions relating to the return of the refugees to their homes and the payment of compensation for the loss or damage to the property of those choosing not to return, has, in the view of the Jordan Government, been responsible for the failure so far to find a solution to the refugee problem. The Jordan Government also considers that the failure to find a political solution to the Palestine Question will remain an insurmountable obstacle to any attempt to solve the refugee problem.

Second : The standard of relief as far as food and shelter are concerned is now insufficient. Furthermore, allocations must be set aside for the adequate clothing of the refugees and new-born children not provided so far with relief must be immediately included in the ration rolls.

Third : The need of the frontier village inhabitants for relief is very urgent. Adequate relief must be extended to these villages.

Fourth : The above must be contained explicitly in the recommendations of the special report and brought to the attention of the General Assembly for appropriate action.

I hope that these conditions be wired by the Secretary to the Director in New York and circulated to all members of the *Ad Hoc* Political Committee in New York or elsewhere.

(Signed) Abdul Monem RIFA'I

DOCUMENT A/AC.76/17

Letter dated 24 November 1954 from the Chairman of the delegation of Iraq to the Chairman of the "Ad Hoc" Political Committee

[Original text : English]
[24 November 1954]

Since the Committee is discussing the problem of the Arab refugees of Palestine, it is most fitting that it should hear a Palestinian refugee point of view. My delegation has the honour to request from the Committee permission to hear Dr. Izzat Tannous, himself a Palestine refugee and Secretary-General of the Arab Palestine Office for Refugees in Beirut, Lebanon.

Dr. Tannous is already well known to this Committee for he has addressed it on the subject of the refugees on two previous occasions.

(Signed) Mohammed Fadhil AL-JAMALI

DOCUMENT A/2826 and Corr.1

Report of the "Ad Hoc" Political Committee

[Original text: English]
[2 December 1954]

1. In General Assembly resolution 302 (IV) of 8 December 1949, under which the United Nations Relief and Works Agency for Palestine Refugees in the Near East was established, the Director of the Agency was requested to submit an annual report and such other reports as the Agency might wish to bring to the attention of the Members of the United Nations. In conformity with this decision, the Director of UNRWA submitted to the General Assembly at its ninth session his annual report on the work of the Agency covering the period 1 July 1953 to 30 June 1954 (A/2719).²

2. At the 476th plenary meeting on 24 September 1954, the General Assembly, on the recommendation of the General Committee (A/2733), decided to include the report of the Director of UNRWA in the agenda of the session, and at the 478th plenary meeting on 25 September it referred the item to the *Ad Hoc* Political Committee for consideration and report.

3. In November 1954, a joint special report (A/2717/Add.1) was submitted by the Director and the Advisory Commission of UNRWA, which included recommendations regarding the future work of the Agency.

4. The *Ad Hoc* Political Committee considered the item at its 28th to 38th meetings, held between 16 and 30 November 1954.

5. At the 28th meeting on 16 November, the Director of UNRWA and the representative of Jordan were invited without objection to take their seats at the Committee

table, and subsequently they made statements to the Committee.

6. At the 33rd meeting on 25 November, the Committee agreed to a request by the representative of Iraq (A/AC.76/17) that it should hear a statement by Dr. Izzat Tannous, a Palestine refugee and Secretary-General of the Arab Palestine Office for Refugees in Beirut, Lebanon.

7. At the 31st meeting on 23 November 1954, France, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America submitted a joint draft resolution (A/AC.76/L.15).

8. Following a general discussion, the Committee proceeded to vote on the joint draft resolution at its 38th meeting on 30 November 1954, and approved it by 41 votes to none, with 8 abstentions.

Recommendation of the Ad Hoc Political Committee

9. The *Ad Hoc* Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

REPORT OF THE DIRECTOR OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

[Text adopted without change by the General Assembly. See A/RESOLUTION/232, below.]

DOCUMENT A/RESOLUTION/232

[Resolution 818 (IX)]

Resolution adopted by the General Assembly at its 503rd plenary meeting, on 4 December 1954

REPORT OF THE DIRECTOR OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949, 393 (V) of 2 December 1950, 513 (VI) of 26 January 1952, 614 (VII) of 6 November 1952 and 720 (VIII) of 27 November 1953,

Noting the annual report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/2717), and the special report of the Director and the Advisory Commission of UNRWA (A/2717/Add.1),

² *Official Records of the General Assembly, Ninth Session, Supplement No. 17.* For reports covering the periods 1 May 1950 to 30 June 1951, 1 July 1951 to 30 June 1952, and 1 July 1952 to 30 June 1953 respectively, see: *Ibid.*, *Sixth Session, Supplements No. 16 and 16A* (A/1905 and Add.1), *Ibid.*, *Seventh Session, Supplements No. 13 and 13A* (A/2171 and Add.1); and *Ibid.*, *Eighth Session, Supplement No. 12* (A/2470 and Add.1).

Noting that repatriation or compensation of the refugees, as provided for in paragraph 11 of resolution 194 (III), has not been effected and that the situation of the refugees continues to be a matter of grave concern,

1. *Decides*, without prejudice to the rights of the refugees to repatriation or compensation, to extend the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for five years ending 30 June 1960;

2. *Requests* the Agency to continue its consultation with the United Nations Conciliation Commission for Palestine in the best interest of their respective tasks, with particular reference to paragraph 11 of resolution 194 (III);

3. *Requests* the Governments of the area to continue to co-operate with the Director of the Agency in seeking and carrying out projects capable of supporting substantial numbers of refugees;

4. *Decides* to maintain the rehabilitation fund of \$200 million, subject to reductions for expenditures already made;

5. Approves a relief budget of \$25,100,000 and a rehabilitation budget of \$36,200,000 for the fiscal year ending 30 June 1955 ;

6. Requests the Director, in consultation with the Advisory Commission of UNRWA, to study and report upon the problem of assistance which should be given to other claimants for relief, particularly children and needy inhabitants of villages along the demarcation lines ;

7. Authorizes the Director to prepare, in consultation with the Advisory Commission, the budgets for relief and rehabilitation in advance of each fiscal year, which budgets he shall transmit to the Negotiating Committee for Extra-Budgetary Funds, without prejudice to review each year by the General Assembly ;

8. Requests the Negotiating Committee for Extra-Budgetary Funds, after receipt of such budgets from the Director of UNRWA, to seek such funds as may be required by the Agency ;

9. Appeals to the Governments of Member and non-Member States to make voluntary contributions to the extent necessary to carry through to fulfilment the Agency's programmes, and thanks the numerous religious, charitable and humanitarian organizations for their valuable and continuing work in assisting the refugees ;

10. Requests the Director to continue to submit the reports referred to in paragraph 21 of resolution 302 (IV), as well as the annual budgets.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 503rd plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by the *Ad Hoc* Political Committee (A/2826 and Corr.1, para. 9). For the final text, see A/RESOLUTION/232, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/648	Progress report of the United Nations Mediator on Palestine		<i>Official Records of the General Assembly, Third Session, Supplement No. 11</i>
A/1985	Progress report of the United Nations Conciliation Commission for Palestine covering the period from 23 January to 19 November 1951		<i>Ibid., Sixth Session, Supplement No. 18</i>
A/2171	Annual report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East		<i>Ibid., Seventh Session, Supplement No. 13</i>
A/2629 and Corr.1	Thirteenth progress report of the United Nations Conciliation Commission for Palestine for the period from 28 November 1952 to 31 December 1953	1	
A/2717	Annual report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period 1 July 1953 to 30 June 1954		<i>Ibid., Ninth Session, Supplement No. 17</i>
A/2717/Add.1	Special report of the Director and the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East		<i>Ibid., Supplement No. 17A</i>
A/2826 and Corr.1	Report of the "Ad Hoc" Political Committee	6	
A/AC.76/15	Letter dated 4 November 1954 from the Ambassador of the Hashemite Kingdom of the Jordan to the United States of America, addressed to the Secretary-General	5	
A/AC.76/16	Letter dated 15 November 1954 from the Ambassador of the Hashemite Kingdom of the Jordan to the United States of America, addressed to the Chairman of the "Ad Hoc" Political Committee	5	
A/AC.76/17	Letter dated 24 November 1954 from the Chairman of the delegation of Iraq to the Chairman of the "Ad Hoc" Political Committee	5	
A/AC.76/L.15	France, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution		Same text as A/AC.76/L.18
A/AC.76/L.18	Draft resolution adopted by the <i>Ad Hoc</i> Political Committee at its 38th meeting on 30 November 1954		Same as A/RESOLUTION/232
A/RESOLUTION/232	Resolution adopted by the General Assembly at its 503rd plenary meeting, on 4 December 1954	6	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 818 (IX)</i>



Agenda item 19. Methods which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter: report of the Collective Measures Committee

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DOCUMENT A/2713-S/3283

Third report of the Collective Measures Committee

[Original text : English]
[30 August 1954]

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Annex III. List of members of the Panel of Military Experts		4

LETTER DATED 27 AUGUST 1954 FROM THE CHAIRMAN OF THE COLLECTIVE MEASURES COMMITTEE TO THE SECRETARY-GENERAL

I have the honour to forward herewith the third report of the Collective Measures Committee, adopted at the 20th meeting of the Committee on 27 August 1954, and

would request that you be good enough to transmit it to the Security Council and to the General Assembly pursuant to paragraph 4(d) of the General Assembly resolution 703 (VII).

(Signed) Santiago PÉREZ PÉREZ
Chairman,
Collective Measures Committee

Report of the Collective Measures Committee

I. INTRODUCTION

The Collective Measures Committee has the honour to submit herewith its third report¹ to the Security Council and to the General Assembly.

1. The Committee was established by General Assembly resolution 377 A (V) of 3 November 1950, and its work was continued by resolution 503 A (VI) of 12 January 1952.

2. The terms of reference of the Committee during the present period of its activities are set out in General Assembly resolution 703 (VII) of 17 March 1953, as follows :

"2. *Requests* the Collective Measures Committee to continue its work until the ninth session of the General Assembly, as directed in paragraph 4 below, for the maintenance and strengthening of the United Nations collective security system ;

"...

"4. *Directs* the Collective Measures Committee :

"(a) To pursue such studies as it may deem desirable to strengthen the capability of the United Nations to maintain peace, taking account of the 'Uniting for peace' resolution, resolution 503 (VI) and the present resolution ;

"(b) To continue the examination of information received from States pursuant to the 'Uniting for peace' resolution, resolution 503 (VI) and the present resolution ;

"(c) In the light of its studies, to suggest to the Security Council and to the General Assembly such specific ways and means as it may deem appropriate to encourage further preparatory action by States ;

"(d) To report to the Security Council and to the General Assembly not later than the ninth session of the Assembly."

3. Since its establishment, the Committee has been composed of the following fourteen Members of the United Nations : Australia, Belgium, Brazil, Burma, Canada, Egypt, France, Mexico, the Philippines, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Yugoslavia. At its 17th meeting, on 16 July 1954, Mr. Pérez Pérez (Venezuela) was elected Chairman to succeed Mr. Muniz (Brazil).

II. INFORMATION FROM STATES RELATING TO THE STEPS BEING TAKEN IN IMPLEMENTATION OF THE RECOMMENDATIONS MADE BY THE GENERAL ASSEMBLY

4. Resolution 703 (VII) recommended to States Members, and invited States not members of the United Nations, to continue and intensify their efforts to carry out the recommendations of the "Uniting for peace" resolution (377 A (V)) and of resolution 503 (VI), and to keep the Committee currently informed of the progress made. As stated in its second report (para. 26), the Committee addressed communications to Member and non-member States recalling the recommendations of the General Assembly concerning collective measures. As at 7 October 1952, responses had been received from thirty-two States ; those responses were summarized in annex G to the second report. Since that date, responses have been received from five additional States, and these are summarized in annex II to the present report.

¹ The first and second reports appeared as A/1891 and A/2215 respectively.

III. QUESTION OF A UNITED NATIONS VOLUNTEER RESERVE

5. The second report of the Collective Measures Committee, in dealing with the question of the formation of a United Nations Volunteer Reserve, indicated (para. 91) that the Committee had been able to give only preliminary consideration to the proposals made by the first Secretary-General of the United Nations in this regard. The Committee was subsequently advised that the Secretary-General did not wish, for the time being, to proceed with the proposals. The Committee is of the opinion that no further action or study by it is required on this question.

IV. REPLACEMENTS ON THE PANEL OF MILITARY EXPERTS

6. During 1953, the Government of the United States of America requested the Secretary-General to terminate the appointments of Lieutenant-General Willis D. Crittenger and Lieutenant-General Hubert R. Harmon as members of the Panel of Military Experts, and nominated Lieutenant-General Withers H. Burress and Lieutenant-General Leon W. Johnson for consideration as replacements on the Panel. In accordance with the procedures set forth in paragraph 10 of General Assembly resolution 377 A (V), the Secretary-General, with the approval of the Committee, appointed Lieutenant-General Withers H. Burress and Lieutenant-General Leon W. Johnson as replacements on the Panel. The current list of members of the Panel of Military Experts is set forth in annex III to the present report.

V. PRINCIPLES OF COLLECTIVE SECURITY

7. Since its establishment, the Committee has engaged in a study of the techniques, machinery and procedures of national and international action in the field of political, economic and financial and military collective measures. The members of the Committee felt that the first and second reports contained a relatively comprehensive examination of the various aspects involved in a study of the question, and they hoped that the ideas put forward could constitute a sound basis for any further study or action. During the period covered by the present report, the Committee did not embark on any new or more detailed studies, but it considered that a restatement of the principles of collective security would serve a useful purpose in helping to maintain and strengthen the United Nations collective security system.

8. At the 18th meeting of the Committee, on 4 August 1954, the United States of America and the Philippines introduced working papers (A/AC.43/L.3 and A/AC.43/L.4 respectively) setting forth a number of important principles of collective security. At the following meeting, on 10 August, the Philippines and the United States submitted a joint working paper (A/AC.43/L.5) containing a co-ordinated text.

9. Discussion in the Committee indicated that a number of members wished to make specific suggestions or amendments to the text. It was accordingly decided, at the 19th meeting, to establish a working group of the whole Committee to draft an agreed text.

10. The working group on principles of collective security held four meetings under the chairmanship of Mr. Pérez Pérez. At the third meeting, on 19 August, the Philippines and the United States submitted a revised joint working paper (A/AC.43/L.5/Rev.1). After further discussion and amendment, the working group approved

the text (A/AC.43/L.6) of principles of collective security. At its 20th meeting, on 27 August, the Collective Measures Committee approved the text, which read as follows :

"The Collective Measures Committee was directed by General Assembly resolution 703 (VII) of 17 March 1953 to pursue studies to strengthen the capability of the United Nations to maintain peace, taking account of the 'Uniting for peace' resolution of 3 November 1950 [resolution 377 A (V)] and resolution 503 (VI) of 12 January 1952.

"Acting in pursuance of this directive and having regard to the work previously done by it in developing the collective security system of the United Nations, the Collective Measures Committee has formulated certain principles which it believes should be useful to the Security Council and to the General Assembly in exercising their responsibility under the Charter in the event of collective action being taken by the United Nations in the future.

"The Collective Measures Committee recommends that, in order to facilitate the effective application of the collective measures undertaken by the United Nations, and the equitable sharing of sacrifices and burdens, the General Assembly should affirm that, in any case where the United Nations, either through the Security Council or through the General Assembly, decides upon or recommends collective action to maintain or restore international peace and security, it should be guided, in undertaking collective measures, by the principles embodied in the 'Uniting for peace' resolution, General Assembly resolutions 503 (VI) and 703 (VII), and the two previous reports of the Committee noted by the General Assembly, and in particular by the following :

"1. The greatest possible number of States should make effective and prompt contributions to the collective effort. The contributions of States may be military, political, economic or financial; direct or ancillary. Each State should make contributions in accordance with its constitutional processes and to the extent to which in its own judgment its capacity and resources permit, having regard to the requirements of individual and collective self-defence and internal security and to the total burden and sacrifice assumed by it in support of the Charter.

"2. In the event that the collective use of force against aggression is decided upon or recommended, a primary objective shall be to secure the maximum contribution of effective military forces. States supporting United Nations collective measures should co-operate to this end not only by making their own contributions of forces but also by helping to provide logistic support to States which desire to contribute forces but are unable to provide adequately for the equipment, training or supplying of such forces from their own resources. States should also endeavour to make available ancillary support for the benefit of forces participating in such measures. Such ancillary support should include, where possible and subject to the explicit consent of the State concerned, necessary rights of passage through or over its territory and related rights and facilities.

"3. Collective self-defence and regional arrangements or agencies constitute an important part of collective security. When action consistent with the Charter is taken in the exercise of the inherent right of individual or collective self-defence contemplated in Article 51, or to maintain or restore international peace and security within the framework of regional arrangements or agencies covered by Chapter VIII, the United Nations should take all appropriate steps, in conformity with the Charter, to make such action effective.

"States should seek to obtain, whenever appropriate, in and through the international bodies and arrangements to which they belong or are parties, and within the constitutional limitations and the other provisions of those bodies and arrangements, all possible support for collective measures undertaken by the United Nations.

"4. Collective economic and financial measures against aggression should include, where appropriate, all practicable assistance to the victim of such aggression and to the co-operating States.

* * *

"Furthermore, it is the view of the Collective Measures Committee that :

"When United Nations collective measures are taken or recommended against aggression, full consideration should be given to the establishment of appropriate machinery as contemplated in the two previous reports of the Committee, for the co-ordination of collective action and for the study of equitable sharing of sacrifices and burdens.

"The Security Council and the General Assembly may wish to take into account, in appropriate circumstances, the arms embargo list and the list of strategic items prepared by the Collective Measures Committee² to expedite the application of any embargo which the United Nations may decide upon or recommend."

VI. FUTURE WORK OF THE COMMITTEE

11. Considering the important work which the Collective Measures Committee has performed in the past and the contribution which it could make in the further study of collective security, it is believed that it should remain in a position to pursue such further study, without prejudice to any change in the membership of the Committee which the General Assembly may wish to make.

ANNEX I

RESOLUTION 703 (VII) ADOPTED BY THE GENERAL ASSEMBLY ON 17 MARCH 1953

[For the text of the resolution, see *Official Records of the General Assembly, Seventh Session, Supplement No. 20 A.*]

ANNEX II

SUMMARY OF ADDITIONAL RESPONSES FROM STATES TO COMMUNICATIONS RELATING TO THE STEPS BEING TAKEN IN IMPLEMENTATION OF THE RECOMMENDATIONS MADE BY THE GENERAL ASSEMBLY

The Government of Israel reaffirmed its readiness to put itself in a position to participate in collective measures undertaken by the United Nations in accordance with the Charter.

The Government of Italy drew attention to its participation in the North Atlantic Treaty Organization and the European Coal and Steel Community, and to the fact that it had maintained a field hospital of the Italian Red Cross in Korea.

The Government of Mexico advised that it was bearing the recommendations of the General Assembly in mind.

The Government of Portugal drew attention to its participation in the North Atlantic Treaty Organization.

The Government of Yugoslavia reaffirmed the stand it had taken in 1951³ with regard to earmarking troops for collective

² See A/2215, annexes H and I, respectively.

³ See document A/1891, annex II.

security in consideration of special circumstances, and added that relevant constitutional and legislative provisions in Yugoslavia would not raise any barriers to Yugoslavia's participation in collective measures recommended by the United Nations.

ANNEX III

LIST OF MEMBERS OF THE PANEL OF MILITARY EXPERTS

Army

Lieutenant-General A. J. Boase, C.B.E. (Australia).
 Lieutenant-General Withers H. Burrell (United States of America).
 Lieutenant-General B. H. Calmeijer (Netherlands).
 Général de corps d'armée Jean Adolphe Léonce Curnier (France).
 Lieutenant-General Jira Vichitsonggram (Thailand).
 Major-General Archimedes Argyropoulos (Greece).
 Major-General Rustu Erdelhun (Turkey).

Major-General L. O. Lyne, C.B., D.S.O. (United Kingdom of Great Britain and Northern Ireland).
 Major-General R. O. G. Morton, C.B.E. (Canada).

Navy

Vice-Admiral C. Caslon, C.B., C.B.E. (United Kingdom of Great Britain and Northern Ireland).
 Vice-Admiral E. Flokas (Greece).
 Vice-Amiral d'escadre Jacques Marie Missoffe (France).
 Vice-Admiral J. W. G. van Hengel (Netherlands).
 Vice-Admiral Arthur D. Struble (United States of America).
 Rear-Admiral Tacettin Taleyman (Turkey).

Air Force

Lieutenant-General C. Giebel (Netherlands).
 Lieutenant-General Leon W. Johnson (United States of America).
 Major-General Kemal Colakoglu (Turkey).
 Air Vice-Marshal Sir Alexander P. Davidson, K.B.E., C.B. (United Kingdom of Great Britain and Northern Ireland).
 Air Vice-Marshal J. E. Hewitt, C.B.E. (Australia).
 Général de brigade aérienne Louis Eugène Tapie (France).
 Group Captain George Doucas (Greece).

DOCUMENT A/2783

Report of the First Committee

[Original text : English]
 [2 November 1954]

1. By General Assembly resolution 703 (VII), of 17 March 1953, the Collective Measures Committee was directed to continue its work and to report to the Security Council and to the General Assembly not later than the ninth session of the Assembly. The Collective Measures Committee duly submitted its third report (A/2713-S/3283) on 27 August 1954.

2. At its 476th plenary meeting, on 24 September 1954, the General Assembly decided to include the report of the Committee in its agenda under the title, "Methods which might be used to maintain and strengthen international peace and security in accordance with the purposes and principles of the Charter : report of the Collective Measures Committee", and referred the item to the First Committee for consideration and report.

3. The First Committee considered the item at its 703rd to 706th meetings, held between 29 October and 2 November 1954.

4. At the 703rd meeting, Australia, Belgium, Brazil, Canada, Egypt, France, Mexico, the Philippines, Turkey, the United Kingdom, the United States, and Venezuela submitted a joint draft resolution (A/C.1/L.104).

5. At the 706th meeting, the Committee proceeded to vote on the joint draft resolution. It was adopted by 50 votes to 5, with 2 abstentions.

Recommendation of the First Committee

6. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution :

METHODS WHICH MIGHT BE USED TO MAINTAIN AND STRENGTHEN INTERNATIONAL PEACE AND SECURITY IN ACCORDANCE WITH THE PURPOSES AND PRINCIPLES OF THE CHARTER : REPORT OF THE COLLECTIVE MEASURES COMMITTEE

The General Assembly,

Having received the third report of the Collective Measures Committee (A/2713-S/3283) submitted in accordance with paragraphs 2 and 4 of General Assembly resolution 703 (VII),

Bearing in mind that the reports of the Collective Measures Committee represent a useful examination of ways and means of strengthening the collective security system of the United Nations.

1. *Notes with approval* the third report of the Collective Measures Committee, and in particular the principles of collective security contained in that report ;

2. *Directs* the Collective Measures Committee to remain in a position to pursue such further studies as it may deem desirable, taking into account the "Uniting for peace" resolution (377 A (V)), resolution 503 (VI), resolution 703 (VII) and the present resolution ;

3. *Requests* the Collective Measures Committee to report to the Security Council and to the General Assembly as appropriate.

DOCUMENT A/RESOLUTION/217[*Resolution 809 (IX)*]**Resolution adopted by the General Assembly at its 497th plenary meeting, on 4 November 1954**

METHODS WHICH MIGHT BE USED TO MAINTAIN AND STRENGTHEN INTERNATIONAL PEACE AND SECURITY IN ACCORDANCE WITH THE PURPOSES AND PRINCIPLES OF THE CHARTER : REPORT OF THE COLLECTIVE MEASURES COMMITTEE

The General Assembly,

Having received the third report of the Collective Measures Committee (A/2713-S/3283) submitted in accordance with paragraphs 2 and 4 of General Assembly resolution 703 (VII),

Bearing in mind that the reports of the Collective Measures Committee represent a useful examination of ways and means of strengthening the collective security system of the United Nations,

1. *Notes with approval* the third report of the Collective Measures Committee, and in particular the principles of collective security contained in that report ;

2. *Directs* the Collective Measures Committee to remain in a position to pursue such further studies as it may deem desirable, taking into account the "Uniting for peace" resolution (377 A (V)), resolution 503 (VI) resolution 703 (VII) and the present resolution ;

3. *Requests* the Collective Measures Committee to report to the Security Council and to the General Assembly as appropriate.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 497th plenary meeting, on 4 November 1954, the General Assembly adopted the draft resolution submitted by the First Committee. For the final text, see A/RESOLUTION/217 above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/1891	[First] report of the Collective Measures Committee		<i>Official Records of the General Assembly, Sixth Session, Supplement No. 13</i>
A/2215	[Second] report of the Collective Measures Committee		<i>Ibid., Seventh Session, Supplement No. 17</i>
A/2713-S/3283	Third report of the Collective Measures Committee	1	
A/2783	Report of the First Committee	4	
A/AC.43/L.3	United States of America : working paper		Mimeographed document only
A/AC.43/L.4	Philippines : guiding principles of United Nations collective security action		Ditto
A/AC.43/L.5/Rev.1	Philippines and United States of America : revised working paper on principles of collective security		Ditto
A/AC.43/L.6	Principles of collective security approved by the working group of the Collective Measures Committee on 19 August 1954		See A/2713-S/3283, para. 10
A/C.1/581	Egypt : amendments to the draft resolution submitted by Canada, France, Philippines, Turkey, United Kingdom, United States and Uruguay (A/C.1/576)		<i>Official Records of the General Assembly, Fifth Session, Annexes, agenda item 68</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/C.1/757	Draft resolution adopted by the First Committee at its 706th meeting		See A/2783, para. 6
A/C.1/L.104	Australia, Belgium, Brazil, Canada, Egypt, France, Mexico, Philippines, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela: draft resolution		Same text as A/C.1/757
A/RESOLUTION/217	Resolution adopted by the General Assembly at its 497th plenary meeting, on 4 November 1954	5	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 809 (IX)</i>
S/3283	See A/2713 above		

GENERAL ASSEMBLY



ANNEXES

NINTH SESSION

Official Records

NEW YORK, 1954

Agenda item 20. Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission

Agenda item 68. Conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen and other weapons of mass destruction

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Document No.	Title	Page
Plenary meetings (first phase):		
A/2685	Letter dated 29 July 1954 from the Chairman of the Disarmament Commission to the Secretary-General transmitting the fourth report of the Disarmament Commission	1
A/2742 and Corr.1	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session	2
A/2742/Add.1	Union of Soviet Socialist Republics: explanatory memorandum	2
First Committee:		
A/C.1/750	Union of Soviet Socialist Republics: draft resolution	3
A/C.1/751	Philippines: draft resolution	3
A/C.1/752/Rev.1	Canada, France, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	4
A/C.1/L.100	India: draft resolution	4
A/C.1/L.100/Rev.1	India: revised draft resolution	5
A/C.1/L.101/Rev.1	Australia and Philippines: draft resolution	5
Plenary meetings (final phase):		
A/2779	Report of the First Committee	5
A/RESOLUTION/216	Resolutions adopted by the General Assembly at its 497th plenary meeting on 4 November 1954	8
Action taken by the General Assembly		8
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DOCUMENT A/2685

Letter dated 29 July 1954 from the Chairman of the Disarmament Commission to the Secretary-General transmitting the fourth report of the Disarmament Commission

[Original text: French]
[3 August 1954]

I have the honour to forward herewith the fourth report of the Disarmament Commission and would request that you be good enough to transmit it to the General Assembly and to the Security Council pursuant to paragraphs 4 and 6 of General Assembly resolution 715 (VIII).

(Signed) Jules Moch
Chairman, Disarmament Commission

[For the text of the report, see *Official Records of the Disarmament Commission, Supplement for July, August and September 1954*, document DC/55.]

DOCUMENT A/2742 and Corr.1**Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session**

[Original text: Russian]
[30 September 1954]

LETTER DATED 30 SEPTEMBER 1954 FROM THE CHAIRMAN OF THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE PRESIDENT OF THE GENERAL ASSEMBLY

I have the honour hereby to request you to include in the agenda of the ninth session of the General Assembly as an important and urgent question the following item: "Conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen and other weapons of mass destruction".

I would ask you to arrange for the distribution of the attached draft resolution on this question as an official General Assembly document.

(Signed) A. VYSHINSKY
Chairman of the delegation of
the Union of Soviet Socialist Republics

[For the text of the draft resolution, see document A/C.1/750 below.]

DOCUMENT A/2742/Add.1**Union of Soviet Socialist Republics: explanatory memorandum**

[Original text: Russian]
[30 September 1954]

LETTER DATED 30 SEPTEMBER 1954 FROM THE CHAIRMAN OF THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE PRESIDENT OF THE GENERAL ASSEMBLY

I have the honour to transmit to you herewith, in accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum on the proposal of the delegation of the USSR concerning the "Conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen and other weapons of mass destruction".

I should be most grateful if you would have the enclosed explanatory memorandum distributed as a document of the General Assembly.

(Signed) A. VYSHINSKY
Chairman of the delegation of
the Union of Soviet Socialist Republics

Explanatory memorandum

1. The appreciable relaxation of tension in international relations which has resulted from the Berlin and Geneva conferences of Foreign Ministers has made the peoples of the whole world confident that, provided the principles of sovereign equality, non-interference in the affairs of other States, mutual respect for the rights and interests of States and fulfilment of international obligations are observed, there is every possibility of reaching agreement on important outstanding international problems. First among these is the question of the reduction of armaments, the reduction of military budgets and the pro-

hibition of atomic, hydrogen and other weapons of mass destruction.

2. It is known that the Soviet Government, which has consistently tried to diminish the threat of a new war, has frequently submitted proposals for reaching agreement on the prohibition of atomic weapons, the establishment of strict international control over such prohibition and the substantial reduction of the conventional armaments of States. Hitherto, it has not proved possible to reach appropriate international agreement on these questions. Nevertheless, there is an urgent need to reach such international agreement.

3. The Soviet Government has submitted its considerations on this question to the General Assembly and proposes that the General Assembly should instruct the United Nations Disarmament Commission to prepare and submit for confirmation by the Security Council a draft international convention (treaty) designed to strengthen peace and international security and providing for the prohibition of atomic, hydrogen and other weapons of mass destruction and their elimination from the armaments of States, a substantial reduction in armaments and the establishment of international control over the implementation of these decisions, on the basis of the French and United Kingdom proposals of 11 June 1954 (DC/53, annex 9).

4. The Soviet Government is submitting its proposals in the belief that they meet the ever-growing demand of the peoples for the cessation of the races for armaments, including atomic weapons, and for the adoption of immediate measures to ensure that mankind is spared the horrors of a destructive atomic war.

DOCUMENT A/C.1/750**Union of Soviet Socialist Republics : draft resolution**

[Original text : Russian]
[8 October 1954]

The General Assembly instructs the United Nations Disarmament Commission to prepare and submit for confirmation by the Security Council a draft international convention (treaty) designed to strengthen peace and increase international security and providing for the prohibition of atomic, hydrogen and other weapons of mass destruction and their elimination from the armaments of States, a substantial reduction in armaments and the establishment of international control over the implementation of these decisions on the basis of the French and United Kingdom proposals of 11 June 1954 (DC/53, annex 9).

Accordingly, the convention (treaty) should contain the following basic provisions.

(1) The following measures shall be taken simultaneously :

(a) In the course of six months (or one year), States shall reduce their armaments, armed forces and budgetary appropriations for military requirements to the extent of 50 per cent of the agreed levels. Armaments and armed forces shall be reduced from the strength of armaments and armed forces existing on 31 December 1953, and appropriations shall be reduced from the amount of actual expenditure on military requirements during the year ending 31 December 1953.

(b) For the purpose of supervising the fulfilment by States of the obligations in connexion with the reduction of armaments and armed forces provided for in subparagraph (a), a temporary international control commission shall be established under the Security Council with the right to require States to provide the necessary information on the measures taken by them to reduce armaments and armed forces. The commission shall take the necessary steps to supervise the fulfilment by States of the obligations assumed by them in connexion with the reduction of armaments, armed forces and appropriations for military requirements. States shall periodically supply the commission at established intervals with information concerning the implementation of the measures provided for in the convention.

(2) On completion of the measures referred to in para-

graph (1), the following measures shall be taken simultaneously :

(a) In the course of six months (or one year), States shall reduce their armaments, armed forces and budgetary appropriations for military requirements by the remaining 50 per cent of the agreed levels from the strength of armaments and armed forces existing on 31 December 1953, and shall reduce their appropriations from the amount of actual expenditure on military requirements during the year ending 31 December 1953.

(b) A complete prohibition of atomic, hydrogen and other weapons of mass destruction shall be carried into effect, the production of such weapons shall be discontinued and they shall be entirely eliminated from the armaments of States ; all existing atomic materials shall be used only for peaceful purposes.

The carrying out of these measures must be completed not later than the carrying out of the measures taken for the reduction of armaments and armed forces referred to in paragraph (2) (a), and the production of atomic and hydrogen weapons shall cease immediately, as soon as a start is made with the reduction of armaments, armed forces and appropriations for military requirements in respect of the remaining 50 per cent of the agreed standards.

(c) States shall institute a standing international organ for the supervision of the implementation of the convention (treaty) on the prohibition of atomic, hydrogen and other weapons of mass destruction, the discontinuance of the production of these weapons and their elimination from the armaments of States and the reduction of armaments, armed forces and appropriations for military requirements.

This international organ shall have full powers of supervision, including the power of inspection on a continuing basis to the extent necessary to ensure implementation of the convention by all States.

In connexion with the proposal concerning the prohibition of the "use of nuclear weapons except in defence against aggression" in the memorandum of France and the United Kingdom of 11 June 1954 (DC/53, annex 9), the General Assembly instructs the United Nations Disarmament Commission to study and clarify this question and submit its recommendations.

DOCUMENT A/C.1/751**Philippines : draft resolution**

[Original text : English]
[12 October 1954]

The First Committee

Decides to create a working group, composed of the members of the Subcommittee of the Disarmament Commission, for the purpose of reconciling the differences between the various proposals on disarmament now before the Committee and, in any event, to try to reach agreement on any or some aspects of the said proposals. The working group is to report to the First Committee on or before 15 November 1954, leaving the Committee free to proceed with other items on its agenda until the report of the working group is received.

DOCUMENT A/C.1/752/Rev.1

Canada, France, United Kingdom of Great Britain and Northern Ireland and United States of America : draft resolution

[Original text : English]
[14 October 1954]

The General Assembly,

Reaffirming the responsibility of the United Nations for seeking a solution of the disarmament problem,

Conscious that the continuing development of armaments increases the urgency of the need for such a solution,

Having considered the fourth report of the Disarmament Commission of 29 July 1954 (DC/55), and the documents annexed thereto, and the draft resolution of the Soviet Union (A/C.1/750) concerning the conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen, and other weapons of mass destruction,

1. *Concludes* that a further effort should be made to reach agreement on comprehensive and co-ordinated proposals to be embodied in a draft international disarmament convention providing for :

(a) The regulation, limitation and major balanced reduction of all armed forces and all armaments ;

(b) The total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type, together with the conversion of existing stocks of nuclear weapons for peaceful purposes ;

(c) The establishment of effective international control, through a control organ with rights, powers and functions adequate to guarantee the effective observance of the agreed regulations, limitations and reductions and the prohibition of nuclear and other weapons of mass destruction, and to ensure the use of atomic energy for peaceful purposes only ;

The whole programme to be such that no State would have cause to fear that its security was endangered ;

2. *Requests* the Disarmament Commission to seek an acceptable solution of the disarmament problem, taking into account the proposals of the United Kingdom and France of 11 June 1954 (DC/53, annex 9) which have been accepted by the Soviet Union as a basis for an international disarmament convention, as well as other proposals within the Commission's terms of reference ;

3. *Suggests* that the Disarmament Commission reconvene the Sub-Committee established in accordance with paragraphs 6 and 7 of General Assembly resolution 715 (VIII) ;

4. *Requests* the Disarmament Commission to report to the Security Council and to the General Assembly as soon as sufficient progress has been made.

DOCUMENT A/C.1/L.100

India : draft resolution

[Original text : English]
[25 October 1954]

The General Assembly,

Reaffirming the belief expressed in its resolution 715 (VIII) of 28 November 1953 that the continued development of weapons of mass destruction such as atomic and hydrogen bombs has given additional urgency to efforts to bring about effectively controlled disarmament throughout the world, as the existence of civilization itself may be at stake,

Realizing that the vast technical advances in, and the continued and increased production of, these weapons of mass destruction further increase this threat,

Recalling the statement in document A/C.1/752/Rev.2 that the continuing development of armaments increases the urgency of the need for a solution of the disarmament problem,

Recalling further its conviction, repeatedly affirmed in previous resolutions, that unceasing efforts should be made to settle international disputes and to reach agreement on a comprehensive and co-ordinated programme of disarmament with adequate safeguards and in conformity with the Charter of the United Nations,

Reaffirming that progress in the settlement of international disputes and progress in the field of disarmament are integrally related and that progress in either field would contribute to progress in the other,

Noting with satisfaction the progress made and the

advances achieved in respect of several grave international problems, including the bringing about of the cessation of major hostilities in different parts of the world, and that they have appreciably contributed to a more favourable climate for hopeful negotiation and settlement of the problem of disarmament,

Noting further with satisfaction the degree of agreement which has emerged as a result of the work of the Disarmament Commission and its Sub-Committee in pursuance of paragraph 6 of General Assembly resolution 715 (VIII), and subsequent developments during the current session as embodied in the draft resolution (A/C.1/752/Rev.2) jointly sponsored by all members of the Sub-Committee of the Disarmament Commission and in the discussions leading to its adoption,

Considering that progress towards a draft international convention would be materially advanced by reaching agreements on the restriction of military expenditure and the freezing of the level of armed forces and armaments pending the signature of the aforesaid convention,

1. *Recommends* to the Disarmament Commission that it take into consideration as part of the "other proposals" referred to in document A/C.1/752/Rev.2 :

(a) The study of ways and means of establishing an "armament truce" pending agreement on a disarmament convention ;

(b) Procedures for effective co-operation with and the ascertainment of the views of States not members of the Disarmament Commission ;

(c) The discussions and suggestions on disarmament in the General Assembly ;

(d) The determination of the factors which should govern the equitable reductions and levels of armed forces

and conventional armaments in respect both of their quantum and character ;

2. *Decides* that, in view of the urgency and importance of the problem of disarmament and of the procedure requested in paragraph 4 of document A/C.1/752/Rev.2, the ninth session of the General Assembly should stand recessed on 10 December 1954, to be reconvened by the President as appropriate.

DOCUMENT A/C.1/L.100/Rev.1

India : revised draft resolution

[Original text : English]
[27 October 1954]

[Same text as document A/C.1/L.100, with the omission of the final paragraph.]

DOCUMENT A/C.1/L.101/Rev.1

Australia and Philippines : draft resolution

[Original text : English]
[28 October 1954]

The General Assembly

Recommends to the Disarmament Commission that it request the Secretariat as soon as practicable to prepare a working paper for the Commission and for circulation to all the Members of the United Nations for their information, giving a documentary presentation of the present positions of the great Powers on various aspects of the disarmament problem.

DOCUMENT A/2779

Report of the First Committee

[Original text : English]
[29 October 1954]

1. By resolution 715 (VIII), of 28 November 1953, the General Assembly requested the Disarmament Commission to report to it and to the Security Council not later than 1 September 1954. The fourth report of the Disarmament Commission was duly submitted to the General Assembly (A/2685) and to the Security Council (S/3276).

2. At its 476th meeting, on 24 September 1954, the General Assembly decided to include the report of the Disarmament Commission in the agenda of its ninth session under the title "Regulation, limitation and balanced reduction of all armed forces and all armaments : report of the Disarmament Commission". At the 478th meeting, the General Assembly referred the item to the First Committee for consideration and report.

3. On 30 September 1954, the Soviet Union requested the inclusion of an additional item in the agenda of the ninth session, entitled "Conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen and other weapons of mass destruction", and forwarded a draft resolution on the item (A/2742 and Corr.1). An explanatory memorandum was distributed as document A/2742/Add.1. At its 492nd meeting, on 6 October 1954, the General

Assembly decided to include the item in the agenda of the ninth session, and referred it to the First Committee for consideration and report.

4. At its 684th meeting, on 8 October, the First Committee decided that the two items should be considered concurrently.

5. The First Committee considered the items at its 685th to 702nd meetings, held between 11 and 27 October.

6. At the 685th meeting, the Soviet Union submitted a draft resolution (A/C.1/750) whereby the General Assembly would instruct the Disarmament Commission to prepare for confirmation by the Security Council a draft international convention providing for the prohibition of atomic, hydrogen and other weapons of mass destruction and their elimination from the armaments of States, a substantial reduction in armaments and the establishment of international control over the implementation of these decisions on the basis of the French and United Kingdom proposals of 11 June 1954 (DC/53, annex 9). The draft resolution further provided that the convention should contain the following basic provisions :

(1) The following measures to be taken simultaneously :

(a) In six months or one year, States should reduce their armaments and armed forces (from the 31 December

1953 strength) and budgetary appropriations for military requirements (from the 1953 amount) by 50 per cent of agreed levels.

(b) To supervise the reduction, a temporary international control commission should be established under the Security Council with the right to require States to provide the necessary information on the measures taken by them to reduce armaments and armed forces. The commission should take the necessary steps to supervise the fulfilment by States of the obligations assumed by them in connexion with the reduction of armaments, armed forces and appropriations for military requirements. States should periodically supply the commission at established intervals with information concerning the implementation of the measures provided for in the convention.

(2) On completion of the measures referred to in paragraph (1), the following measures should be taken simultaneously :

(a) In six months or one year, States should reduce their armaments, armed forces and budgetary appropriations for military requirements by the remaining 50 per cent of the agreed levels.

(b) A complete prohibition of atomic, hydrogen and other weapons of mass destruction should be carried into effect, the production of such weapons should be discontinued and they should be entirely eliminated from the armaments of States ; all existing atomic materials should be used only for peaceful purposes.

These measures should be completed not later than the measures taken for the reduction of armaments and armed forces referred to in paragraph (2) (a), and the production of atomic and hydrogen weapons should cease immediately, as soon as a start was made with the reduction of armaments, armed forces and appropriations for military requirements in respect of the remaining 50 per cent of the agreed standards.

(c) States should institute a standing international organ for the supervision of the prohibition of atomic, hydrogen and other weapons of mass destruction, the discontinuance of the production of these weapons and their elimination from the armaments of States and the reduction of armaments, armed forces and appropriations for military requirements. This international organ should have full powers of supervision, including the power of inspection on a continuing basis to the extent necessary to ensure implementation of the convention by all States.

The draft resolution further provided that the Disarmament Commission should be instructed to study and submit recommendations on the proposal concerning the prohibition of the "use of nuclear weapons except in defence against aggression" in the memorandum of France and the United Kingdom of 11 June 1954.

7. At the 688th meeting, the Philippines submitted a draft resolution (A/C.1/751) whereby the First Committee would decide to create a working group, composed of the members of the Sub-Committee of the Disarmament Commission, to try to reach agreement on any or some aspects of the various disarmament proposals, and to report back by 15 November 1954. At the 700th meeting, the Philippines withdrew this draft resolution.

8. At the 688th meeting, Canada submitted a draft resolution (A/C.1/752) whereby the General Assembly would :

(1) Conclude that a further effort should be made to reach agreement on comprehensive and co-ordinated proposals to be embodied in a draft international disarma-

ment convention providing for (a) the regulation, limitation and major balanced reduction of all armed forces and all armaments ; (b) the total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type, together with the conversion of existing stocks of nuclear weapons for peaceful purposes ; (c) the establishment of effective international control, through a control organ with rights, powers and functions adequate to guarantee the effective observance of the agreed regulations, limitations and reductions and the prohibition of nuclear and other weapons of mass destruction and to ensure the use of atomic energy for peaceful purposes only : the whole programme to be such that no State would have cause to fear that its security was endangered ;

(2) Request the Disarmament Commission to seek an acceptable solution of the disarmament problem taking into account the proposals of the United Kingdom and France of 11 June 1954 (DC/53, annex 9), as well as other proposals ;

(3) Suggest that the Disarmament Commission reconvene its Sub-Committee ;

(4) Request the Disarmament Commission to report as soon as sufficient progress had been made.

At the same meeting, the representative of Canada appealed to the representatives of France, the USSR, the United Kingdom and the United States to co-sponsor the Canadian draft resolution. The representatives of France, the United Kingdom and the United States agreed at that meeting to co-sponsor the Canadian draft resolution, and on 14 October the draft resolution (A/C.1/752/Rev.1) was circulated under the joint sponsorship of Canada, France, the United Kingdom and the United States.

9. At the 697th meeting, the representative of the USSR agreed to co-sponsor a revised draft resolution incorporating several amendments which had been agreed with the other four sponsors. At the same meeting, the representative of Canada introduced, on behalf of Canada, France, the Soviet Union, the United Kingdom and the United States, a revised joint draft resolution (A/C.1/752/Rev.2) containing the following modifications in the operative part :

(1) Paragraph (1) (a) to read : "The regulation, limitation and major reduction of all armed forces and all conventional armaments ;"

(2) Paragraph (1) (c) to read : "The establishment of effective international control, through a control organ with rights, powers and functions adequate to guarantee the effective observance of the agreed reductions of all armaments and armed forces and the prohibition of nuclear and other weapons of mass destruction, and to ensure the use of atomic energy for peaceful purposes only ;"

(3) Paragraph (2) to read : "Requests the Disarmament Commission to seek an acceptable solution of the disarmament problem, taking into account the various proposals referred to in the preamble of this resolution and any other proposals within the Commission's terms of reference ;"

10. At the 699th meeting, India submitted a draft resolution (A/C.1/L.100) whereby the General Assembly would :

(1) Recommend to the Disarmament Commission that it take into consideration, as part of the "other proposals" referred to in draft resolution A/C.1/752/Rev.2, (a) The study of ways and means of establishing an "armament truce" pending agreement on a disarmament convention ; (b) Procedures for effective co-operation with and the

ascertainment of the views of States not members of the Disarmament Commission; (c) The discussions and suggestions on disarmament in the General Assembly; (d) The determination of the factors which should govern the equitable reductions and levels of armed forces and conventional armaments in respect both of their quantum and character; and

(2) Decide that the ninth session of the General Assembly should stand recessed on 10 December 1954, to be reconvened by the President as appropriate.

At the 701st meeting, the representative of India withdrew paragraph 2 of the draft resolution and accepted the referral of the revised draft resolution (A/C.1/L.100/Rev.1) to the Disarmament Commission.

11. At the 699th meeting, Australia submitted a draft resolution (A/C.1/L.101) whereby the General Assembly would recommend to the Disarmament Commission that it request the Secretariat as soon as practicable to prepare a working paper for the Commission and for circulation to all the Members of the United Nations for their information, giving a descriptive and factual presentation of the present positions of the great Powers on various aspects of the disarmament problem. At the 700th meeting, the representative of the Philippines agreed to co-sponsor the Australian draft resolution. At the 701st and 702nd meetings, the co-sponsors accepted a suggestion by the representative of Syria and withdrew the words "descriptive and". At the 702nd meeting, they accepted a suggestion by the representative of Peru and replaced the word "factual" by "documentary". The revised draft resolution of Australia and the Philippines was circulated as document A/C.1/L.101/Rev.1.

12. At the 701st meeting, the representative of Canada introduced, on behalf of Canada, France, the Soviet Union, the United Kingdom and the United States, a joint draft resolution (A/C.1/L.102) whereby the General Assembly would refer the Indian draft resolution (A/C.1/L.100/Rev.1) to the Disarmament Commission for appropriate consideration, and would decide to transmit to the Disarmament Commission the records of the meetings of the First Committee at which the Indian draft resolution was discussed.

13. At the 701st meeting, El Salvador submitted amendments (A/C.1/L.103) to the five-Power joint draft resolution (A/C.1/L.102) which, at the 702nd meeting, were revised in the form of a draft resolution (A/C.1/L.103/Rev.1) whereby the General Assembly would (a) refer to the Disarmament Commission the draft resolution of Australia and the Philippines (A/C.1/L.101/Rev.1); and (b) decide to transmit to the Disarmament Commission the records of the meetings of the First Committee on items 20 and 68 of the agenda.

14. At the 702nd meeting, the Committee proceeded to the vote. The Committee agreed without objection to vote first on the first five-Power draft resolution (A/C.1/752/Rev.2). A motion by the representative of India that the second five-Power draft resolution (A/C.1/L.102) should be given priority in the voting over the draft resolution of Australia and the Philippines (A/C.1/L.101/Rev.1) was approved by the Committee without objection.

A motion by the representative of El Salvador that the draft resolution submitted by his delegation (A/C.1/L.103/Rev.1) should be given priority over the draft resolution of Australia and the Philippines was adopted by 36 votes to 15, with 6 abstentions.

The first five-Power draft resolution (A/C.1/752/Rev.2) was approved unanimously.

The second five-Power draft resolution (A/C.1/L.102) was approved by 58 votes to 1.

The draft resolution of El Salvador (A/C.1/L.103/Rev.1) was put to the vote paragraph by paragraph, with the following results:

Paragraph 1 was adopted, by roll-call vote, by 24 votes to 23, with 11 abstentions.

In favour: Argentina, Brazil, Burma, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Egypt, El Salvador, France, Greece, Guatemala, Haiti, Honduras, Iran, Israel, Lebanon, Mexico, Nicaragua, Saudi Arabia, Venezuela, Yemen, Yugoslavia.

Against: Australia, Byelorussian Soviet Socialist Republic, Canada, China, Czechoslovakia, Denmark, Ethiopia, Iceland, Iraq, Netherlands, New Zealand, Norway, Philippines, Poland, Sweden, Syria, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Afghanistan, Belgium, Cuba, India, Indonesia, Liberia, Luxembourg, Pakistan, Panama, Peru, Thailand.

Paragraph 2 was adopted by a roll-call vote, by 55 votes to none, with 3 abstentions.

In favour: Afghanistan, Argentina, Australia, Belgium, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Pakistan, Panama, Peru, Philippines, Poland, Saudi Arabia, Syria, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Abstaining: Denmark, Norway, Sweden.

The draft resolution as a whole was adopted by 47 votes to none, with 8 abstentions.

With the agreement of the respective sponsors, the draft resolutions of the Soviet Union (A/C.1/750), India (A/C.1/L.100/Rev.1), and Australia and the Philippines (A/C.1/L.101/Rev.1) were not put to the vote.

Recommendation of the First Committee

15. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/216 below.]

DOCUMENT A/RESOLUTION/216

[Resolution 808 (IX)]

Resolutions adopted by the General Assembly at its 497th plenary meeting, on 4 November 1954

REGULATION, LIMITATION AND BALANCED REDUCTION OF ALL ARMED FORCES AND ALL ARMAMENTS: REPORT OF THE DISARMAMENT COMMISSION

CONCLUSION OF AN INTERNATIONAL CONVENTION (TREATY) ON THE REDUCTION OF ARMAMENTS AND THE PROHIBITION OF ATOMIC, HYDROGEN AND OTHER WEAPONS OF MASS DESTRUCTION

A

The General Assembly,

Reaffirming the responsibility of the United Nations for seeking a solution of the disarmament problem,

Conscious that the continuing development of armaments increases the urgency of the need for such a solution,

Having considered the fourth report of the Disarmament Commission of 29 July 1954 (DC/55) and the documents annexed thereto, and the draft resolution of the Union of Soviet Socialist Republics (A/C.1/750) concerning the conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen and other weapons of mass destruction,

1. *Concludes* that a further effort should be made to reach agreement on comprehensive and co-ordinated proposals to be embodied in a draft international disarmament convention providing for:

(a) The regulation, limitation and major reduction of all armed forces and all conventional armaments;

(b) The total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type, together with the conversion of existing stocks of nuclear weapons for peaceful purposes;

(c) The establishment of effective international control, through a control organ with rights, powers and functions adequate to guarantee the effective observance of the agreed reductions of all armaments and armed forces and the prohibition of nuclear and other weapons of mass destruction, and to ensure the use of atomic energy for peaceful purposes only;

The whole programme to be such that no State would have cause to fear that its security was endangered;

2. *Requests* the Disarmament Commission to seek an acceptable solution of the disarmament problem, taking into account the various proposals referred to in the preamble of the present resolution and any other proposals within the Commission's terms of reference;

3. *Suggests* that the Disarmament Commission reconvene the Sub-Committee established in accordance with paragraphs 6 and 7 of General Assembly resolution 715 (VIII) of 28 November 1953;

4. *Requests* the Disarmament Commission to report to the Security Council and to the General Assembly as soon as sufficient progress has been made.

B

The General Assembly

1. *Refers* to the Disarmament Commission for appropriate consideration the draft resolution of India contained in document A/C.1/L.100/Rev.1;

2. *Decides also* to transmit to the Disarmament Commission for its information the records of the meetings of the First Committee at which this draft resolution was discussed.

C

The General Assembly

1. *Refers* to the Disarmament Commission for its consideration the draft resolution submitted by Australia and the Philippines contained in document A/C.1/L.101/Rev.1;

2. *Decides* to transmit to the Disarmament Commission for its information the records of the meetings of the First Committee at which items 20 and 68 of the agenda of the ninth session of the General Assembly were considered.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 497th plenary meeting, on 4 November 1954, the General Assembly adopted the three draft resolutions submitted by the First Committee. For the final text, see document A/RESOLUTION/216 above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/658	Letter dated 25 September 1948 from the Secretary-General of the delegation of the Union of Soviet Socialist Republics to the President of the General Assembly requesting the inclusion of an additional item in the agenda of the third session of the General Assembly		<i>Official Records of the General Assembly, Third Session, Part I, Plenary meetings, Annexes, p. 183.</i>
A/1150 and Corr.1	Report of the First Committee [Fourth session]		<i>Ibid., Fourth Session, Plenary meetings, Annex, agenda item 67.</i>
A/2485/Add.1	Union of Soviet Socialist Republics: explanatory memorandum		<i>Ibid., Eighth Session, Annexes, agenda item 73.</i>
A/2485/Rev.1	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the eighth session		<i>Ibid.</i>
A/2667	Provisional agenda of the ninth session of the General Assembly		<i>Ibid., Ninth Session, Annexes, agenda item 8.</i>
A/2685	Letter dated 29 July 1954 from the Chairman of the Disarmament Commission to the Secretary-General transmitting the fourth report of the Disarmament Commission	1	
A/2715	Supplementary list of items for the agenda of the ninth session of the General Assembly		<i>Ibid.</i>
A/2733	First report of the General Committee		<i>Ibid.</i>
A/2738	Letter dated 25 September 1954 from the representative of the United States of America to the United Nations, addressed to the Secretary-General, transmitting copies of the communications exchanged between the Governments of the United States of America and the Union of Soviet Socialist Republics		<i>Ibid., agenda item 67.</i>
A/2742 and Corr.1	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session	2	
A/2742/Add.1	Union of Soviet Socialist Republics: explanatory memorandum	2	
A/2779	Report of the First Committee	5	
A/AC.31/L.30	Argentina: draft resolution		<i>Ibid., Fourth Session, Ad Hoc Political Committee, Annex, vol. I, agenda item 23.</i>
A/BUR/42	Letter from the representative of the Union of Soviet Socialist Republics to the Chairman of the General Committee and enclosed proposal concerning the general reduction of armaments		<i>Ibid., Second part of first session, First Committee, Annexes, annex 9.</i>
A/BUR/138	Adoption of the agenda and allocation of items to Committees: memorandum by the Secretary-General		<i>Ibid., Ninth Session, Annexes, agenda item 8.</i>
A/BUR/139	Organization of the ninth session: memorandum by the Secretary-General		<i>Ibid.</i>
A/C.1/83	Additional proposal concerning the general reduction of armaments made by the Chairman of the delegation of the Union of Soviet Socialist Republics		<i>Ibid., Second part of first session, First Committee, Annexes, annex 9c.</i>
A/C.1/667	France, United Kingdom of Great Britain and Northern Ireland and United States of America: joint draft resolution		<i>Ibid., Sixth Session, Annexes, agenda items 66 and 16.</i>
A/C.1/668/Rev.2	Union of Soviet Socialist Republics: revised amendment to the revised joint draft resolution submitted by France, the United Kingdom and the United States (A/C.1/667/Rev.1)		<i>Ibid.</i>
A/C.1/677	Letter dated 10 December 1951 addressed to the Chairman of the First Committee by the President of the General Assembly transmitting the memorandum prepared by him in his capacity as Chairman of Sub-Committee 18		<i>Ibid.</i>
A/C.1/682	Peru: amendment to the revised joint draft resolution submitted by France, the United Kingdom and the United States (A/C.1/667/Rev.1)		<i>Ibid., Sixth Session, First Committee, 468th meeting, paras. 30 and 31.</i>
A/C.1/684	Draft resolution adopted by the First Committee at its 471st meeting		<i>Ibid., Annexes, agenda items 66 and 16, document A/2025, para. 24.</i>
A/C.1/698	Union of Soviet Socialist Republics: revised draft resolution		<i>Ibid., Annexes, agenda item 67.</i>
A/C.1/734/Rev.2	India: second revised text of draft resolution		<i>Ibid., Seventh Session, Annexes, agenda item 16.</i>
A/C.1/750	Union of Soviet Socialist Republics: draft resolution	3	
A/C.1/751	Philippines: draft resolution	3	
A/C.1/752	Canada: draft resolution		Same text as A/C.1/752/Rev.1

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A/C.1/752/Rev.1	Canada, France, United Kingdom of Great Britain and Northern Ireland and United States of America : draft resolution	4	
A/C.1/752/Rev.2	Canada, France, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America : draft resolution		Same text as A/C.1/754.
A/C.1/754	Draft resolution adopted by the First Committee at its 702nd meeting		See A/2779, para. 15, draft resolution A.
A/C.1/755	Draft resolution adopted by the First Committee at its 702nd meeting		<i>Ibid.</i> , draft resolution B.
A/C.1/756	Draft resolution adopted by the First Committee at its 702nd meeting		<i>Ibid.</i> , draft resolution C.
A/C.1/L.39	Poland : revised draft resolution		<i>Official Records of the General Assembly, Seventh Session, Annexes</i> , agenda item 72.
A/C.1/L.72	Brazil, Canada, Chile, China, Colombia, Denmark, France, Greece, Lebanon, New Zealand, Pakistan, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America : draft resolution		<i>Ibid.</i> , <i>Eighth Session, Annexes</i> , agenda item 23.
A/C.1/L.74/Rev.2	India : revised amendments to the revised draft resolution submitted by Brazil, Canada, Chile, China, Colombia, Denmark, France, Greece, Lebanon, New Zealand, Pakistan, Turkey, the United Kingdom and the United States (A/C.1/L.72/Rev.1)		<i>Ibid.</i>
A/C.1/L.100	India : draft resolution	4	
A/C.1/L.100/Rev.1	India : revised draft resolution	5	
A/C.1/L.101	Australia : draft resolution		Incorporated in the record of the 696th meeting of the First Committee (para. 49).
A/C.1/L.101/Rev.1	Australia and Philippines : draft resolution	5	
A/C.1/L.102	Canada, France, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America : draft resolution		Same text as A/C.1/755.
A/C.1/L.103	El Salvador : amendments to draft resolution A/C.1/L.102		Incorporated in the record of the 701st meeting of the First Committee (para. 170).
A/C.1/L.103/Rev.1	El Salvador : draft resolution		Same text as A/C.1/756.
AEC/26 and Corr.1	Second report of the Atomic Energy Commission to the Security Council		<i>Official Records of the Atomic Energy Commission, Second Year, Special Supplement</i> .
AEC/31/Rev.1	Third report [of the Atomic Energy Commission] to the Security Council		<i>Ibid.</i> , <i>Third Year, Special Supplement</i> .
A/RESOLUTION/216	Resolutions adopted by the General Assembly at its 497th plenary meeting on 4 November 1954	8	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolutions 808 A (IX), 808 B (IX), 808 C (IX)
DC/4/Rev.1	Plan of work proposed by the Union of Soviet Socialist Republics		See <i>Official Records of the Disarmament Commission, Special Supplement No. 1</i> , para. 13.
DC/5	Plan of work proposed by France		<i>Ibid.</i> , para. 42.
DC/10	France, United Kingdom of Great Britain and Northern Ireland and United States of America : working paper setting forth proposals for fixing numerical limitation of all armed forces		<i>Ibid.</i> , para. 380.
EC/12	France, United Kingdom of Great Britain and Northern Ireland and United States of America : supplement to the working paper setting forth proposals for fixing numerical limitation of all armed forces (DC/10)		<i>Ibid.</i> , para. 507.
DC/15	United States of America : working paper setting forth a summary of proposals made by the representative of the United States of America at the 19th meeting of the Disarmament Commission on 15 August 1952		<i>Ibid.</i> , para. 630.
DC/20	Second report of the Disarmament Commission		<i>Official Records of the Disarmament Commission, Special Supplement No. 1</i> .
DC/44 and Corr.1	Letter dated 8 April 1954 from the representative of India to the Secretary-General transmitting extracts from the statement made by the Prime Minister of India in the House of the People, on 2 April 1954, on the subject of the hydrogen bomb		<i>Official Records of the Disarmament Commission, Supplement for April, May and June 1954</i> .
DC/49	Resolution adopted by the Disarmament Commission at its 35th meeting, on 19 April 1954		<i>Ibid.</i> ,
DC/53	Report of the Sub-Committee of the Disarmament Commission		<i>Ibid.</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
DC/55	Fourth report of the Disarmament Commission		<i>Ibid.</i> , Supplement for July, August and September 1954.
DC/C.2/1	United States of America : working paper setting forth proposals for progressive and continuing disclosure and verification of armed forces and armaments		See <i>Official Records of the Disarmament Commission, Special Supplement No. 1</i> , para. 60.
S/1246/Rev.1	Union of Soviet Socialist Republics : draft resolution		<i>Official Records of the Security Council, Fourth Year, No. 10</i> , p. 2 to 4.
S/3079	Note dated 7 August 1953 from the acting representative of the United States of America to the Secretary-General transmitting a special report of the United Nations Command on the armistice in Korea in accordance with the Security Council resolution of 7 July 1950 (S/1588)		<i>Ibid.</i> , <i>Eighth Year, Supplement for July, August and September 1953</i> .
S/3305	Letter dated 12 October 1954 from the permanent representative of the Union of Soviet Socialist Republics to the President of the Security Council		Incorporated in substance in the record of the 690th meeting of the First Committee (para. 35).



Agenda item 21: Admission of new Members to the United Nations:

- (a) Report of the Committee of Good Offices;
(b) Admission of Laos and Cambodia

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DOCUMENT A/2709

Australia : request for the inclusion of a supplementary item in the agenda of the ninth session

[Original text : English]
[23 August 1954]

CABLEGRAM DATED 22 AUGUST 1954 FROM THE MINISTER FOR EXTERNAL AFFAIRS OF AUSTRALIA TO THE SECRETARY-GENERAL

Canberra, 22 August 1954

The Australian Government wishes to submit the following additional item for the agenda of the ninth session of the General Assembly : "Admission to the United Nations of Laos and Cambodia".

(Signed) CASEY
Minister for External Affairs

DOCUMENT A/2709/Add.1

Australia : explanatory memorandum

[Original text : English]
[31 August 1954]

LETTER DATED 22 AUGUST 1954 FROM THE MINISTER OF STATE FOR EXTERNAL AFFAIRS OF AUSTRALIA TO THE SECRETARY-GENERAL

Canberra, 22 August 1954

I have the honour to refer to my telegram of today's date (A/2709) requesting that the item "Admission to the United Nations of Laos and Cambodia" be added to the agenda of the ninth session of the General Assembly, and to submit hereunder, in accordance with the rules of procedure of the General Assembly, an explanatory memorandum and draft resolution covering this item.

(Signed) R. G. CASEY
Minister of State for External Affairs

Explanatory memorandum

Applications for admission to the United Nations were received from Cambodia¹ on 15 June 1952, and from Laos² on 9 July 1952. On 19 September 1952, a draft resolution recommending their admission, and that of Viet-Nam, received the support of ten members of the Security Council.³ No recommendation, however, was made to the General Assembly with respect to these applications.

On 21 December 1952, the General Assembly adopted resolution 620 (VII), in parts D and E of which the General Assembly expressed its judgment that Cambodia and Laos were peace-loving States within the meaning of Article 4 of the Charter, were able and willing to carry out the obligations of the Charter and should therefore be admitted to the United Nations. In resolution 620 (VII), the General Assembly requested the Security Council to take note of its determination with respect

¹ See *Official Records of the Security Council, Seventh Year, Supplement for April, May and June 1952, S/2672 and S/2675.*

² *Ibid., Supplement for July, August and September 1952, S/2706.*

³ *Ibid., 603rd meeting.*

to the applications of Laos and Cambodia. The Security Council has not yet responded to this request.

The Government of Australia considers that it would be appropriate for the General Assembly to reaffirm its judgment that the sovereign and independent Kingdoms of Laos and Cambodia fulfil the qualifications for membership as set out in the United Nations Charter and should therefore be admitted to membership in the United Nations; and to request again that the Security Council take note of this judgment.

The Australian Government has noted that, in the final declaration of the Geneva Conference, the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Viet-Nam, the Union of Soviet Socialist Republics, and the United Kingdom expressed their conviction that the execution of the arrangements agreed to at that Conference would permit Cambodia, Laos and Viet-Nam henceforth to play their part in full independence and sovereignty in the peaceful community of nations. The Australian Government welcomes this statement and considers that the admission of these countries into the United Nations would be an appropriate way of demonstrating the willingness of the Members of the United Nations to assist these countries to play their part as equal partners in the peaceful community of nations.

The Australian Government regrets, however, that it feels unable at present, in view of the existing circumstances in Viet-Nam, to include within the scope of the present proposal admission of Viet-Nam to membership in the United Nations. The cease-fire arrangements for Viet-Nam agreed upon at Geneva on 21 July 1954 clearly recognize that a final political settlement in Viet-Nam will not be achieved before July 1956, when general elections are to be held. At this stage there is no government in Viet-Nam which could accept the obligations contained in the Charter of the United Nations on behalf of the whole territory and population of Viet-Nam. In these circumstances, the Australian Government considers that it would be premature to propose, at this time, membership of Viet-Nam.

In proposing this additional item for the agenda of the ninth session of the General Assembly, the Australian

Government wishes to make it clear that this proposal is made without prejudice to any other applications for membership in the United Nations which are at present awaiting a favourable decision. In his report to the ninth session of the General Assembly on the work of the Organization, the Secretary-General included these words when writing of the impasse which has been reached on the question of admission of new Members to the Organization :

"If it does not seem possible to break the present log-jam all at once, a beginning might be made with some of those cases which do not directly enter into the balance between the conflicting camps. I firmly believe that even a modest step in the direction of such true universality as is implicit in the logic of the Charter would serve to strengthen the Organization and to reduce the burden under which it has to work at present."⁴

It is in this spirit that the Australian Government proposes the addition of the item "The admission of Laos and Cambodia to the United Nations" to the agenda of the ninth session of the General Assembly. The Australian Government hopes that the spirit of co-operation which enabled the Geneva Conference to bring about a cessation of the hostilities in Indo-China will

continue and will make possible a further step towards universality of membership of the United Nations by the admission to membership of the Kingdoms of Laos and Cambodia.

Draft resolution

The General Assembly,

Noting that at Geneva on 21 July 1954 the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Viet-Nam, the Union of Soviet Socialist Republics, and the United Kingdom expressed their conviction that the execution of the provisions in their declaration and in the agreements on the cessation of hostilities in Indo-China will permit Laos and Cambodia to play their part in full independence and sovereignty in the peaceful community of nations,

Declaring that Laos and Cambodia are peace-loving States within the meaning of Article 4 of the Charter, are able and willing to carry out the obligations of the Charter and should therefore be admitted to the United Nations,

Requests the Security Council to take note of this declaration.

DOCUMENT A/2720

Report of the Committee of Good Offices

[Original text: English]
[9 September 1954]

LETTER OF TRANSMITTAL

New York, 3 September 1954

We have the honour to transmit herewith the report of the Committee of Good Offices on the admission of new Members in conformity with General Assembly resolution 718 (VIII) of 23 October 1953.

(Signed) Victor A. BELAUNDE (Chairman)

D. J. VON BALLUSECK

A. M. RAMADAN

Report of the Committee of Good Offices on the admission of new Members

1. The General Assembly, by resolution 718 (VIII) of 23 October 1953 on the question of admission of new Members, established a Committee of Good Offices consisting of the representatives of Egypt, the Netherlands and Peru, and requested it: (1) to consult with members of the Security Council with the object of exploring the possibilities of reaching an understanding which would facilitate the admission of new Members in accordance with Article 4 of the Charter; and (2) to submit a report on its work to the General Assembly at its eighth, or, at the latest, its ninth session.

2. The following representatives were appointed by their respective Governments to serve on the Committee:

Egypt: Mr. Ahmed Galal Eldine Abdelrazek; later General Abdel Hamid Ghaleb and Mr. A. M. Ramadan.

Netherlands: Mr. D. J. von Balluseck; Alternate, Mr. H. Scheltema.

Peru: Mr. Victor A. Belaúnde.

3. The Committee of Good Offices met at United Nations Headquarters in New York on 10 December 1953 and elected Mr. Belaúnde as its Chairman.

4. The Committee of Good Offices, under its terms of reference, was guided by Article 4 of the Charter, as interpreted by the advisory opinion of the International Court of Justice, which was endorsed by the General Assembly,⁵ in the sense that admission of new Members to the United Nations is subject only to the conditions in paragraph 1 of that Article and cannot be made subject to other conditions. The Committee thought it pertinent also to take into consideration the imperative necessity of reaching an agreement between the members of the Security Council, without prejudice to the juridical positions maintained by individual Members of the United Nations and to any further consideration of the subject by the General Assembly. The Committee of Good Offices, at the same time, had to take into account the interest of the United Nations in reaching an understanding for the solution of the problem which affects the universality of membership in the Organization.

5. The following are the twenty-one applicants who have applied for admission to membership in the United Nations: Albania, the People's Republic of Mongolia, Jordan, Portugal, Ireland, Hungary, Italy, Austria, Romania, Bulgaria, Finland, Ceylon, the Republic of Korea, the Democratic People's Republic of Korea, Nepal, Viet-Nam, Libya, the Democratic Republic of Viet-Nam, Cambodia, Japan and Laos.

In the Security Council the following applicants have received more than seven votes, although they have not obtained the recommendation of the Council: Jordan, Portugal, Ireland, Italy, Austria, Finland, Ceylon, the Republic of Korea, Nepal, Libya, Japan, Viet-Nam, Cambodia and Laos.

⁴ See *Official Records of the General Assembly, Ninth Session, Supplement No. 1, A/2663, p. xii.*

⁵ Resolution 197 A (III).

The following have not received seven affirmative votes in the Council: Albania, the People's Republic of Mongolia, Hungary, Romania, Bulgaria, the Democratic People's Republic of Korea and Democratic Republic of Viet-Nam.

The General Assembly has expressed itself in favour of the admission of the following applicants:⁶ Jordan, Portugal, Ireland, Italy, Austria, Finland, Ceylon, the Republic of Korea, Nepal, Libya, Japan, Viet-Nam, Cambodia and Laos.

6. In pursuance of the aforesaid resolution of the General Assembly, the Committee has held a number of informal meetings and has been engaged in investigating ways in which the task entrusted to it by the General Assembly might be carried out. The Chairman of the Committee has had a number of informal consultations

with various representatives of members of the Security Council. The result of these explorations, however, indicates that there is no fundamental change in the general position on the question such as would make it possible at this juncture to reach an understanding which would facilitate the solution of the problem.

7. Nevertheless, the Committee does not consider that all possibilities of reaching an understanding have been exhausted. The importance to the Organization of admitting qualified new Members is such that it may be hoped that the different views may eventually be harmonized within the spirit of the Charter. It considers that the General Assembly should continue its efforts to facilitate a solution of the question of admission of new Members.

DOCUMENT A/AC.76/2

Letter dated 23 August 1954 from the Federal Minister for Foreign Affairs of Austria to the Secretary-General

[Original text: English]
[27 September 1954]

In the name of the Austrian Government, I have the honour to refer to the fact that Austria has submitted to the Secretary-General of the United Nations its application for admission seven years ago, i.e., on 2 July 1947,⁷ and that this application has not as yet found a solution. It is hoped that on the basis of resolution 718 (VIII), adopted on 23 October 1953 by the General Assembly of the United Nations, a new effort to reach agreement on the problem of admission of new Members will be made by the Committee of Good Offices by consultation with members of the Security Council with the object of exploring the possibilities of reaching an understanding on this question.

The Federal Government of Austria avails itself of this opportunity to emphasize that Austria's desire to

become a Member of the United Nations remains unchanged.

Austria, a member State of nine specialized agencies of the United Nations, has given evidence in the last years that this country is able and willing to co-operate for the promotion of the common cause of the specialized agencies.

As a Member of the United Nations, Austria would also try its utmost to contribute its share to the establishment of a lasting peace.

Therefore the Austrian population would welcome with great satisfaction a speedy and positive solution of the long-standing Austrian application.

(Signed) Leopold FIGL
The Federal Minister for Foreign Affairs

DOCUMENT A/AC.76/3

Cablegram dated 17 September 1954 from the Minister for Foreign Affairs of the Hungarian People's Republic to the Secretary-General

[Original text: English]
[28 September 1954]

I have the honour to submit to Your Excellency the following statement addressed by the Government of the Hungarian People's Republic to the General Assembly of the United Nations, requesting you to circulate copies of same as a document to the representatives of the Security Council and to the representatives at the ninth session of the General Assembly of the United Nations.

(Signed) Boldoczki JANOS
Minister for Foreign Affairs of the
Hungarian People's Republic

STATEMENT BY THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC TO THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Budapest, 17 September 1954

Expressing the desire of the Hungarian people, the Hungarian Government appeals to the General Assembly of the United Nations and once again manifests its wish

to participate in the work of the United Nations and by expounding there its views to become an active participant in the efforts aimed at the lessening of international tension and the securing of lasting peace. The United Nations plays an important role in the preservation of peace. The possibility of fulfilling this mission is enhanced by the fact that, following the results of the Berlin and Geneva Conferences, a certain relaxation of international tension has been attained recently. Since 1947 the Hungarian Government has repeatedly requested its admission to the United Nations but without any positive result. The procrastination in the fulfilment of this rightful claim of the Hungarian People's Republic is contrary to the earlier position of many Member States of the United Nations, since these States have repeatedly promised to support the admission of Hungary to the United Nations. It is regrettable that the satisfaction of this rightful claim of the Hungarian People could not be achieved in seven years, despite the fact that this claim is based on the Charter of the United Nations, which stipulates that membership in the United Nations is open to all peace-loving States which accept the obligations contained in the Charter. All activities and efforts of the Government of the Hungarian People's

⁶ Resolutions 113 (II), 197 (III), 296 (IV) and 620 (VII).

⁷ See *Official Records of the Security Council, Second Year, No. 56*, 154th meeting.

Republic have always been in accordance with the principles of the United Nations. The Hungarian People's Republic has enacted in its constitution the fundamental freedoms contained in the Charter of the United Nations and has laid down the way of their safeguarding. The foreign policy of the Hungarian People's Republic is characterized by endeavours to further the cause of peace and mutual understanding among nations. All efforts of the Hungarian Government are aimed at co-operating with all other countries on the basis of the principles of equality and mutual respect for each other's interests in order to strengthen peace. The Hungarian People's Republic takes part in the economic and cultural co-operation among the nations and strives to broaden its international relations in every direction. Although it is not a Member of the United Nations, it actively participates in the work of more than a hundred international organizations, including various organizations and commissions of the United Nations. As a recognition of Hungary's peace-loving policy, the Soviet Union, India, Poland, Argentina, Czechoslovakia, Sweden and several other countries took a stand in General Assembly

sessions for the admission of the Hungarian People's Republic. Several international organizations, such as, recently, the Inter-Parliamentary Union, have also adopted resolutions on the admission of new Members to the United Nations, including Hungary. The Government of the Hungarian People's Republic is convinced that the admission of new Members including Hungary is in the interest not only of those in favour of admission but also of all the Members of the United Nations, as the admission of new Members contributes to the realization of the principles of the Charter, to the strengthening of the Charter of the United Nations as a world Organization, to the resolving of disputed questions and thus to the lessening of international tension. The Government of the Hungarian People's Republic hopes that the present session of the General Assembly of the United Nations will agree, in the spirit of the Charter, to the fulfilment of the well-founded request of the Hungarian people.

(Signed) Imre NAGY

*President of the Council of Ministers of
the Hungarian People's Republic*

DOCUMENT A/AC.76/4

Cablegram dated 23 September 1954 from the Government of the People's Republic of Bulgaria to the General Assembly

[Original text: French]
[28 September 1954]

DECLARATION BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BULGARIA TO THE UNITED NATIONS GENERAL ASSEMBLY

The Bulgarian Government, moved by the desire to make its contribution to international co-operation and understanding, reiterates its request for the admission of the People's Republic of Bulgaria to membership in the United Nations.

The Bulgarian Government, in accordance with the wishes of its people, supports with all the means at its disposal any initiative to relax international tension and safeguard peace throughout the world. It bases its policy on the principle that all contentious international questions can be settled peacefully by means of negotiation. The Bulgarian people's wish to live in peace and on good terms with all peoples, including, primarily, its neighbours, is reflected in the policy of the Bulgarian Government, which has already made considerable progress towards the restoration of normal relations with Yugoslavia and Turkey, which has re-established diplomatic relations with Greece, and which is endeavouring to settle all other pending questions in the interest of peaceful and good-neighbourly relations.

The People's Republic of Bulgaria is taking an active part in political, economic and cultural co-operation among the nations and is expanding its international relations. It takes an active part in the United Nations Economic Commission for Europe and in a number of other international organizations, including United Nations specialized agencies such as the International Labour Organisation.

The Government of the Bulgarian Republic has frequently stated and now states again that it unreservedly accepts the obligations arising from the United Nations Charter and that it fulfils all the conditions required by Article 4 of the Charter. Bulgaria is a peaceful country. It demands the right to take its legitimate place in the United Nations, which, according to the wishes of its founders, should be a universal association of free and sovereign States, united, irrespective of their social structure and ideological differences, for the accomplishment of the objectives on which the Charter is based.

Admission without discrimination of all countries whose Governments have applied for such admission—and Bulgaria has long been among them—would undoubtedly be a great step forward on the road to relaxation of international tension and improvement of international relations, and would help considerably to raise the authority and prestige of the United Nations.

International public opinion supports the universalization of the United Nations and is struggling for it. The plenary meeting of the World Federation of United Nations Associations held at Geneva in September and the forty-third conference of the Inter-Parliamentary Union recently held at Geneva adopted resolutions favouring immediate admission to the United Nations of all countries applying for it:

The Bulgarian Government has every reason to expect that the ninth session of the United Nations General Assembly will put an end to this obvious injustice to the Bulgarian people and will decide to admit the Bulgarian Republic to membership in the United Nations.

(Signed) GERASIMOV

DOCUMENT A/AC.76/5

Cablegram dated 25 September 1954 from the Minister for Foreign Affairs of the People's Republic of Romania to the President of the General Assembly

[Original text: French]
[28 September 1954]

I have the honour to transmit herewith the statement of the Government of the People's Republic of Romania concerning the application of the People's Republic of Romania for admission to membership in the United Nations.

"The Government of the People's Republic of Romania gives very careful attention to the work of the United Nations, which is responsible under the Charter for the maintenance of international peace and security, a problem of vital concern to all mankind.

"The peoples of the world expect the present session of the United Nations General Assembly to achieve constructive results along the lines indicated by the Geneva Conference, which, by putting an end to the war in Indo-China, proved that disputes can be settled by negotiation, however difficult the problems involved may be. A particularly important step towards improving the operation of the United Nations, a step which would help it to accomplish its tasks successfully, would be the re-establishment of the rights of the People's Republic of China as a Member of the United Nations, and an equitable solution of the applications for admission to the United Nations of those States which have expressed the desire for admission to membership, including the People's Republic of Romania. Romania was one of the first States to apply for admission to the United Nations. Action on this application, however, has been postponed from year to year owing to the policy of discrimination pursued by certain States, which, contrary to the provisions of the Charter and the fundamental principles of the United Nations, have attached to the admission of the People's Republic of Romania and other countries conditions relating to the political structure of those countries.

"The Charter of the United Nations provides that membership in the United Nations is open to all peace-loving States which accept the obligations contained in the Charter and are able and willing to carry out those obligations. The People's Republic of Romania fully satisfies all those conditions. In applying for membership in the United Nations, Romania has stated that it assumes the obligations laid down in the Charter. The Romanian Government reaffirms its decision to carry out the provisions of the Charter and pursue a policy in accordance with the purposes of the United Nations.

"Proof that the People's Republic of Romania is able and willing to carry out the obligations laid down in the Charter is provided by the whole domestic and foreign policy which that country has pursued since 23 August 1944, when, after the removal of the Fascist régime, the Romanian people won independence and national sovereignty. The steady development of the national economy, the ever-rising material standard of living of the population, the grant of greater freedom to the citizens of the People's Republic of Romania without distinction as to race, nationality, sex or religion all show that the Romanian Government is consistently pursuing a policy calculated to promote social progress and better standards of life in larger freedom, as also advocated in the United Nations Charter. The Romanian people, engaged on this vast work of peaceful construction, is firmly attached to the cause of defending peace. The Government of the People's Republic of

Romania is constantly endeavouring to develop and strengthen collaboration with other States and to settle all disputes by negotiation and agreement. The People's Republic of Romania co-operates with all States regardless of their political or social structure, is a party to more than 500 international conventions concluded on different subjects and is a member of a considerable number of international organizations including the specialized agencies of the United Nations. To widen its economic and cultural relations, the People's Republic of Romania is developing trade with other countries, taking an active part in international cultural, scientific and sporting activities and making its individual contribution to the organization of such activities. All these facts demonstrate beyond question that the People's Republic of Romania has a right to membership in the United Nations.

"In ever-increasing numbers, Members of the United Nations are declaring their support for the admission of the People's Republic of Romania to the United Nations and its specialized agencies. Thus, the United Nations Economic and Social Council adopted at its eighteenth session a resolution⁸ favouring the admission of the People's Republic of Romania to the United Nations Educational, Scientific and Cultural Organization. The President of the Economic and Social Council, Mr. Juan Cooke, said with reference to that resolution that the admission of Romania was "a further step towards achieving universality in the United Nations and its specialized agencies". The representatives of countries which express support for the admission of the People's Republic of Romania and the other States entitled to enter the United Nations seek not only to recognize the lawful rights of these States but also to increase the efficiency of the activities and the prestige of the United Nations. The Secretary-General of the United Nations, Mr. Dag Hammarskjöld, stated in the introduction to his latest annual report:⁹ 'Almost half the countries of Europe are absent from the council tables. It is inevitable that the effectiveness and influence of the United Nations are lessened by this fact, not only as regards the questions of direct concern to Europe, but other problems, too, where the experience of the European peoples would make possible a great contribution towards their solution. This consideration applies also to the peoples in other parts of the world who do not yet have the representation in the United Nations to which their role in world affairs entitles them.'

"The Government of the People's Republic of Romania, in accordance with its policy of peace and international co-operation, expresses its wish to make an active contribution to the solution of all the problems of concern to the United Nations by participating in the Organization's work with rights equal to those of the other Members. It is a completely anomalous situation that the Romanian people should be deprived of its lawful and unassailable right to have its say, through its representatives to the United Nations, on such problems

⁸ See *Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 1, resolution 554 (XVIII)*.

⁹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 1, A/2663, p. xii*.

as the unconditional prohibition of the use of weapons of mass destruction, the reduction of armaments and armed forces, and similar extremely important problems which affect the Romanian people just as they affect other peoples. The Romanian Government considers that the United Nations should end the attitude of discrimination it has hitherto maintained towards the request of the People's Republic of Romania and should decide to admit the People's Republic of Romania to the United Nations in accordance with the purposes of the United Nations and the principles of international law.

"A favourable outcome to the requests for admission made by the People's Republic of Romania and the other

States entitled to membership in the United Nations will beyond all question increase the authority of the United Nations and at the same time constitute an important contribution by the United Nations to the reduction of tension in international relations and the strengthening of security and peace throughout the world."

I would ask you to be good enough to circulate this statement as a General Assembly document under the agenda item "Admission of new Members to the United Nations".

(Signed) Simon BUGHICP
Minister for Foreign Affairs,
People's Republic of Romania

DOCUMENT A/AC.76/6

Letter dated 21 September 1954 from the Minister for Foreign Affairs of Nepal to the Secretary-General

[Original text: English]
[28 September 1954]

1. On behalf of the Government of Nepal, I have the honour to renew the application for the admission of my country to the membership of the United Nations.

2. Nepal applied for membership in the United Nations in 1949 (S/1266 and Add.1), and also submitted a declaration of her acceptance of the obligations contained in the Charter.

3. The question of admission of Nepal into the great organization was examined and considered in detail both by the Committee on the Admission of New Members and by the Security Council itself. All relevant information regarding Nepal had been duly submitted by the Government of Nepal. The majority of the members of the Committee on the Admission of New Members held that Nepal was a peace-loving, sovereign and independent State, able and willing to fulfill the obligations of the Charter, and called for a favourable recommendation on the application of Nepal. During the Council's discussion of the Committee's report on 7 September 1949, a draft resolution recommending to the General Assembly that Nepal should be admitted to membership received nine votes in favour and two against¹⁰, but unfortunately, no recommendation was made to the General Assembly because of the opposition of one permanent member.

4. Even though the Union of Soviet Socialist Republics voted against the admission of Nepal, the representative of the USSR stated that his Government was not against the acceptance of Nepal for the membership of the United Nations, but could not vote for its admission because, in his opinion, it would be unjust to admit Nepal while Albania, Bulgaria, Romania, Hungary and the Mongolian People's Republic were systematically refused admission to the United Nations. The representative of the Ukrainian Soviet Socialist Republic supported the views of the USSR delegation.

5. It is indeed a great pity that Nepal, though it fulfills all the qualifications required of a Member of the United Nations—a fact which has been accepted by all the members of the Security Council, including the USSR and the Ukrainian SSR—has so long been denied what it considers to be its inherent right. The opposition to the application of Nepal was based on grounds not included in Article 4 of the Charter.

6. It is difficult for us to appreciate the policy of

making Nepal's admission to the United Nations conditional upon the admission of some other States. We strongly feel that all applications for membership in the United Nations should be considered on their own merits and that those countries which fulfill the requirements of the Charter should be admitted.

7. Nepal, though small, is an independent and sovereign country, does not adhere to any power bloc but carries on its own foreign policy independently, and is able and willing to fulfil the obligations laid down in the Charter of the United Nations by working towards the goal of world-peace and participating in the deliberations and activities of the great organization. In the present-day conflict and tension prevailing in the world and when all the right-thinking nations are striving their utmost to promote world peace, it is the firm belief of the Government of Nepal that the admission into the United Nations of small independent countries like Nepal which have faith in the purposes and principles set forth in the Charter and which earnestly desire to live in peace with all peoples and all governments, is of paramount importance for the successful functioning of the United Nations. It is also our conviction that to save succeeding generations from the scourge of war, the rights of smaller nations must be placed upon an unassailable foundation, and this can be achieved only by their admission into the United Nations.

8. In the light of the text of resolution 296 I (IV) adopted by the General Assembly at its 252nd meeting on 22 November 1949, which was clearly in favour of Nepal being accepted as a Member of the United Nations, I have the honour to request you kindly to place this application of my Government for membership in the United Nations before the Security Council and the General Assembly at a convenient and early date. It may not be out of place to mention here that Nepal has already become a full-fledged member of some of the United Nations specialized agencies, viz., UNESCO, FAO, WHO, and has become an associate member of the Economic Commission for Asia and the Far East.

9. The Government of Nepal fervently hopes that the Security Council and the General Assembly of the United Nations will extend their just and sympathetic consideration to this renewed appeal so that Nepal might have the honour of becoming a Member of the United Nations and thereby of taking its rightful place in the comity of nations.

(Signed) D. R. REGMI
Minister for Foreign Affairs

¹⁰ See *Official Records of the Security Council, Fourth Year, No. 39, 439th meeting.*

DOCUMENT A/AC.76/9

Cablegram dated 9 October 1954 from the Minister for Foreign Affairs of the People's Republic of Albania to the President of the General Assembly

[Original text: French]
[12 October 1954]

I have the honour to inform you of the following :

The Albanian Government, continuing its policy of international peace and co-operation, renews its application for the admission of the People's Republic of Albania to membership in the United Nations. The Government of the People's Republic of Albania, faithful to the will of the Albanian people to build a new and happy life in peace and to live on good terms with all peoples, has always supported and resolutely acted on the policy of good-neighbourly relations and understanding with all States. The Albanian people and its Government are steadfastly struggling to consolidate peace and reduce international tension. Thanks to the wise and peaceful policy of the Albanian Government, the People's Republic of Albania has become an important factor in ensuring peace, stabilization and understanding in the Balkans and in Europe. The People's Republic of Albania has established normal diplomatic relations and is co-operating with many States. It has normal diplomatic relations with the neighbouring States, Yugoslavia and Italy, and has proposed to the latter the establishment of trade relations between the two countries. The Albanian Government has made efforts to establish normal relations with its neighbour Greece. It will not fail to continue in the future as well to do everything possible to promote the establishment of just good-neighbourly relations with all States sincerely desiring such relations in accordance with its policy of international collaboration. The People's Republic of Albania is now a party to several international conventions and a member of several international organizations, including United Nations specialized agencies. It takes an active part in these organizations and is striving for the application of just principles in the solution of international problems.

It is in the spirit of this policy that on several occasions since 1946 the Albanian Government has applied for the admission to membership in the United Nations of the People's Republic of Albania, so that it may contribute its efforts to the development of international understanding and co-operation and to the settlement of international disputes by peaceful means ; but hitherto neither the immense sacrifices of the Albanian people during the war on the side of the Allied Powers nor the just policy of the Albanian Government have been appreciated at their true worth by the recognition of the legitimate right of the People's Republic of Albania to occupy the seat to which it is entitled in the United Nations.

The People's Republic of Albania has given every proof that it fully complies with all the conditions laid down in the Charter, as a sovereign State pursuing a peaceful policy of mutual understanding and international co-operation. In renewing its application, the Government of the People's Republic of Albania reiterates its statement that it unreservedly accepts all the obligations of the United Nations Charter and is willing to fulfil them. The Government of the People's Republic of Albania hopes that, at its present session, the General Assembly will take into consideration the legitimate rights of the People's Republic of Albania and will decide in favour of its admission to the United Nations. Such a decision is in conformity with the high principles of the Charter and the will of the peoples that the United Nations should be an international centre where all free and sovereign States shall meet and co-operate regardless of their political and social systems.

(Signed) Behar SHTYLLA
Minister for Foreign Affairs
of the People's Republic of Albania

DOCUMENT A/AC.76/10

Letter dated 25 October 1954 from the Permanent Observer of Japan to the Secretary-General

[Original text: English]
[26 October 1954]

I have the honour to draw your attention to an item entitled "Admission of new Members to the United Nations" on the agenda of the current session of the General Assembly, which will be taken up by the *Ad Hoc* Political Committee in a short while.

You will recall that on 23 June 1952 the Government of Japan submitted to the United Nations an application for membership.¹¹ The application was considered by the Security Council in September of the same year¹² and supported by ten affirmative votes. On 21 December 1952, the General Assembly at its seventh session, by resolution 620 B (VII), determined that Japan was fully qualified under Article 4 of the Charter of the United Nations to become a Member State. However, due to the lack of unanimous support by the permanent members

of the Council, it has been kept outside the United Nations.

Japan's will and ability to take a role in the activities of the United Nations are amply illustrated by her records. Japan belongs to all existent specialized agencies of the United Nations, while occupying a post in the executive body of seven of them. Further, Japan is a full member of the Economic Commission for Asia and the Far East and a party to the Statute of the International Court of Justice and, from next year, will serve on the Executive Board of the United Nations Children's Fund. Japan also assumes an active role in the Expanded Programme of Technical Assistance, both as a beneficiary and as a benefactor. Furthermore, the peaceful settlement of disputes is a principle under which Japan regulates its relations with other States. At present Japan is involved in some such disputes with neighbouring nations and is desirous of settling them through the medium of the United Nations. Not only self-interest but also concern

¹¹ *Ibid.*, Seventh Year, Supplement for April, May and June 1952, S/2673, pp. 19 and 20.

¹² *Ibid.*, 602nd meeting.

with the settlement of other peoples' disputes and the resultant relaxation of world tension prompt Japan to seek a seat in the United Nations.

In this connexion, some representatives have pointed out during the general debate of the current session that the long-pending problem of the admission of new Members is becoming a vital issue for the United Nations, and the Government of Japan considers this present situation a most regrettable one in view of the principle of universality of the United Nations.

The Government of Japan, in these circumstances, would earnestly hope that the Member States of the

United Nations would explore all possible ways and means to solve the admission problem and to provide an opportunity for Japan's even fuller participation in the activities of the United Nations.

Under the instructions of my Government, I hereby reconfirm the desire of the Government of Japan to be admitted to the United Nations and would appreciate it if you could bring this letter to the attention of the General Assembly.

(Signed) Renzo SAWADA
Permanent Observer of Japan
to the United Nations

DOCUMENT A/AC.76/11

Letter dated 30 October 1954 from the Permanent Observer of Viet-Nam to the Secretary-General

[Original text: English]
[2 November 1954]

I have the honour to draw your attention to the item entitled "Admission of new Members to the United Nations" on the agenda of the current session of the General Assembly, which will be taken up by the *Ad Hoc* Political Committee in the near future.

You will recall that in 1952 the Government of Viet-Nam submitted to the United Nations an application for membership.¹³ The application was considered by the Security Council in September of that year¹⁴ and was supported by ten affirmative votes. However, due to the lack of unanimous support by the permanent members of the Council, Viet-Nam has been kept outside the United Nations.

Viet-Nam is a member of more than eight specialized agencies of the United Nations. It has actively supported the work of the Committee on Technical Assistance and has given evidence that it is able and willing to co-operate for the promotion of the common cause of the specialized agencies. As a Member of the United Nations, Viet-Nam would do everything in its power to contribute its share to the establishment of a lasting peace.

Some representatives have pointed out during the general debate at the current session that the problem of the admission of new Members is becoming a vital issue for the United Nations. It is hoped that, on the basis of resolution 718 (VIII), adopted on 23 October 1953 by the General Assembly of the United Nations, a new effort to reach agreement on the problem of the admission of new Members will be made by the Committee of Good Offices in consultation with members of the Security Council with the object of exploring the possibilities of reaching an understanding on this question.

Under the instructions of my Government, I hereby reaffirm the desire of the Government of Viet-Nam to be admitted to the United Nations. I would greatly appreciate your bringing this letter to the attention of the General Assembly at your earliest convenience.

(Signed) TRAN-VAN-CHUONG
Permanent Observer of Viet-Nam
to the United Nations

DOCUMENT A/AC.76/12

Cablegram dated 2 November 1954 from the Minister for Foreign Affairs of the United Kingdom of Libya to the Secretary-General

[Original text: English]
[3 November 1954]

Recalling the unanimous resolution [(289 A (IV))] passed at the 250th plenary meeting of the General Assembly that Libya should be created an independent sovereign State, and recalling that at the same session the General Assembly also resolved that, upon the attainment of independence, Libya should be admitted to membership in the Organization in accordance with Article 4 of the Charter, the Government of the United Kingdom of Libya submits that the now independent Libya, created as a result of that resolution, should now be admitted to full membership in this family of nations as resolved as aforesaid and again recommended at a subsequent session. It is possible that the only hindrance to the admission of Libya is one of procedure, as Members are normally admitted on the recommendation of the Security Council. It is submitted, however, that Libya is a special and

exceptional case, as at the same time as the unanimous resolution of the General Assembly to create Libya an independent sovereign State, it was also decided to admit it to membership upon attainment of independence; therefore, it is logically assumed that such a resolution should also cover the sanction of the Security Council to Libya's admission, and it is now submitted for consideration that any procedural difficulty should no longer stand in the way of the admission of the United Nations own creation to full membership in the family.

The Government of the United Kingdom of Libya would be grateful if you would convey to the General Assembly the fact that Libya sincerely believes in the high ideals which inspired the Charter of the United Nations Organization and will devote itself to supporting these ideals. I have the honour, therefore, to renew the application of the United Kingdom of Libya for membership in the United Nations Organization.

(Signed) Abdussalam BUSSEIRI
Minister of Foreign Affairs

¹³ *Ibid.*, Supplement for January, February and March 1952, S/2446.

¹⁴ *Ibid.*, 603rd meeting.

DOCUMENT A/AC.76/14**Letter dated 4 November 1954 from the Minister for Foreign Affairs of the State of Viet-Nam to the Secretary-General**

[Original text: French]
[9 November 1954]

With reference to letter No. 1372 of 7 August 1952 to the Secretary-General of the United Nations from the Minister for Foreign Affairs of Viet-Nam,¹⁵ and further to my telegram of today's date, I have the honour to confirm that the Government of the State of Viet-Nam renews the application for admission to membership in the United Nations which it made on 17 December 1951.¹⁶

I should be grateful if you would take note of this further application and submit it for the consideration of the competent bodies at the same time as the applications of the other countries.

Mr. Tran-Van-Chuong, Ambassador of Viet-Nam in Washington and Observer at the United Nations, is empowered by my Government to furnish the Secretary-General of the United Nations with any further information he may require in connexion with the application of the State of Viet-Nam.

(Signed) TRAN-VAN-DO

DOCUMENT A/AC.76/L.4**Australia, Pakistan and Thailand: draft resolution**

[Original text: English]
[27 October 1954]

The General Assembly,

Noting that at Geneva on 21 July 1954 the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Viet-Nam, the Union of Soviet Socialist Republics, and the United Kingdom expressed their conviction that the execution of the provisions in their declaration and in the agreements on the cessation of hostilities in Indo-China will permit Laos and Cambodia to play their part in full independence and sovereignty in the peaceful community of nations,

Declaring that Laos and Cambodia are peace-loving States within the meaning of Article 4 of the Charter, are able and willing to carry out the obligations of the Charter and should therefore be admitted to the United Nations,

Requests the Security Council to take note of this declaration.

DOCUMENT A/AC.76/L.7/Rev.1**Union of Soviet Socialist Republics: draft resolution**

[Original text: Russian]
[4 November 1954]

The General Assembly

Requests the Security Council again to consider the applications of Albania, the Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, the Hashemite Kingdom of the Jordan, Austria, Ceylon, Nepal and Libya with a view to recommending the simultaneous admission of all these States to membership in the United Nations.

¹⁵ *Ibid.*, Supplement for July, August and September 1952, S/2756.

¹⁶ *Ibid.*, Supplement for January, February and March 1952, S/2446.

DOCUMENT A/AC.76/L.8**India : draft resolution**

[Original text : English]
[3 November 1954]

The General Assembly,

Having considered the report of the Committee of Good Offices established by resolution 718 (VIII),

Noting that, notwithstanding the best endeavours of the Committee, the problem remains unresolved,

Further noting the view recorded by the Committee that possibilities of reaching an understanding remain and that "different views may eventually be harmonized within the spirit of the Charter",

1. *Expresses appreciation* of the work and the efforts of the Committee of Good Offices ;

2. *Decides*, in accordance with rule 138 of its rules of

procedure, to send back the pending applications to the Security Council, together with a full record of the discussions in the General Assembly, for further consideration ;

3. *Suggests* that the Security Council consider the desirability of invoking the provisions of paragraph 2 of Article 28 of the Charter to help resolve the problem ;

4. *Requests* the Committee of Good Offices to continue its efforts ;

5. *Requests* the Security Council and the Committee of Good Offices to report to the General Assembly at its tenth regular session.

DOCUMENT A/AC.76/L.9**Argentina, Cuba and El Salvador : amendments to draft resolution A/AC.76/L.4**

[Original text : Spanish]
[5 November 1954]

1. Insert the following paragraph between the first and second paragraphs :

"*Recalling* previous resolutions of the General Assembly in which it was stated that the States mentioned in the preceding paragraph, and also Austria, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of the Jordan, Libya, Nepal and Portugal, were peace-loving States within the meaning of Article 4 of the Charter, able and willing to carry out the obligations of the Charter, and that consequently they should be admitted to the United Nations ;"

2. In the second paragraph, replace the phrase "*Declaring* that Laos and Cambodia" by the following :

"*Reaffirms* that Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of the Jordan, Laos, Libya, Nepal and Portugal".

3. Delete the sub-heading "(b) Admission of Laos and Cambodia".

DOCUMENT A/AC.76/L.9/Rev.1**Argentina, Cuba and El Salvador : draft resolution**

[Original text : Spanish and English]
[10 November 1954]

The General Assembly,

Recalling previous resolutions of the General Assembly in which it was stated that Austria, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of the Jordan, Libya, Nepal and Portugal are peace-loving States within the meaning of Article 4 of the Charter, able and willing to carry out the obligations therein contained, and that consequently they should be admitted to membership in the United Nations,

1. *Reaffirms* that Austria, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of the Jordan, Libya, Nepal and Portugal are peace-loving States within the meaning of Article 4 of the Charter, able and willing to carry out the obligations therein contained, and should therefore be admitted to membership in the United Nations ;

2. *Requests* the Security Council to take note of this declaration.

DOCUMENT A/AC.76/L.10**Argentina, Cuba and El Salvador: draft resolution**

[Original text: Spanish]
[5 November 1954]

The General Assembly,

Noting the growing general feeling in favour of the universality of the United Nations, membership in which is open to all peace-loving States which accept the obligations contained in the Charter and, in the judgment of the Organization, are able and willing to carry out those obligations,

1. *Requests* the Security Council to re-examine the outstanding applications for admission to membership and to endeavour to make positive recommendations on the subject at the earliest possible date, so that the General Assembly may adopt such decisions as may be appropriate ;

2. *Instructs* the Committee of Good Offices established under resolution 718 (VIII) to consult with the members of the Security Council in order to help the latter to reach an agreement in accordance with the preceding paragraph :

3. *Decides* to postpone the discussion of this item for a fortnight after the adoption of this resolution, and then to resume consideration of the question with a view to reaching, during the present session of the General Assembly, a satisfactory solution of the problem of the admission of new Members.

DOCUMENT A/AC.76/L.11/Rev.1**Argentina, Cuba, El Salvador and India : draft resolution**

[Original text: Spanish and English]
[10 November 1954]

The General Assembly,

Noting the growing general feeling in favour of the universality of the United Nations, membership in which is open to all peace-loving States which accept the obligations contained in the Charter and, in the judgment of the Organization, are able and willing to carry out those obligations,

Having considered the report (A/2720) of the Committee of Good Offices established by resolution 718 (VIII),

Noting that, notwithstanding the best endeavours of the Committee of Good Offices, the problem remains unresolved,

Further noting the views recorded by the Committee of Good Offices that possibilities of reaching an understanding remain and that "different views may eventually be harmonized within the spirit of the Charter",

1. *Expresses appreciation* of the work and the efforts of the Committee of Good Offices ;

2. *Decides* to send back the pending applications to the Security Council, together with a full-record of the discussions in the present session of the General Assembly, for further consideration and positive recommendations ;

3. *Suggests* that the Security Council consider the desirability of invoking the provisions of paragraph 2 of Article 28 of the Charter to help resolve the problem ;

4. *Requests* the Committee of Good Offices to continue its efforts ;

5. *Requests* the Security Council and the Committee of Good Offices to report to the General Assembly during the present session if possible and in any event during the tenth regular session.

DOCUMENT A/AC.76/L.12**India : draft resolution**

[Original text: English]
[10 November 1954]

The Ad Hoc Political Committee

Decides, under rule 132 of the rules of procedure, to give priority to draft resolution A/AC.76/L.11/Rev.1 in the voting on agenda item 21, "Admission of new Members to the United Nations."

DOCUMENT A/AC.76/L.13**United States of America : amendments to draft resolution A/AC.76/L.9/Rev.1**

[Original text : English]
[11 November 1954]

In the preamble and in the first operative paragraph :

1. Insert between the words "Jordan" and "Libya" the words "Republic of Korea".
2. Replace the word "and" after "Nepal" with a comma and add after "Portugal" the words "and Viet-Nam".

DOCUMENT A/AC.76/L.14**India and Indonesia : draft resolution**

[Original text : English]
[12 November 1954]

The General Assembly

Decides to refer to the Security Council the draft resolutions and the draft amendment in documents : A/AC.76/L.4, A/AC.76/L.7/Rev.1, A/AC.76/L.9/Rev.1, A/AC.76/L.13.

DOCUMENT A/2793**Report of the "Ad Hoc" Political Committee**

[Original text : English]
[18 November 1954]

1. On 23 October 1953, the General Assembly adopted resolution 718 (VIII) concerning the question of the admission of new Members. Under that resolution the Assembly established a Committee of Good Offices which it empowered to consult with members of the Security Council with the object of exploring the possibilities of reaching an understanding which would facilitate the admission of new Members in accordance with Article 4 of the Charter. This Committee was requested to submit a report on its work to the eighth, or at the latest, to the ninth session of the General Assembly.

2. The report of the Committee of Good Offices on the admission of new Members (A/2720), submitted pursuant to resolution 718 (VIII), was transmitted to the Secretary-General on 3 September 1954.

3. In a cablegram (A/2709) dated 22 August 1954, addressed to the Secretary-General, the Minister for External Affairs of Australia submitted the following item for inclusion in the provisional agenda of the ninth session : "Admission to the United Nations of Laos and Cambodia". A letter and explanatory memorandum (A/2709/Add.1), together with a draft resolution, were also addressed to the Secretary-General on 22 August 1954.

4. At its 476th plenary meeting on 24 September 1954, the General Assembly, on the recommendation of the General Committee (A/2733), decided to include the two items in its agenda under the heading "Admission of new Members to the United Nations : (a) report of the Committee of Good Offices ; (b) admission of Laos and Cambodia". At its 478th plenary meeting on 25 September 1954, the General Assembly decided to refer the item to the *Ad Hoc* Political Committee for consideration and report.

5. The *Ad Hoc* Political Committee considered the item at its 17th to 27th meetings held between 29 October and 15 November 1954. At the outset of its work, the Committee agreed to hold a general debate covering both sub-items (a) and (b).

6. Communications regarding their respective applications for admission were received from Austria (A/AC.76/2), Hungary (A/AC.76/3), Bulgaria (A/AC.76/4), Romania (A/AC.76/5), Nepal (A/AC.76/6), Albania (A/AC.76/9), Japan (A/AC.76/10), Viet-Nam (A/AC.76/11 and 14) and Libya (A/AC.76/12) and were circulated as *Ad Hoc* Political Committee documents.

**PROPOSALS SUBMITTED TO THE *Ad Hoc* POLITICAL COMMITTEE
BEFORE AND DURING THE GENERAL DEBATE**

7. A draft resolution sponsored jointly by Australia, Pakistan and Thailand was submitted on 27 October 1954 (A/AC.76/L.4). Under this draft resolution, the General Assembly, (a) noting that at Geneva on 21 July 1954 the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Viet-Nam, the Union of Soviet Socialist Republics, and the United Kingdom had expressed their conviction that the execution of the provisions in their declaration and in the agreements on the cessation of hostilities in Indo-China would permit Laos and Cambodia to play their part in full independence and sovereignty in the peaceful community of nations ; and (b) declaring that Laos and Cambodia were peace-loving States within the meaning of Article 4 of the Charter, were able and willing to carry out the obligations of the Charter and should therefore be admitted to the United Nations ; would request the Security Council to take note of that declaration.

8. On 5 November 1954, Argentina, Cuba and El Salvador submitted amendments (A/AC.76/L.9) to the joint draft resolution (A/AC.76/L.4). These amendments would, *inter alia*, (a) insert, after the first paragraph of the preamble, a new paragraph recalling previous resolutions of the General Assembly in which it was stated that Laos and Cambodia, and also Austria, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of the Jordan, Libya, Nepal and Portugal were peace-loving States within the meaning of Article 4 of the Charter, able and willing to carry out the obligations of the Charter, and consequently should be admitted to the United Nations; and (b) replace the phrase "Declaring that Laos and Cambodia" by "Reaffirms that Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of the Jordan, Laos, Libya, Nepal and Portugal ...".

9. On 10 November 1954, Argentina, Cuba and El Salvador submitted their amendments (A/AC.76/L.9) as a separate joint draft resolution (A/AC.76/L.9/Rev.1), under which the General Assembly, recalling previous resolutions stating that Austria, Ceylon, Finland, Ireland, Italy, Japan, the Hashemite Kingdom of the Jordan, Libya, Nepal and Portugal were peace-loving States within the meaning of Article 4 of the Charter, able and willing to carry out the obligations therein contained, and should consequently be admitted to the United Nations, (1) would reaffirm the statements concerning those countries; and (2) would request the Security Council to take note of that declaration.

10. On 11 November 1954, the United States of America submitted an amendment (A/AC.76/L.13) to the draft resolution of Argentina, Cuba and El Salvador (A/AC.76/L.9/Rev.1) providing for the addition of the names of the Republic of Korea and Viet-Nam to the list of countries appearing in the preamble and in the first operative paragraph.

11. A draft resolution submitted by the Union of Soviet Socialist Republics on 2 November 1954 (A/AC.76/L.7/Rev.1) provided that the General Assembly would request the Security Council again to consider the applications of Albania, the Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, the Hashemite Kingdom of the Jordan, Austria, Ceylon, Nepal and Libya with a view to recommending the simultaneous admission of all those States to membership in the United Nations.

12. A draft resolution submitted by India on 3 November 1954 (A/AC.76/L.8) provided that the General Assembly, having considered the report of the Committee of Good Offices; noting that notwithstanding the best endeavours of the Committee the problems remained unresolved; further noting the Committee's view that possibilities of reaching an understanding remained and that "different views may eventually be harmonized within the spirit of the Charter"; (1) would express appreciation of the work and efforts of the Committee of Good Offices; (2) would decide, in accordance with rule 138 of its rules of procedure, to send back the pending applications to the Security Council, together with a full record of the discussions in the Assembly, for further consideration; (3) would suggest that the Security Council consider the desirability of invoking the provisions of paragraph 2 of Article 28 of the Charter to help resolve the problem; (4) would request the Committee of Good Offices to continue its efforts; and (5) would request the Security Council and the Committee of Good Offices to report to the Assembly at its tenth session.

13. A joint draft resolution submitted on 5 November 1954 by Argentina, Cuba and El Salvador (A/AC.76/L.10) provided that the General Assembly, noting the growing

general feeling in favour of the universality of the United Nations, membership in which was open to all peace-loving States which accepted the obligations contained in the Charter and, in the judgment of the Organization, were able and willing to carry out those obligations, (1) would request the Security Council to re-examine the outstanding applications for admission and to endeavour to make positive recommendations on the subject at the earliest possible date, so that the General Assembly might adopt such decisions as might be appropriate; (2) would instruct the Committee of Good Offices to consult with the members of the Council in order to help the latter to reach an agreement in accordance with the preceding paragraph; and (3) would decide to postpone discussion of the item for a fortnight and then to resume consideration of the question with a view to reaching, during the present session of the Assembly, a satisfactory solution of the problem of the admission of new Members.

14. The Indian draft resolution (A/AC.76/L.8) and the draft resolution submitted by Argentina, Cuba and El Salvador on 5 November 1954 (A/AC.76/L.10) were subsequently withdrawn in favour of a joint draft resolution submitted by Argentina, Cuba, El Salvador and India (A/AC.76/L.11/Rev.1) on 10 November. Under this joint draft resolution, the General Assembly, (a) noting the growing general feeling in favour of the universality of the United Nations, membership in which was open to all peace-loving States which accepted the obligations contained in the Charter and, in the judgment of the Organization, were able and willing to carry out those obligations; (b) having considered the report of the Committee of Good Offices; (c) noting that, notwithstanding the best endeavours of that Committee, the problem remained unresolved; (d) further noting the views recorded by that Committee that possibilities of reaching an understanding remained and that "different views may eventually be harmonized within the spirit of the Charter"; (1) would express appreciation of the work and efforts of the Committee of Good Offices; (2) would decide to send back the pending applications to the Security Council, together with a full record of the discussions, for further consideration and positive recommendations; (3) would suggest that the Council consider the desirability of invoking the provisions of paragraph 2 of Article 28 of the Charter to help resolve the problem; (4) would request the Committee of Good Offices to continue its efforts; and (5) would request the Security Council and the Committee of Good Offices to report to the General Assembly during the present session if possible and in any event during the tenth regular session.

PROPOSALS SUBMITTED AFTER THE GENERAL DEBATE, AND VOTING IN THE COMMITTEE

15. On 10 November 1954, India submitted a procedural draft resolution (A/AC.76/L.12) whereby the *Ad Hoc* Political Committee would decide, under rule 132 of the rules of procedure, to give priority to draft resolution A/AC.76/L.11/Rev.1 in the voting on agenda item 21.

16. At the 25th meeting of the Committee on 11 November 1954, the representative of France submitted an oral amendment to this procedural draft resolution, providing for the insertion after "item 21" of the letter "(a)".

17. At the same meeting the French oral amendment was rejected by a roll-call vote of 27 to 21, with 11 abstentions, as follows:

In favour: Australia, Belgium, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, France, Guatemala, Luxembourg, Netherlands, New Zealand,

Pakistan, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Denmark, Ecuador, Haiti, Iceland, India, Indonesia, Iraq, Lebanon, Liberia, Norway, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia.

Abstaining: China, Egypt, Ethiopia, Greece, Honduras, Iran, Israel, Mexico, Nicaragua, Peru, Turkey.

The Committee then adopted the procedural draft resolution (A/AC.76/L.12) by 48 votes to one, with 9 abstentions.

18. At the 26th meeting on 12 November 1954, the *Ad Hoc* Political Committee voted on the four-Power draft resolution submitted by Argentina, Cuba, El Salvador and India (A/AC.76/L.11/Rev.1), with the following results:

The preamble was adopted by 59 votes to none.

Operative paragraph 1 was adopted by 56 votes to none, with 3 abstentions.

Paragraph 2 up to and including the words "for further consideration" was adopted by 56 votes to none, with 2 abstentions.

Paragraph 2, the last words "and positive recommendations" were adopted by 55 votes to none, with 3 abstentions.

Paragraph 2 as a whole was adopted by 56 votes to none, with 2 abstentions.

Paragraph 3 was adopted by 41 votes to none, with 17 abstentions.

Paragraph 4 was adopted by 59 votes to none.

Paragraph 5 was adopted by 56 votes to none, with 2 abstentions.

The draft resolution as a whole was approved by 59 votes to none.

19. At the same meeting, India and Indonesia submitted a joint draft resolution (A/AC.76/L.14) providing that the General Assembly would decide "to refer to the Security Council the draft resolutions and the draft amendment in documents A/AC.76/L.4, A/AC.76/L.7/Rev.1, A/AC.76/L.9/Rev.1, A/AC.76/L.13".

20. At the 27th meeting on 15 November, the representative of the United States moved under rule 130 that the Committee vote separately on the documents listed in the Indian-Indonesian draft resolution. The representative of Poland submitted an oral amendment to the Indian-Indonesian draft resolution, providing that the words after "to refer to the Security Council" should be replaced by the words "all draft resolutions and amendments concerning membership submitted to the ninth session of the General Assembly".

21. At the same meeting, the Committee decided, by 21 votes to 5, with 20 abstentions, to give priority in voting to the draft resolution of India and Indonesia (A/AC.76/L.14).

The Polish oral amendment to the Indian-Indonesian draft resolution (A/AC.76/L.14) was rejected by 26 votes to 17, with 9 abstentions.

The Committee then adopted, by 25 votes to 18, with 10 abstentions, the United States motion to vote separately on each document referred to in the Indian-Indonesian draft resolution (A/AC.76/L.14).

The introductory sentence of the draft resolution was adopted by 29 votes to 20, with 6 abstentions.

The reference to A/AC.76/L.4 was adopted by 27 votes to 22, with 6 abstentions.

The reference to A/AC.76/L.7/Rev.1 was adopted by 24 votes to 21, with 10 abstentions.

The reference to A/AC.76/L.9/Rev.1 was adopted by 30 votes to 16, with 8 abstentions.

The reference to A/AC.76/L.13 was adopted by 28 votes to 17, with 10 abstentions.

The Indian-Indonesian draft resolution (A/AC.76/L.14) as a whole was then approved by a roll-call vote of 25 to 24, with 6 abstentions, as follows:

In favour: Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Denmark, Egypt, Greece, Haiti, Iceland, India, Indonesia, Iraq, Lebanon, Mexico, Norway, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia.

Against: Australia, Belgium, Brazil, Chile, China, Colombia, Cuba, Dominican Republic, France, Guatemala, Honduras, Luxembourg, Netherlands, New Zealand, Nicaragua, Pakistan, Panama, Paraguay, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Afghanistan, Canada, Ethiopia, Iran, Israel, Peru.

Recommendations of the Ad Hoc Political Committee

A

[Text adopted without change by the General Assembly. See A/RESOLUTION/228 below.]

B

The General Assembly

Decides to refer to the Security Council the draft resolutions and the draft amendment in documents: A/AC.76/L.4, A/AC.76/L.7/Rev.1, A/AC.76/L.9/Rev.1, A/AC.76/L.13.

DOCUMENT A/RESOLUTION/228

[Resolution 317 (IX)]

Resolution adopted by the General Assembly at its 501st plenary meeting on 23 November 1954

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

The General Assembly,

Noting the growing general feeling in favour of the universality of the United Nations, membership in which is open to all peace-loving States which accept the

obligations contained in the Charter and, in the judgment of the Organization, are able and willing to carry out those obligations,

Having considered the report (A/2720) of the Committee of Good Offices established by General Assembly resolution 718 (VIII) of 23 October 1953,

Noting that, notwithstanding the best endeavours of the Committee of Good Offices, the problem remains unresolved,

Further noting the views recorded by the Committee of Good Offices that possibilities of reaching an understanding remain and that "different views may eventually be harmonized within the spirit of the Charter",

1. Expresses appreciation of the work and efforts of the Committee of Good Offices;

2. Decides to send back to the Security Council the pending applications for membership, together with a full record of the discussions at the present session of the

General Assembly, for further consideration and positive recommendations;

3. Suggests that the Security Council consider the desirability of invoking the provisions of paragraph 2 of Article 28 of the Charter to help resolve the problem;

4. Requests the Committee of Good Offices to continue its efforts;

5. Requests the Security Council and the Committee of Good Offices to report to the General Assembly during the present session if possible and in any event during the tenth session.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 501st plenary meeting, on 23 November 1954, the General Assembly adopted draft resolution A submitted by the *Ad Hoc* Political Committee (A/2793). For the final text, see A/RESOLUTION/228 above.

At the same meeting, the General Assembly decided not to put to the vote draft resolution B (A/2793).

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A/2208	Special report of the Security Council		<i>Official Records of the General Assembly, Seventh Session, Annexes</i> , agenda item 19
A/2400	Report of the Special Committee on Admission of New Members		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 22
A/2663	Annual report of the Secretary-General on the work of the Organization, 1 July 1953-30 June 1954		<i>Ibid.</i> , Ninth Session, Supplement No. 1
A/2709	Australia: request for the inclusion of a supplementary item in the agenda of the ninth session	2	
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A/2793	Report of the "Ad Hoc" Political Committee	13	
A/AC.72/L.5	Union of Soviet Socialist Republics: draft resolution		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 22. See A/2520, para. 16
A/AC.76/2	Letter dated 23 August 1954 from the Federal Minister for Foreign Affairs of Austria to the Secretary-General	4	
A/AC.76/3	Telegram dated 17 September 1954 from the Minister for Foreign Affairs of the Hungarian People's Republic to the Secretary-General	4	
A/AC.76/4	Telegram dated 23 September 1954 from the Government of the People's Republic of Bulgaria to the General Assembly	5	
A/AC.76/5	Telegram dated 25 September 1954 from the Minister for Foreign Affairs of the People's Republic of Romania to the President of the General Assembly	6	
A/AC.76/6	Letter dated 21 September 1954 from the Minister for Foreign Affairs of Nepal to the Secretary-General	7	
A/AC.76/9	Telegram dated 9 October 1954 from the Minister for Foreign Affairs of the People's Republic of Albania to the President of the General Assembly	8	
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Agenda item 22 : Treatment of people of Indian origin in the Union of South Africa

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DOCUMENT A/2723

Report of the United Nations Good Offices Commission

[*Original text : English*]
[15 September 1954]

LETTER DATED 13 SEPTEMBER 1954 ADDRESSED TO THE SECRETARY-GENERAL BY THE UNITED NATIONS GOOD OFFICES COMMISSION TRANSMITTING ITS REPORT

In accordance with resolution 719 (VIII) of 11 November 1953, we hereby have the honour to submit to the General Assembly the report of the United Nations Good Offices Commission established by General Assembly resolution 615 (VII) regarding the treatment of people of Indian origin in the Union of South Africa.

(Signed) Leo MATES
José Miguel RIBAS
Salah Eddine TARAZI

Second report of the United Nations Good Offices Commission established by General Assembly resolution 615 (VII)

1. By resolution 719 (VIII) of 11 November 1953, dealing with the question of the treatment of people of Indian origin in the Union of South Africa, the General Assembly

took note of the report¹ of the United Nations Good Offices Commission and, in particular, of its conclusion that "in view of the response of the Government of the Union of South Africa, it has been unable to carry out its task to arrange and assist in negotiations between the Governments concerned". The Assembly decided to continue the Commission, requesting it to report to the Assembly at its ninth session on the extent of progress achieved, together with its own views on the problem and any proposals which, in its opinion, might lead to a peaceful settlement of it.

2. In view of its experience during the previous year, the Good Offices Commission decided, at its first meeting on 23 February 1954, that an official, direct approach to the parties was not likely to be successful. The Commission resolved, therefore, to attempt to find some possible new approach through private, informal conversations between its members and officials of the countries concerned. However, the Commission, to its

¹ See *Official Records of the General Assembly, Eighth Session, Annexes, agenda item 20, A/2473.*

disappointment, has to report that it has not been able by way of such conversations to discover any new procedure through which it could hope to fulfil its task to arrange and assist in negotiations between the three parties.

3. As a last effort the Commission decided to send a formal invitation, dated 25 August 1954 (annex I), to the Permanent Representative of the Union of South Africa to attend a meeting of the Commission in order to explore the possibilities for the implementation of the resolution of the General Assembly. However, in his letter of reply, dated 2 September 1954 (annex II), the Deputy Permanent Representative of the Union of South Africa informed the Secretary of the Commission that the attitude of his Government remained unchanged and that it regarded General Assembly resolution 719 (VIII) as unconstitutional and consequently could grant no recognition to the Commission.

4. The Good Offices Commission regrets that it is unable to submit any proposal likely to lead to a peaceful settlement of the problem on account of the uncooperative attitude of the Government of the Union of South Africa, which had even prevented the Permanent Representative of South Africa from meeting with the Commission.

ANNEX I

LETTER DATED 25 AUGUST 1954 FROM THE SECRETARY OF THE UNITED NATIONS GOOD OFFICES COMMISSION TO THE PERMANENT REPRESENTATIVE OF THE UNION OF SOUTH AFRICA

New York, 25 August 1954

The Good Offices Commission established by General Assembly resolution 615 (VII) has instructed me, as its

Secretary, to inform you that, in pursuance of paragraph 7 in General Assembly resolution 719 (VIII) of 11 November 1953, it has decided to invite you to attend a meeting of the Commission of Good Offices in order to explore the possibilities for the implementation of the said resolution.

In order to meet your convenience, the Commission has not fixed a date for the meeting, but has asked me to request you kindly to inform me of one or possibly two early dates on which you or your deputy will be available in order that I can convene the meeting.

(Signed) POVL BANG-JENSEN

ANNEX II

LETTER DATED 2 SEPTEMBER 1954 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF THE UNION OF SOUTH AFRICA TO THE SECRETARY OF THE UNITED NATIONS GOOD OFFICES COMMISSION

New York, 2 September 1954

I have the honour to refer to your letter of 25 August 1954, addressed to the Permanent Representative of the Union of South Africa to the United Nations, in which he is invited to attend a meeting of your Commission in order to explore the possibilities for the implementation of General Assembly resolution 719 (VIII) of 11 November 1953.

I am directed to inform you that the Union Government have consistently held that the Indian question in the Union of South Africa is a domestic matter. The attitude of the Government of the Union of South Africa remains unchanged and they therefore regard General Assembly resolution 719 (VIII) as unconstitutional.

In the circumstances my Government regret that they can grant no recognition to the Commission under that resolution.

(Signed) JORDAAN

Deputy Permanent Representative of the Union of South Africa

DOCUMENT A/C.5/598

Financial implications of the draft resolution adopted by the "Ad Hoc" Political Committee (A/AC.76/L.6) : estimate submitted by the Secretary-General

[Original text : English]
[2 November 1954]

1. The draft resolution adopted by the *Ad Hoc* Political Committee on 28 October 1954 (A/AC.76/L.6) has possible financial implications in operative paragraph 4, which provides that, if within the next six months following the date of the resolution the parties concerned have not reached agreement on the suggestions made in the preceding paragraphs of the resolution, the Secretary-General shall designate a person for the purposes specified.

2. Possible expenses during 1955, or subsequently, cannot be estimated at the present time.

3. Accordingly, if the draft resolution is adopted by the General Assembly, the Secretary-General will propose that the draft resolution relating to unforeseen and

extraordinary expenses submitted by the Advisory Committee for the financial year 1955 (A/2688, part One, appendix II) should be amended as follows :

Amendment to draft resolution relating to unforeseen and extraordinary expenses

After new paragraph (b) (proposed by the Secretary-General in document A/C.5/586), insert the following new paragraph :

"(c) Such commitments as may arise from General Assembly resolution (IX) on treatment of people of Indian origin in the Union of South Africa."

4. The Advisory Committee has concurred in this statement.

DOCUMENT A/2784

Report of the "Ad Hoc" Political Committee

[Original text : English]
[2 November 1954]

1. The General Assembly has considered the question of the treatment of people of Indian origin in the Union of South Africa at its first, second, third, fifth, sixth, seventh and eighth sessions. By resolution 719 (VIII), adopted on 11 November 1953, the General Assembly decided to continue the Good Offices Commission, con-

sisting of Cuba, Syria and Yugoslavia, which had been established under resolution 615 (VII) with a view to arranging and assisting in negotiations between the Government of the Union of South Africa and the Governments of India and Pakistan in order that a satisfactory solution of the question in accordance with the Purposes

and Principles of the Charter and Universal Declaration of Human Rights might be achieved. The Commission was requested to report to the General Assembly at its ninth session the extent of progress achieved, together with its own views on the problem and any proposals which, in its opinion, might lead to peaceful settlement.

2. In its report to the General Assembly (A/2723), submitted on 13 September 1954, the Good Offices Commission, after describing its work during the past year, stated that on 25 August 1954 it had as a last effort sent a formal invitation to the Permanent Representative of the Union of South Africa to attend a meeting of the Commission in order to explore the possibilities for the implementation of the resolution of the General Assembly. On 2 September 1954, the Deputy Permanent Representative of the Union of South Africa sent a reply in which he informed the Secretary of the Commission that the attitude of his Government remained unchanged, and that it regarded General Assembly resolution 719 (VIII) as unconstitutional and consequently could grant no recognition to the Commission under that resolution. The Good Offices Commission informed the General Assembly that, on account of the uncooperative attitude of the Government of the Union of South Africa, it was unable to submit any proposal likely to lead to a peaceful settlement of the problem.

3. Pursuant to the final paragraph of resolution 719 (VIII), the question was placed on the provisional agenda of the ninth session of the General Assembly.

4. On 24 September 1954, the General Assembly at its 476th plenary meeting decided, by 45 votes to one, with 17 abstentions, to include the item in the agenda. The item was thereupon referred to the *Ad Hoc* Political Committee for consideration and report.

5. The *Ad Hoc* Political Committee considered the question at its 8th to 16th meetings held between 18 and 28 October 1954.

6. At the tenth meeting on 21 October 1954, the representative of Brazil submitted a joint draft resolution (A/AC.76/L.3) sponsored by Argentina, Brazil, Cuba, Ecuador, El Salvador, Haiti and Honduras, which was subsequently co-sponsored by Costa Rica. Under the terms of the draft resolution as subsequently revised by the sponsors at the 13th meeting on 26 October (A/AC.76/L.3/Rev.1), the General Assembly, after recalling that it had adopted resolutions on the subject at several sessions, would, *inter alia*: (1) suggest to the Governments of India, Pakistan and the Union of South Africa that they should seek a solution of the question by direct negotiations; (2) suggest that the parties should select a Government, agency or person to facilitate contacts between them and assist them in settling the dispute; (3) decide that, if within the six months following the date of the resolution the parties had not reached agreement on the suggestions made in the foregoing paragraphs, the Secretary-General should designate a person for the purposes specified above; and (4) request the Secretary-General to report to the next regular session of the General Assembly on the results obtained.

7. At the 15th meeting, the representative of India introduced an amendment (A/AC.76/L.5) sponsored by India and Pakistan to the revised joint draft resolution (A/AC.76/L.3/Rev.1), providing for the insertion of a new paragraph 1, under the terms of which the General Assembly would express its appreciation of the work and efforts of the Good Offices Commission, the succeeding paragraphs of the joint draft resolution to be renumbered accordingly.

8. At the same meeting, the representative of Brazil accepted the amendment on behalf of the sponsors.

9. At the 16th meeting on 28 October, the Committee proceeded to vote paragraph by paragraph on the revised joint draft resolution incorporating the amendment, with the following results:

The preamble was adopted by a roll-call vote of 52 to none, with 5 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Belgium, France, Netherlands, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Paragraph 1 was adopted by a roll-call vote of 46 to 1, with 10 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen.

Against: Union of South Africa.

Abstaining: Australia, Belgium, Canada, Cuba, France, Netherlands, New Zealand, Syria, United Kingdom of Great Britain and Northern Ireland, Yugoslavia.

Paragraph 2 was adopted by a roll-call vote of 52 to none, with 5 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Belgium, France, Netherlands, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Paragraph 3 was adopted by a roll-call vote of 47 to 1, with 9 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay,

Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Venezuela, Yemen, Yugoslavia.

Against: Union of South Africa.

Abstaining: Australia, Belgium, Canada, France, Netherlands, New Zealand, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay.

Paragraph 4 was adopted by a roll-call vote of 44 to 3, with 11 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, New Zealand, Union of South Africa.

Abstaining: Belgium, Canada, Colombia, Dominican Republic, France, Guatemala, Netherlands, Peru, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Paragraph 5 was adopted by a roll-call vote of 45 to 3, with 10 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan,

Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, New Zealand, Union of South Africa.

Abstaining: Belgium, Canada, Colombia, Dominican Republic, France, Guatemala, Netherlands, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution as a whole as amended was adopted by a roll-call vote of 47 to 1, with 10 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Union of South Africa.

Abstaining: Australia, Belgium, Canada, Colombia, Dominican Republic, France, Netherlands, New Zealand, Turkey, United Kingdom of Great Britain and Northern Ireland.

Recommendation of the Ad Hoc Political Committee

[Text adopted without change by the General Assembly. See A/RESOLUTION/218 below.]

DOCUMENT A/2785

Financial implications of the draft resolution submitted by the "Ad Hoc" Political Committee (A/2784): report of the Fifth Committee

[Original text: English]
[3 November 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly the Fifth Committee, at its 449th meeting held on 3 November 1954, considered the financial implications of the draft resolution adopted by the *Ad Hoc* Political Committee (A/2784) which provided that, if within the next six months following the date of the resolution the parties concerned had not reached agreement on the suggestions made in the preceding paragraphs of the resolution, the Secretary-General should designate a person for the purposes specified in the resolution.

2. In a note to the Fifth Committee (A/C.5/598), the Secretary-General pointed out that in this matter the possible expenses during 1955 or subsequently could not be estimated at the present time. Accordingly, he proposed that expenditures which might follow from the

adoption of the draft resolution of the *Ad Hoc* Political Committee should be met by advances from the Working Capital Fund. The Advisory Committee on Administrative and Budgetary Questions concurred in this proposal.

3. The Fifth Committee thereupon decided without objection that, in the event of the adoption by the Assembly of the resolution proposed by the *Ad Hoc* Political Committee, the draft resolution relating to unforeseen and extraordinary expenses for 1955, proposed by the Advisory Committee in its second report to the ninth session (A/2688, p. 16), should be amended by an additional sub-paragraph reading as follows:

"Such commitments as may arise from General Assembly resolution (IX) on treatment of people of Indian origin in the Union of South Africa."

DOCUMENT A/RESOLUTION/218[*Resolution 816 (IX)*]**Resolution adopted by the General Assembly at its 497th plenary meeting on 4 November 1954**TREATMENT OF PEOPLE OF INDIAN ORIGIN IN THE UNION OF
SOUTH AFRICA*The General Assembly,*

Recalling that at several sessions it has considered the question of the treatment of people of Indian origin in the Union of South Africa and has adopted resolutions on that subject,

Having noted the report of the United Nations Good Offices Commission (A/2723),

1. Expresses appreciation of the work and efforts of the Good Offices Commission;

2. Suggests to the Governments of India, Pakistan and

the Union of South Africa that they should seek a solution of the question by direct negotiations;

3. Suggests, moreover, that the parties concerned should designate a Government, agency or person to facilitate contacts between them and assist them in settling the dispute;

4. Decides that, if within the next six months following the date of the present resolution the parties have not reached agreement on the suggestions made in the foregoing paragraphs, the Secretary-General shall designate a person for the purposes specified above;

5. Requests the Secretary-General to report to the General Assembly at its next regular session on the results obtained.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 497th plenary meeting, on 4 November 1954, the General Assembly adopted the draft resolution submitted by the *Ad Hoc* Political Committee (A/2784). For the final text, see A/RESOLUTION/218 above.

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A/149	Treatment of Indians in the Union of South Africa: text of letter from the Indian delegation requesting the inclusion of an item in the agenda		<i>Official Records of the General Assembly, First Session, Second Part, Joint Committee of the First and Sixth Committees, Annex 1</i>
A/1357 and Corr.1 and 2	Memorandum on the question of treatment of Indians in the Union of South Africa—exchange of correspondence between the Governments of India and the Union of South Africa for holding a round table conference: note by the Secretary-General		Mimeographed document only
A/2473	Report of the United Nations Good Offices Commission		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 20</i>
A/2663	Annual report of the Secretary-General on the work of the Organization, 1 July 1953—30 June 1954		<i>Ibid., Ninth Session, Supplement No. 1</i>
A/2723	Report of the United Nations Good Offices Commission	1	
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	"Ad Hoc" Political Committee (A/2784): report of the Fifth		
A/AC.76/1/Add.1	Allocation of agenda items: letter dated 22 October 1954 from the President of the General Assembly to the Chairman of the <i>Ad Hoc</i> Political Committee		Mimeographed document only
A/AC.76/L.3	Argentina, Brazil, Cuba, Ecuador, El Salvador, Haiti and Honduras: draft resolution		Replaced by A/AC.76/L.3/Rev.1

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/AC.76/L.3/Rev.1	Argentina, Brazil, Cuba, Costa Rica, Ecuador, El Salvador, Haiti and Honduras: revised draft resolution		See A/2784, para. 6
A/AC.76/L.5	India and Pakistan: amendment to the revised draft resolution A/AC.76/L.3/Rev.1		Incorporated in the summary record of the 15th meeting of the <i>Ad Hoc</i> Political Committee, para. 33
A/AC.76/L.6	Draft resolution adopted by the <i>Ad Hoc</i> Political Committee at its 16th meeting on 28 October 1954		Same text as A/RESOLUTION/218
A/C.5/598	Financial implications of the draft resolution adopted by the "Ad Hoc" Political Committee (A/AC.76/L.6): estimate submitted by the Secretary-General	2	
A/RESOLUTION/218	Resolution adopted by the General Assembly at its 497th plenary meeting on 4 November 1954	5	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 816 (IX)



Agenda item 23: The question of race conflict in South Africa resulting from the policies of "apartheid" of the Government of the Union of South Africa

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DOCUMENT A/AC.76/13

Letters addressed to the Chairman of the United Nations Commission on the Racial Situation in the Union of South Africa by the Permanent Representative of the Philippines and by the Minister of Foreign Affairs of Turkey

[*Original text: English and French*]
[5 November 1954]

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to circulate for the information of the representatives on the *Ad Hoc* Political Committee two letters addressed to the Chairman of the United Nations Commission on the Racial Situation in the Union of South Africa, respectively by the Permanent Representative of the Philippines and by the Minister of Foreign Affairs of Turkey. Those letters were received after the Commission had completed its second report to the General Assembly¹ and could not therefore be considered by the Commission when examining the replies received from other Governments of Member States (A/2719, paras, 34 *et seq.*).

LETTER DATED 24 AUGUST 1954 FROM THE PERMANENT REPRESENTATIVE OF THE PHILIPPINES ADDRESSED TO THE CHAIRMAN OF THE UNITED NATIONS COMMISSION ON THE RACIAL SITUATION IN THE UNION OF SOUTH AFRICA, THEN SITTING AT GENEVA

With further reference to the letter of this Mission, dated 18 March 1954, on the subject of inter-racial tension and discriminatory practices, I take pleasure in transmitting a memorandum by the Chairman of the Philippine Code Commission, referring to existing laws in my country with a bearing on the prevention of race discrimination. Taken mostly from the Civil Code of the Philippines, the laws represent the basic guarantees of the rights and liberties of the individual, such as the worth and dignity of his person, the inviolability of his private life, and his enjoyment of peace of mind, free from vexations, humiliations or intrigues by intruders.

¹ *Official Records of the General Assembly, Ninth Session, Supplement No. 16, A/2719.*

In the view of my Government, the terms of Article 26 of the Philippine Civil Code offer adequate protection against the practice of race discrimination. Paragraph 4 of said article specifically provides that vexing a person on account, among other things, of his *place of birth*, shall produce a cause of action. This obviously refers to his nationality or race, which must not be the cause of unjust discrimination. The words "or other personal condition" in the same paragraph likewise are intended to include race prejudice.

There are also provisions in the Bill of Rights of the Philippine Constitution which guarantee the fundamental freedoms of the citizen by drawing the line between what is his private life and what is public—the line, in other words, beyond which the State may not go without doing violence to the democratic traditions of the Filipino people. I cite the following provisions, among others, as examples :

- (1) The right of the people to be secure in their persons, houses, papers, and effects ;
- (2) The right of abode and freedom to change it within the limits prescribed by laws ;
- (3) The privacy of communication and correspondence ;
- (4) The right of free speech and free assembly ;
- (5) The right of petition for redress of grievances ;
- (6) Free access to the courts for the poor ; and
- (7) Freedom of religion.

In my opinion, the foregoing guarantees operate to minimise, if not entirely rule out, the practice of race prejudice without consequential remedy in damages against the transgressor and redress for the victim or the offended. But perhaps the most important provision in the Philippine Bill of Rights is the first one cited in the memorandum, which reads :

"1. No person shall be deprived of life, liberty, or property without due process of law, *nor shall any person be denied the equal protection of the laws.*"
[Italics supplied]

This fundamental rule of "the equal protection of the laws" in the Philippine Constitution is enshrined in the 14th Amendment to the United States Constitution from which, as the memorandum states, it has been taken.

I must underscore the settled doctrine in the Philippines that the guarantee of due process of law is of universal application, that is to say, all persons within the territorial jurisdiction of the Philippine State enjoy the right. It applies to all inhabitants, without regard to age or sex or creed, and to all aliens of whatever colour, race or nationality (*People v. Chan Fook*, Vol. 42, *Philippine Reports*, p. 230 ; *Kwong Sing v. City of Manila*, 41 Phil. 103 ; *Yick Wo v. Hopkins*, 118 U.S. 356, 369 ; *Yu Cong Eng v. Trinidad*, 271 U.S. 500).

The application of the rule in the United States makes it clear that not only natural persons, but also juridical persons, are contemplated as far as their right to property, and to a certain extent to freedom of contracts is concerned (*Santa Clara County v. Southern Pac. R.R. Co.*, 118 U.S. 394 ; *Pembina Mining Co. v. Pennsylvania*, 125 U.S. 181 ; *Covington and L. Turnpike Road Co. v. Standford*, 164 U.S. 578).

It should be noted, however, that the due process clause applies to aliens only in the case of their civil, and not their political rights. This was the doctrine laid down in the Philippine case, entitled "*Forbes v. Chuoco Tiaco*" (16 Phil. 534), affirmed by the United States Supreme Court in 228 U.S. 549. Furthermore, it is a settled rule that the abridgement of civil rights to aliens

in cases involving the national security or a fundamental policy of the State is a denial neither of due process nor the equal protection of the laws.

As familiar examples of legitimate and uncontested abridgement of rights to aliens, I might mention the denial to them of the rights to vote and to hold public office, which also carry a political significance, and such other rights as the acquisition of public land, operation of public utilities, or engaging in coastwise shipping, as in the Philippines, which is an archipelago depending on ships for the inter-island movements of persons and goods.

Article XIII of the Philippine Constitution is an example of how the State policy of conserving and utilizing its natural resources overrides any claim by aliens to the right to property. The article provides that all natural resources and "forces of potential energy" belong to the State, and their "disposition, exploitation, development, or utilization" shall be limited to citizens of the Philippines (italics supplied), or to corporations or associations at least 60 per cent of the capital of which is owned by such citizens.

Such a policy is perfectly understandable in the light of a nation's indisputable right to self-preservation, which includes the absolute ownership of the national patrimony. Also, in the interest of national welfare and defense, the State may, by virtue of Section 6, Article XIII, of the Philippine Constitution, "transfer to public ownership utilities and other private enterprises to be operated by the Government". Under this rule, which applies to citizens of the Philippines, it is hardly tenable for aliens to allege discrimination in any case.

I will be permitted to say in conclusion that the fundamental law and other laws of the Philippines guarantee equal protection to all persons save only in those cases where the State justifiably asserts the superiority of the national interest above all other interests on grounds of security, self-preservation or economic necessity.

I wish also to reproduce the opinion of the Head of the Department of History of the University of the Philippines on the subject of *apartheid*. The opinion reads :

"It may be said, incidentally, that the Filipino people can well sympathize with the native population of South Africa who are being subjected to numerous disabilities under the policy of *apartheid* of the Government of the Union of South Africa. For our forefathers knew from personal experience the pains, bitterness and humiliations caused by acts of discrimination and injustice committed by the Spanish colonial government in the Philippines".

Enclosed you will find two copies of *Philippine Social Science and Humanities Review*, Vol. XIX, No. 1, March 1954, containing current analyses of the various ethnic groups in the Philippines, including a history of their development, the way they have fitted or tried to fit into the pattern of Philippine social life, their commercial and cultural progress and, finally, the way the Filipinos have come to regard them and have dealt with them as non-nationals of the Philippines.

It is hoped that this paper, as well as the materials enclosed, would meet your purpose and help you in your laudable task of easing the inter-racial tension in the Union of South Africa.

(Signed) Felixberto M. SERRANO
Permanent Representative of the
Philippines

ATTACHMENT

Republic of the Philippines
Department of Justice
Code Mission
Manila

MEMORANDUM FOR THE HON., THE SECRETARY OF JUSTICE
ON LAWS AGAINST RACE DISCRIMINATION

In compliance with your request, I am submitting this brief memorandum on laws against race discrimination in the Philippines.

Inasmuch as I do not know what specific question has been raised, I shall present the subject only in a general way.

First, the new Civil Code in Article 26 provides:

"Art. 26. Every person shall respect the dignity, personality, privacy and peace of mind of his neighbors and other persons. The following and *similar acts*, though they may not constitute a criminal offense, shall produce a cause of action for damages, prevention and other relief:

- "(1) Prying into the privacy of another's residence;
- "(2) Meddling with or disturbing the private life or family relations of another;
- "(3) Intriguing to cause another to be alienated from his friends;
- "(4) Vexing or humiliating another on account of his religious beliefs, lowly station in life, place of birth, physical defect, or *other personal condition*".

Explaining the above article, the Code Commission in its report said:

"The sacredness of human personality is a concomitant of every plan for human amelioration. The touchstone of every system of laws, of the culture and civilization of every country, is how far it dignifies man. If in legislation inadequate regard is observed for human life and safety; if the laws do not sufficiently forestall human suffering or do not try effectively to curb those factors or influences that wound the noblest sentiments; if the statutes insufficiently protect persons from being unjustly humiliated, in short, if human personality is not properly exalted—then the laws are indeed defective. Sad to say, such is to some degree the present state of legislation in the Philippines. To remedy this grave fault in the laws is one of the principal aims of the Project of Civil Code.

"The present laws, criminal and civil, do not adequately cope with the interferences and vexations mentioned in article 26 . . .

"Not less serious are the acts mentioned in No. 4: vexing or humiliating another on account of his religious beliefs, lowly station in life, place of birth, physical defect or other personal condition. The penal laws against defamation and unjust vexation are glaringly inadequate.

"Religious freedom does not authorize anyone to heap obloquy and disrepute upon another by reason of the latter's religion.

"Not a few of the rich people treat the poor with contempt because of the latter's lowly station in life. To a certain extent this is inevitable, from the nature of the social make-up, but there ought to be a limit somewhere, even when the penal laws against defamation and unjust vexation are not transgressed. In a democracy, such a limit must be established. The courts will recognize it in each case. Social equality is not sought by the legal provision under consideration, but due regard for decency and propriety.

"Place of birth, physical defect and other personal conditions are too often the pretext of humiliation cast upon persons. Such tampering with human personality, even though the penal laws are not violated, should be the cause of civil action.

"The article under study denounces 'similar acts' which could readily be named, for they occur with unpleasant frequency".

It will be noted that Article 26 of the new Civil Code is broad enough to prohibit race discrimination. Although discrimination on account of race is not expressly mentioned, nevertheless, the following language is sufficiently comprehensive to cover race discrimination: "Every person

shall respect the dignity, personality, privacy and peace of mind of his neighbors and other persons. The following and *similar acts* . . ." Paragraph 4 states: "Vexing or humiliating another on account of his religious beliefs, lowly station in life, place of birth, physical defect, or *other personal condition*". By the principle of *ejusdem generis* in statutory construction, the words "similar acts" and "or other personal condition" include race discrimination.

Secondly, in Art. 111, sec. 1, par. 1 of the Constitution of the Philippines, it is provided: "No person shall be deprived of life, liberty or property without due process of law, nor shall any person be denied the *equal protection of the laws*". The well-known phrase "equal protection of the laws" has been taken from the 14th Amendment to the United States Constitution. We must therefore look for the interpretation of this phrase in the adjudicated cases in America.

In this connexion, *American Jurisprudence*, Vol. 12, pp. 181-183, says:

"The equal protection clause does not forbid every distinction in the laws of a state between citizens and aliens resident therein. Although the Fourteenth Amendment prohibits plainly irrational discrimination against aliens, alien race and allegiance may bear such relation to a legitimate object of legislation as to be made the basis of a permitted classification.

"The constitutional guarantee of equality invalidates laws denying to aliens the right to obtain licenses to pursue ordinary callings. If a calling is one, however, that a state, in the exercise of its police power, may prohibit absolutely or conditionally by the exaction of a license, as in cases where the calling or occupation is one which, though lawful, is subject to abuse and likely to become injurious to the community, the fact of alienage may justify a denial of the privilege. Because their occupation is one subject to abuse, auctioneers' licenses may be refused to aliens. They may be forbidden to obtain licenses to sell intoxicating liquors, to operate poolrooms, or to operate motorbuses. Peddling has been considered as presenting so much opportunity for fraud as to make it a proper subject for regulation and to authorize the legislature to refuse peddlers' licenses to aliens. As to peddlers, however, the contrary view has also been taken, and a law permitting licenses only to citizens has been held to be unconstitutional discrimination against aliens.

"A classification forbidding all aliens to own farm land who have not, in good faith, declared intention to become citizens of the United States is valid.

"Sec. 500. *Race and Color*: While the purpose of the Fourteenth Amendment was primarily to secure to the negro race equality of civil rights, it was not intended to abolish distinctions based on color or to enforce social as distinguished from political equality or a commingling of the two races on terms unsatisfactory to either. Therefore, race and color have been recognized as a proper basis for classification for certain purposes, as in the case of laws requiring negroes to be provided with separate accommodations in the vehicles of common carriers and in the public schools, and in the case of various other segregation laws".

The U.P. Charter, Act No. 1870, Sec. 3, provides:

"No student shall be denied admission to the university by reason of age, sex, *nationality*, religious belief, or political affiliation".

In order to implement the constitutional guarantee of "equal protection of the laws", Article 32 of the new Civil Code provides:

"Art. 32. Any public officer or employee, or any private individual, who directly or indirectly obstructs, defeats, violates or in any manner impedes or impairs any of the following rights and liberties of another person shall be liable to the latter for damages:

- "(8) The right to the equal protection of the laws".

The Philippine Supreme Court has had opportunity to interpret the words "equal protection of the laws". In *Rubi v. Provincial Board of Mindoro*, 39 Phil. 660, the Supreme Court has held that Section 2145 of the Administrative Code of 1917, providing for the confinement in reservations of non-Christian inhabitants of the Philippines does not violate this clause, since it applies to all of the class to which it relates.

In the case of *Smith Bell and Co. v. Natividad*, 40 Phil. 136, the Supreme Court held that Act No. 2761 of the Philippine Legislature, limiting certificates of Philippine registry to vessels of domestic ownership vested in some one or more of the following classes of persons: (a) citizens or native inhabitants of the Philippine Islands; (b) citizens of the United States residing in the Philippine Islands; (c) any corporation or company composed wholly of citizens of the Philippines Islands or of the United States or both, is authorized by the Act of Congress of 29 April 1908.

Article XII, section 1 of the Philippine Constitution limits the right of exploitation of natural resources to citizens of the Philippines or of the United States, or to corporations, at least 60 per cent of the capital of which is held by such citizens.

Whether or not the nationalization bills now pending before Congress run counter to the guarantee of "equal protection of laws" is a question that is hard to pass upon, unless a specific bill is carefully studied. The question depends on the reasonableness and justice of each proposed

measure, considering the economic problems facing the Philippines and at the same time the fundamental principles of fair treatment of foreigners living in our country.

Manila
13 May 1954

LETTER ADDRESSED TO THE CHAIRMAN OF THE UNITED NATIONS COMMISSION ON THE RACIAL SITUATION IN THE UNION OF SOUTH AFRICA, SITTING AT GENEVA, BY THE MINISTER OF FOREIGN AFFAIRS OF THE TURKISH REPUBLIC

September 1954

In reply to your letter of 29 June 1954 concerning the elimination of inter-racial tension and the gradual removal of practices of racial discrimination, I have the honour to inform you that, since the population of Turkey is homogenous, the Government has not had occasion to deal with such problems.

DOCUMENT A/AC.76/L.20/Rev.1

Afghanistan, Bolivia, Burma, Chile, Costa Rica, Egypt, Ethiopia, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, Philippines, Saudi Arabia, Syria, Yemen and Yugoslavia: draft resolution

[Original text: English]
[8 December 1954]

The General Assembly,

Having considered the second report of the United Nations Commission on the Racial Situation in the Union of South Africa (A/2719),

Recalling resolution 103 (I) that it is in the higher interest of humanity to put an end to racial persecution and discrimination, and resolutions 395 (V) and 511 (VI),

Further recalling that the Commission, in its first report, had concluded that the racial policies of the Government of the Union of South Africa are contrary to the Charter and to the Universal Declaration of Human Rights.

Noting with apprehension the adoption of new laws and regulations by the Union Government which in the Commission's view are also incompatible with the obligations of that Government under the United Nations Charter,

Noting further the profound conviction of the Commission that the policy of *apartheid* constitutes a grave threat to the peaceful relations between ethnic groups in the world,

1. *Commends* the Commission for its constructive work;

2. *Notes with regret* that the Government of the Union of South Africa again refused to co-operate with the Commission;

3. *Notes* the Commission's suggestions for facilitating a peaceful settlement of the problem contained in paragraphs 368 to 384 of its report;

4. *Invites* the Government of the Union of South Africa to reconsider its position in the light of the high principles expressed in the United Nations Charter, taking into account the pledge of all Member States to respect human rights and fundamental freedoms without distinction as to race, and further taking into account the valuable experience of other multi-racial societies as set forth in chapter VII of the Commission's report;

5. *Further invites* the Government of the Union of South Africa to take into consideration the suggestions of the Commission for a peaceful settlement of the racial problem, namely, those detailed in paragraphs 370 to 383 of its report;

6. *Requests* the Commission to keep under review the problem of race conflict in the Union of South Africa;

7. *Requests* the Commission to report to the General Assembly at its tenth session.

DOCUMENT A/C.5/616

Financial implications of the draft resolution adopted by the "Ad Hoc" Political Committee (A/AC.76/L.22): estimate submitted by the Secretary-General

[Original text: English]
[9 December 1954]

1. The draft resolution contained in document A/AC.76/L.22 proposed, *inter alia*, that the Commission on the Racial Situation in the Union of South Africa should be requested to keep under review the problem of race conflict in the Union of South Africa and to report to the General Assembly at its tenth session.

2. Possible expenses during 1955, in event of adoption of the draft resolution by the General Assembly, cannot be estimated at the present time.

3. Accordingly, if the draft resolution is adopted by the General Assembly the Secretary-General will propose that the draft resolution relating to unforeseen and extraordinary expenses be amended so as to authorize the Secretary-General to meet from the Working Capital Fund such commitments as may be required.

DOCUMENT A/2857

Report of the "Ad Hoc" Political Committee

[Original text : English]
[11 December 1954]

1. On 8 December 1953, during its eighth session, the General Assembly adopted resolution 721 (VIII) by which, *inter alia*, it expressed appreciation of the work of the United Nations Commission on the Racial Situation in the Union of South Africa, requested that Commission to continue its study of the development of the racial situation in the Union and to suggest measures which would help to alleviate the situation and promote a peaceful settlement, and requested it to report to the General Assembly at its ninth session.

2. In accordance with resolution 721 (VIII), the Commission submitted a report (A/2719) to the ninth session of the General Assembly on 26 August 1954.

3. At its 476th plenary meeting, on 24 September 1954, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda and, at its 478th plenary meeting on 25 September, referred it to the *Ad Hoc* Political Committee for consideration and report.

4. The *Ad Hoc* Political Committee considered the question at its 42nd to 47th meetings held between 3 and 8 December 1954.

5. At the 42nd meeting on 3 December, Mr. Hernán Santa Cruz, the Chairman and Rapporteur of the United Nations Commission on the Racial Situation in the Union of South Africa, was invited to take a seat at the Committee table. In this connexion, the representative of the Union of South Africa had stated that, if the Commission were represented at the discussion in the Committee, the presence of his delegation must not be construed as recognition by the Union Government of the Commission, which it continued to regard as unconstitutional. At that same meeting, the Chairman-Rapporteur made a statement introducing the Commission's report; at subsequent meetings he gave certain clarifications of the report and replied to references to it made by various members of the Committee.

6. At the 43rd meeting on 6 December, the representative of India introduced a twenty-Power draft resolution (A/AC.76/L.20) sponsored by Afghanistan, Bolivia, Burma, Chile, Costa Rica, Egypt, Ethiopia, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria, Yemen and Yugoslavia. Under the terms of the draft resolution, the General Assembly (a) having considered the second report of the Commission on the Racial Situation; (b) recalling its declaration in resolution 103 (I) that it was in the higher interest of humanity to put an end to racial persecution and discrimination, and its conclusion in resolutions 395 (V) and 511 (VI) that a policy of racial segregation (*apartheid*) was necessarily based on doctrines of racial discrimination; (c) further recalling that the Commission in its first report had concluded that the racial policies of the Government of the Union of South Africa were contrary to the Charter and to the Universal Declaration of Human Rights; (d) noting with regret the adoption of new laws and regulations by the Union Government which in the Commission's view were also incompatible with the obligations of that Government under the United Nations Charter; and (e) noting further the profound conviction of the Commission that the policy of *apartheid* constituted a grave threat to the peaceful relations

between ethnic groups in the world; would (1) commend the Commission for its constructive work; (2) note with regret that the Government of the Union of South Africa had again refused to co-operate with the Commission and that this refusal was in the Commission's opinion the greatest obstacle to the fulfilment of its task; (3) note the Commission's recommendations for facilitating a peaceful settlement of the problem contained in paragraphs 368 to 384 of its report; (4) invite the Government of the Union of South Africa to conform to its obligations under the United Nations Charter, taking into account the provisions of the Charter and, in particular, the second and fourth paragraphs of the preamble; paragraphs 2, 3 and 4 of Article 1; Article 2, paragraph 2; Article 13, paragraph 1 b; Article 55 c; Article 56; and Article 62, paragraph 2; and further taking into account the valuable experience of other multi-racial societies as set forth in chapter VII of the Commission's report; (5) further invite the Union Government to take into consideration the suggestions of the Commission for a peaceful settlement of the racial problem, namely those detailed in paragraphs 370 to 383 of its report; (6) request the Commission to keep under review the problem of race conflict in the Union of South Africa; and (7) request the Commission to report to the General Assembly at its tenth session.

7. At the 46th meeting on 7 December, the representative of Argentina introduced amendments (A/AC.76/L.21), sponsored by Argentina, Brazil and Cuba, to the twenty-Power draft resolution (A/AC.76/L.20). These amendments provided for the deletion of the fifth paragraph of the preamble and for the insertion in operative paragraph 4 of the words "the pledge of all Member States to respect human rights and fundamental freedoms without distinction as to race", in place of the words "the provisions of the Charter and in particular the second and fourth paragraphs of the preamble; paragraphs 2, 3 and 4 of Article 1; Article 2, paragraph 2; Article 13, paragraph 1 b; Article 55 c; Article 56; and Article 62, paragraph 2".

8. At the 47th meeting on 8 December, the representative of India, on behalf of the sponsors, introduced a revision (A/AC.76/L.20/Rev.1) of the twenty-Power draft resolution, incorporating the second amendment of the three Powers (A/AC.76/L.21) relating to operative paragraph 4, as well as certain other drafting changes in the second and fourth paragraphs of the preamble and in the second and third operative paragraphs.

9. At the same meeting, the representative of India introduced an additional amendment, to be added as operative paragraph 8 to the draft resolution, under which the General Assembly would decide that, should any of the members of the Commission be unable to continue their membership, the member or members concerned should, if the General Assembly was not sitting, be replaced by a person or persons appointed by the present President of the General Assembly in consultation with the Secretary-General.

10. Also at the 47th meeting the joint draft resolution (A/AC.76/L.20/Rev.1) and the amendments thereto were voted on, paragraph by paragraph, with the following results:

The first three paragraphs of the preamble were adopted by 38 votes to 6, with 9 abstentions.

The fourth paragraph of the preamble was adopted by 34 votes to 7, with 11 abstentions.

The first amendment (A/AC.76/L.21) to delete the fifth paragraph of the preamble—was rejected by 28 votes to 21, with one abstention.

The fifth paragraph of the preamble was adopted by 31 votes to 14, with 8 abstentions.

Operative paragraph 1 was adopted by 38 votes to 6, with 9 abstentions.

Paragraph 2 was adopted by 36 votes to 7, with 9 abstentions.

Paragraph 3 was adopted by 37 votes to 6, with 9 abstentions.

The first part of paragraph 4 up to the words "as to race" was adopted by 38 votes to 7, with 8 abstentions.

The remainder of paragraph 4 was adopted by 34 votes to 11, with 8 abstentions.

Paragraph 4 as a whole was adopted by 36 votes to 9, with 7 abstentions.

Paragraph 5 was adopted by 33 votes to 10, with 9 abstentions.

Paragraph 6 was adopted by a roll-call vote of 30 to 15, with 8 abstentions, as follows :

In favour : Afghanistan, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Ecuador, Egypt, Ethiopia, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against : Australia, Belgium, Brazil, Canada, China,

Colombia, Cuba, France, Guatemala, Israel, Netherlands, New Zealand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining : Argentina, Denmark, Greece, Norway, Peru, Sweden, Turkey, Venezuela.

Paragraph 7 was adopted by 31 votes to 14, with 6 abstentions.

Paragraph 8 was adopted by 31 votes to 12, with 10 abstentions.

The draft resolution, as amended, as a whole, was adopted by a roll-call vote of 34 to 9, with 10 abstentions, as follows :

In favour : Afghanistan, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Ecuador, Egypt, Ethiopia, Greece, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Norway, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Yemen, Yugoslavia.

Against : Australia, Belgium, Canada, Colombia, France, Netherlands, New Zealand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Abstaining : Argentina, Brazil, China, Cuba, Denmark, Guatemala, Peru, Turkey, United States of America, Venezuela.

Recommendation of the Ad Hoc Political Committee

[Text adopted without change by the General Assembly. See A/RESOLUTION/260 below.]

DOCUMENT A/2858

Financial implications of the draft resolution adopted by the "Ad Hoc" Political Committee (A/2857) : report of the Fifth Committee

[Original text : English]
[11 December 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee, at its 481st meeting held on 10 December 1954, considered the financial implications of the draft resolution proposed by the *Ad Hoc* Political Committee (A/2857) which recommended, *inter alia*, that the Commission on the Racial Situation in the Union of South Africa should be requested to keep under review the problem of race conflict in the Union of South Africa and to report to the General Assembly at its tenth session.

2. In a note to the Fifth Committee (A/C.5/616), the Secretary-General stated that it was not possible to estimate at the present time the expenditures which might be required in 1955 in the event of the adoption of the draft resolution by the General Assembly. Accordingly, he proposed that expenditures which might follow from

the adoption of the draft resolution should be met from the Working Capital Fund.

3. Certain delegations were of the opinion that, in view of the uncertainties involved in making estimates of the expenditures which might be required, it should be specified that the concurrence of the Advisory Committee on Administrative and Budgetary Questions should be sought by the Secretary-General before expenditures were incurred.

4. The Fifth Committee decided, by 34 votes to 1, with one abstention, to recommend to the General Assembly that, in the event of the adoption of the resolution proposed by the *Ad Hoc* Political Committee, the Secretary-General should be authorized to meet such commitments as were required thereby from the Working Capital Fund, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions.

DOCUMENT A/RESOLUTION/260

[*Resolution 820 (IX)*]

Resolution adopted by the General Assembly at its 511th plenary meeting on 14 December 1954

THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF *apartheid* OF THE GOVERNMENT OF THE UNION OF SOUTH AFRICA

The General Assembly,

Having considered the second report (A/2719) of the United Nations Commission on the Racial Situation in the Union of South Africa,

Recalling General Assembly resolution 103 (I), which states that it is in the higher interests of humanity to put an end to racial persecution and discrimination, and resolutions 395 (V) and 511 (VI),

Further recalling that the Commission, in its first report,² had concluded that the racial policies of the Government of the Union of South Africa are contrary to the United Nations Charter and to the Universal Declaration of Human Rights,

Noting with apprehension the adoption of new laws and regulations by the Union Government which in the Commission's view are also incompatible with the obligations of that Government under the Charter,

Noting further the profound conviction of the Commission that the policy of *apartheid* constitutes a grave threat to the peaceful relations between ethnic groups in the world,

1. *Commends* the United Nations Commission on the Racial Situation in the Union of South Africa for its constructive work ;

2. *Notes with regret* that the Government of the Union of South Africa again refused to co-operate with the Commission ;

3. *Notes* the Commission's suggestions for facilitating a peaceful settlement of the problem contained in paragraphs 368 to 384 of its report (A/2719) ;

4. *Invites* the Government of the Union of South Africa to reconsider its position in the light of the high principles expressed in the United Nations Charter, taking into account the pledge of all Member States to respect human rights and fundamental freedoms without distinction as to race ; and further taking into account the valuable experience of other multi-racial societies as set forth in chapter VII of the Commission's report :

5. *Further invites* the Government of the Union of South Africa to take into consideration the suggestions of the Commission for a peaceful settlement of the racial problem, namely, those detailed in paragraphs 370 to 383 of its report ;

6. *Requests* the Commission to keep under review the problem of race conflict in the Union of South Africa ;

7. *Requests* the Commission to report to the General Assembly at its tenth session ;

8. *Decides* that, should any of the members of the Commission be unable to continue their membership, the member or members concerned shall, if the General Assembly is not sitting, be replaced by a person or persons appointed by the present President of the General Assembly in consultation with the Secretary-General.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 511th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the *Ad Hoc* Political Committee (A/2857). For the final text, see A/RESOLUTION/260 above.

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<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/821	Letter dated 19 March 1949 from the Australian Mission to the Secretary-General requesting the inclusion of an additional item in the agenda of the third regular session of the General Assembly		<i>Official Records of the General Assembly, Third Session, Part II, Plenary Meetings, Annexes</i>
A/2505, A/2505/Add.1 and Add.1/Corr.1 and 2	Report of the United Nations Commission appointed to study the racial situation in the Union of South Africa		<i>Ibid. Eighth Session, Supplement No. 16</i>
A/2719	Second report of the United Nations Commission on the Racial Situation in the Union of South Africa		<i>Ibid., Ninth Session, Supplement No. 16</i>
A/2857	Report of the "Ad Hoc" Political Committee	5	

² *Ibid., Eighth Session, Supplement No. 16, A/2505 and Add.1.*

Document No.	Title	Page	Observations and references
A/2858	Financial implications of the draft resolution adopted by the "Ad Hoc" Political Committee (A/2857) : report of the Fifth Committee	6	
A/AC.70/2			Mimeographed document issued only in French for limited distribution
A/AC.70/3			<i>Idem</i>
A/AC.72/L.13	Union of South Africa : draft resolution		<i>Official Records of the General Assembly, Eighth Session, Annexes</i> , agenda item 21, A/2610, para. 9
A/AC.76/1/Add.2	Allocation of agenda items : letter dated 6 December 1954 from the President of the General Assembly to the Chairman of the <i>Ad Hoc</i> Political Committee		Mimeographed document only
A/AC.76/13	Letters addressed to the Chairman of the United Nations Commission on the Racial Situation in the Union of South Africa by the Permanent Representative of the Philippines and by the Minister of Foreign Affairs of Turkey	1	
A/AC.76/L.20	Afghanistan, Bolivia, Burma, Chile, Costa Rica, Egypt, Ethiopia, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, Philippines, Saudi Arabia, Syria, Yemen and Yugoslavia : draft resolution		See A/2857, para. 6
A/AC.76/L.20/Rev.1	Afghanistan, Bolivia, Burma, Chile, Costa Rica, Egypt, Ethiopia, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, Philippines, Saudi Arabia, Syria, Yemen and Yugoslavia : draft resolution	4	
A/AC.76/L.21	Argentina, Brazil and Cuba : amendments to the draft resolution (A/AC.76/L.20)		<i>Ibid.</i> , para. 7
A/AC.76/L.22	Text of the draft resolution adopted by the <i>Ad Hoc</i> Political Committee at its 47th meeting on 8 December 1954		Same text as A/RESOLUTION/260
A/C.5/616	Financial implications of the draft resolution adopted by the "Ad Hoc" Political Committee (A/AC.76/L.22) : estimate submitted by the Secretary-General	4	
A/RESOLUTION/260	Resolution adopted by the General Assembly at its 511th plenary meeting on 14 December 1954		See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 820 (IX)
S/1511	United States of America : draft resolution (Complaint of Aggression upon the Republic of Korea)		Same text as S/1508/Rev.1. See <i>Official Records of the Security Council, Fifth Year, No. 16</i>



Agenda item 24 : Appointment of members of the Peace Observation Commission

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DOCUMENT A/L.183

Colombia : draft resolution

[*Original text : English*]
[9 December 1954]

[*Text adopted without change by the General Assembly. See A/RESOLUTION/248 below.*]

DOCUMENT A/RESOLUTION/248

[*Resolution 907 (IX)*]

Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954

The General Assembly

Appoints as members of the Peace Observation Commission, for the calendar years of 1955 and 1956, the following fourteen States Members: China, Czechoslovakia, France, Honduras, India, Iraq, Israel, New Zealand, Pakistan, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 510th plenary meeting, on 11 December 1954, the General Assembly adopted the draft resolution submitted by Colombia (A/L.183). For the final text, see A/RESOLUTION/248, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/L.183	Colombia : draft resolution	1	
A/RESOLUTION/248	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	1	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 907 (IX)</i>



Agenda item 25: Economic development of under-developed countries :

- (a) **Question of the establishment of a Special United Nations Fund for Economic Development: summary by the Secretary-General of comments of Governments on the report of the Committee of Nine, report of Mr. Raymond Scheyven and report of the Economic and Social Council ;**
- (b) **Question of the establishment of an international finance corporation: report of the Economic and Social Council ;**
- (c) **International flow of private capital for the economic development of under-developed countries ;**
- (d) **Land reform**

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A/2848	Report of the Fifth Committee	11
A/RESOLUTION/251	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	12
	Question of the establishment of a Special United Nations fund for Economic Develop- ment	
A/RESOLUTION/252	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	12
	Question of the establishment of an international finance corporation	
A/RESOLUTION/253	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	13
	International flow of private capital for the economic development of under-developed countries	
A/RESOLUTION/254	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	14
	International tax problems	
A/RESOLUTION/255	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	14
	Land reform	
Action taken by the General Assembly ..		15
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DOCUMENT A/C.2/L.230/Add.1

Question of the establishment of a special United Nations fund for economic development

Financial implications of the draft resolution submitted by the Working Group (A/C.2/L.230) :
estimate submitted by the Secretary-General[Original text: English]
[8 November 1954]

1. Operative paragraph 3 of the draft resolution submitted by the Working Group in its report (A/C.2/L.230), which would extend Mr. Raymond Scheyven's appointment by another year, and operative paragraph 5, which authorizes the assistance of an *ad hoc* group of qualified experts, would have financial implications affecting sections 1 and 24 of the 1955 budget estimates.

2. An estimate of the costs foreseen is given below :

	\$	\$
(a) Estimated cost of travel and subsistence allowance for Mr. Scheyven, allowing for three visits to Headquarters, one visit to Geneva and making provision for continued consultation with individual Governments, and assuming subsistence allowance for eight weeks at \$25 per day and seven weeks at \$20 per day	6,000	

(b) Estimated cost of <i>ad hoc</i> group of experts meeting at Headquarters on the assumption that not more than ten experts are required each for a period not exceeding three weeks :	\$	\$
Travel on the basis of an average of \$650 each	6,500	
Subsistence Allowance at \$25 per day per expert	5,250	
	11,750	
(c) Estimated cost of printing of report to the General Assembly in five languages		5,100
		\$22,850

3. Should the proposals be approved by the General Assembly, the Secretary-General would request additional appropriations of \$22,850 under section 1 (\$17,750) and section 24 (\$5,100) of his budget estimates for 1955.

DOCUMENT A/C.2/L.233/Add.1

Question of the establishment of a special United Nations fund for economic development

Financial implications of the draft resolution contained in the working paper by the Secretariat (A/C.2/L.233) :
estimate submitted by the Secretary-General[Original text: English]
[12 November 1954]

1. In the light of paragraph 4 of the report of the Drafting Group (A/C.2/L.232) which was before the Second Committee at its 309th meeting on 11 November 1954, the statement of financial implications set forth in document A/C.2/L.230/Add.1 is revised as follows to reflect the reduction, decided upon at the Committee's 312th meeting, in the number of experts from ten to eight :

	\$	\$
(a) Estimated cost of travel and subsistence allowance for Mr. Scheyven allowing for three visits to Headquarters, one visit to Geneva and making provision for continued consultation with individual Governments, and assuming subsistence allowance for eight weeks at \$25 per day and seven weeks at \$20 per day	6,000	
(b) Estimated cost of <i>ad hoc</i> group of experts		

meeting at Headquarters on the assumption that not more than eight experts are required each for a period not exceeding three weeks :	\$	\$
Travel on the basis of an average of \$650 each	5,200	
Subsistence Allowance at \$25 per day per expert	4,200	
	9,400	
(c) Estimated cost of printing of report to the General Assembly in five languages		5,100
		\$20,500

2. Should the draft resolution (A/C.2/L.233) be approved by the General Assembly, the Secretary-General would request additional appropriations of \$20,500 under section 1 (\$15,400), and section 24 (\$5,100) of his budget estimates for 1955.

DOCUMENT A/C.5/610

Question of the establishment of a special United Nations fund for economic development

Financial implications of the draft resolution adopted by the Second Committee (A/C.2/L.233) :
estimate submitted by the Secretary-General[Original text: English]
[27 November 1954]

The Second Committee, at its 312th meeting held on 16 November 1954, adopted a draft resolution concerning the question of the establishment of a special United Nations fund for economic development (A/C.2/L.233 and Corr.1).

2. Pursuant to this draft resolution, the General Assembly, in addition to extending the appointment of Mr. Raymond Scheyven for another year, would request

Mr. Scheyven, with the assistance of the Secretary-General and of an *ad hoc* group of experts selected by the Secretary-General in consultation with Mr. Scheyven, and on the basis of consultation with the Technical Assistance Board and the specialized agencies concerned, to prepare a further report for consideration by the Economic and Social Council at its twentieth session and to present a final report to the General Assembly at its tenth session,

so that the General Assembly might consider that report together with such comments as may be forwarded by the Economic and Social Council on the report made to it earlier.

The draft resolution adopted by the Second Committee further requests the Secretary-General to provide the *ad hoc* group and Mr. Scheyven with all necessary assistance and facilities.

3. The Secretary-General estimates as follows the additional costs arising from this draft resolution :

	\$	\$
(a) Estimated cost of travel and subsistence allowance for Mr. Scheyven allowing for three visits to Headquarters, one visit to Geneva and making provision for continued consultation with individual Governments, and assuming subsistence allowance for eight weeks at \$25 per day and seven weeks at \$20 per day (section 1)	6,000	

(b) Estimated cost of <i>ad hoc</i> group of experts meeting at Headquarters on the assumption that not more than eight experts are required, each, for a period not exceeding three weeks :	\$	\$
Travel on the basis of an average of \$650 each (section 1)	5,200	
Subsistence allowance at \$25 per day per expert (section 1)	4,200	
	9,400	
(c) Estimated cost of printing the report to the General Assembly in five languages (section 24)		5,100
		\$20,500

4. Adoption by the General Assembly of this draft resolution would therefore, in accordance with the above provisions, entail an increase in sections 1 and 24 of the 1955 budget estimates in the amounts of \$15,400 and \$5,100 respectively.

DOCUMENT A/2819

Question of the establishment of a special United Nations fund for economic development

Twenty-seventh report of the Advisory Committee on Administrative and Budgetary Questions to the ninth session of the General Assembly

[Original text: English]
[30 November 1954]

1. In document A/C.5/610 the Secretary-General has submitted a statement of the financial implications of the draft resolution (A/C.2/L.233) concerning the establishment of a special United Nations fund for economic development, which the Second Committee approved at its 312th meeting on 16 November 1954.

2. The additional costs envisaged in the draft resolution are of three kinds :

	<i>Secretary-General's estimate</i>
(a) Travel and subsistence (Mr. Raymond Scheyven)	6,000
(b) Travel and subsistence (<i>Ad hoc</i> group of experts)	9,400
(c) Printing	5,100

3. The *ad hoc* group of experts is to be selected by the Secretary-General in consultation with Mr. Scheyven. Although the Drafting Group (A/C.2/L.232, paragraph 4) recommended that the number of experts should not exceed eight, certain representatives suggested at the 312th meeting of the Second Committee (A/C.2/SR.312) that the maximum should be set at a lower figure, and the text of the resolution as adopted by that Committee

appropriately omits specific reference to the size of the *ad hoc* group. The decision on this matter is one for the Secretary-General and accordingly the Advisory Committee, while concurring in the estimate of \$9,400 (based on eighth experts), confines itself to the suggestion that, apart from the financial saving, there might be a substantive advantage in relying on the services of a very small number of experts of the highest authority.

4. In view of the reduction in section 24 (Official Records) previously recommended by the Advisory Committee (and approved by the Fifth Committee in first reading of the 1955 budget estimates) it may prove difficult to absorb within that section the additional cost of printing the report to be presented to the General Assembly (\$5,100). The Committee trusts, however, that with this end in view, every effort will be made to effect the necessary savings in the section as a whole.

5. Subject to the foregoing observations, the Advisory Committee recommends that, in the event of the General Assembly's adopting the draft resolution (A/C.2/L.233), an appropriation of \$15,400 under section 1, and of \$5,100 under section 24 should be authorized for the purposes stated in paragraph 2 above.

DOCUMENT A/2847

Report of the Second Committee

[Original text: English]
[9 December 1954]

1. The General Assembly, at its 478th plenary meeting on 25 September 1954, allocated to the Second Committee the following agenda item :

Economic development of under-developed countries :

(a) Question of the establishment of a special United Nations fund for economic development : summary by the Secretary-General of comments of Governments on the report of the Committee of Nine,

report of Mr. Raymond Scheyven and report of the Economic and Social Council ;

(b) Question of the establishment of an international finance corporation : report of the Economic and Social Council ;

(c) International flow of private capital for the economic development of under-developed countries ;

(d) Land reform.

2. The Second Committee agreed, at its 289th meeting, that in the general debate on the item, members of the Committee should not feel limited, in the expression of their views, to the four sub-items, but should speak to and present any proposals that they might have concerning any aspect of the subject. It was also agreed that the Committee should consider simultaneously with item 25 the relevant part of chapter III of the report of the Economic and Social Council (A/2686)¹ dealing with the question of economic development of under-developed countries, and also that members should feel free to comment at the same time on such sections of chapter II of the report of the Council dealing with general economic questions as they felt were relevant to this item.

3. The Committee considered item 25 during thirty-seven meetings (A/C.2/SR.290 to 314, 322 to 333). The first eleven meetings were devoted to the general debate, in which forty-one delegations took part. Mr. Raymond Scheyven, at the request of the Committee, introduced at the 295th meeting his final report on a special United Nations fund for economic development (A/2728 and Corr.1)².

4. The Committee received nine specific proposals: three on the question of the establishment of a special United Nations fund for economic development (A/C.2/L.226, L.227 and L.228 and Add.1); two on the question of the establishment of an international finance corporation (A/C.2/L.229 and L.229/Rev.1, L.249); three on the international flow of private capital for the economic development of under-developed countries (Economic and Social Council resolution 512 B (XVII), A/C.2/L.225 and L.241); and one on land reform (A/C.2/L.234).

I. QUESTION OF THE ESTABLISHMENT OF A SPECIAL UNITED NATIONS FUND FOR ECONOMIC DEVELOPMENT

5. This sub-item was considered by the Committee and by its Working and Drafting Groups (see paragraphs 7 and 15 below) from 22 October to 16 November 1954 (A/C.2/SR.301 to 303, 305 to 309, 312 and 313). Mr. Scheyven, who attended the 301st, 302nd and 303rd meetings of the Committee, made a statement at the 303rd meeting. He also attended the meetings of the Working Group.

6. The Committee, at its 301st meeting, had before it the following draft resolutions:

(a) A draft resolution submitted by the Netherlands (A/C.2/L.226) by which the General Assembly, recalling its relevant resolutions and those of the Economic and Social Council, and bearing in mind the reports and studies prepared in pursuance of these resolutions and the report of Mr. Raymond Scheyven (A/2728), would (1) commend Mr. Scheyven for his report; (2) decide, subject to preparatory action as envisaged in (3) and (5) below, to establish a special United Nations fund for economic development; (3) request the Secretary-General to appoint a working group to draft the statutes for a special fund, bearing in mind the report of the Committee of Nine (E/2381)³, the Secretary-General's working paper on co-ordination (E/2618), the replies of Governments with relation to paragraph 2 of General Assembly resolution 724 B (VIII) (A/2646 and addenda), the Secretary-General's summary of these replies (A/2727), the report by Mr. Scheyven prepared in pursuance of resolution 724 B (VIII) (A/2728), the records of discussions on the subject of a special United Nations fund during the eighth and

present sessions of the General Assembly and the eighteenth session of the Economic and Social Council, and such further observations relevant to the subject as might be put in due time before it by States Members of the United Nations or its specialized agencies, and to submit to the nineteenth session of the Economic and Social Council a report on its work together with draft statutes for a special fund and recommendations for the Council's action in implementation of paragraph 2 of the present resolution; (4) decide to request Mr. Scheyven to continue his efforts in pursuance of paragraph 3 of General Assembly resolution 724 B (VIII) and to report on his findings to the nineteenth session of the Economic and Social Council; and (5) request the Council to report to the General Assembly at its tenth session on its work in relation with the report and draft statutes submitted by the working group, the steps taken in implementation of paragraph 2 of the present resolution, and to make recommendations for such further steps as might be necessary to complete action for implementation.

(b) A draft resolution submitted by Belgium (A/C.2/L.227) by which the General Assembly, referring to Economic and Social Council resolution 532 A (XVIII), would (1) urge Governments to review their respective positions with respect to extending their material support to a special United Nations fund for economic development, in accordance with changes in the international situation and other relevant factors; and (2) extend the appointment of Mr. Scheyven in order that he might continue his consultations with Governments.

(c) A joint draft resolution submitted by Afghanistan, Bolivia, Brazil, Burma, Chile, El Salvador, Egypt, Ethiopia, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria, Uruguay, Venezuela and Yugoslavia (A/C.2/L.228 and Add.1) by which the General Assembly would (1) express its great appreciation of the work done by Mr. Scheyven and extend his appointment by another year so that he might continue his consultations with Governments and elicit, in the course of those consultations, the detailed views of those Governments which had not so far indicated them, both on the recommendations contained in the report of the Committee of Nine and on the degree of support which might be expected from them for such a special fund; (2) request Mr. Scheyven to make a report to the Economic and Social Council at its nineteenth session and to the General Assembly at its tenth session on the results of the above consultations; (3) urge Governments to review their respective decisions with respect to extending their material support to a special United Nations fund for economic development in accordance with changes in the international situation and other relevant factors; (4) decide in favour of establishing such a fund and, as an essential preparatory measure, appoint a committee of seven, including Mr. Scheyven, to draft the statutes thereof, bearing in mind all the relevant material, in particular, the report of the Committee of Nine, the Secretary-General's working paper on co-ordination (E/2618), the replies received from Governments (A/2646 and addenda) and such further views of Governments as might be available in the course of the consultations under paragraph 1 of the draft resolution; (5) recommend to the committee, in preparing the draft, to consult, whenever necessary or relevant, the specialized agencies concerned and the Technical Assistance Board and to present the draft statutes in time for the Economic and Social Council, at its nineteenth session, to consider and transmit them, together with its own comments, to the General Assembly at its tenth session; (6) request the Secretary-General, the specialized agencies concerned and interested non-governmental organizations to make available to the public in all countries information on the purposes of the proposed fund and the part it was

¹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 3*.

² *Ibid.*, Supplement No. 19.

³ United Nations Publication, Sales No.: 1953.II.B.1.

expected to play in the development of the under-developed countries and in promoting stability and progress in world economy; and (7) request the Secretary-General to provide the above-mentioned committee and Mr. Scheyven with all necessary assistance and facilities.

7. At its 303rd meeting, the Committee agreed to set up a working group to consider the Netherlands draft resolution (A/C.2/L.226), the Belgian draft resolution (A/C.2/L.227) and the twenty-Power draft resolution (A/C.2/L.228 and Add.1). The Working Group, presided over by the Chairman of the Second Committee, and in his absence by the Vice-Chairman, held ten meetings between 26 October and 5 November. In its report (A/C.2/L.230) to the Committee, the Working Group submitted the following text⁴ which contained some paragraphs which were unanimously approved by the Working Group and some paragraphs, as indicated below, on which there were differences of opinion and on which in some instances alternative texts had been submitted:

"The General Assembly,

"Mindful of the determination expressed in the preamble of the Charter 'to employ international machinery for the promotion of the economic and social advancement of all peoples' and of the obligations of the United Nations and its Members under Articles 55 and 56 of the Charter,

"Recalling its previous resolutions and those of the Economic and Social Council on the need to provide financial assistance through international co-operation for the economic development of the under-developed countries and, in particular, on the proposal to establish a special United Nations fund for economic development,

"Taking account of all relevant documents prepared in pursuance of the above resolutions,

"Bearing in mind the increasing progress made in obtaining the support of Governments for such a fund,

"Having examined the final report of Mr. Raymond Scheyven (A/2728) prepared in pursuance of General Assembly resolution 724 B (VIII), and the statement made by him in the Second Committee of the General Assembly (A/C.2/183),

"1. Expresses the hope that a special United Nations fund for economic development be established as soon as practicable;

[The text of this first operative paragraph was not agreed upon unanimously and the representative of Peru indicated in the Working Group that he might introduce an alternative proposal in the Committee.]

"2. Expresses its great appreciation of the work done by Mr. Scheyven;

"3. Extends the appointment of Mr. Scheyven by another year, in order that he may continue his consultations with Governments, and elicit in the course of his consultations the detailed views of those Governments which have not so far indicated them, on the recommendations contained in the report of the Committee of Nine, and on the support which may be expected from them for such a fund, and in order that he may undertake such work as is specified in paragraph 5 below;

"4. Urges Governments to review their respective positions with respect to extending their material support to a special United Nations fund for economic development, in accordance with changes in the inter-

national situation and other relevant factors, both national and international;

"5. Requests Mr. Scheyven to prepare, with the assistance of the Secretary-General and of such an ad hoc group of qualified experts as they may find it appropriate to consult—such experts to be selected by the Secretary-General in consultation with Mr. Scheyven—and on the basis of consultation with the Technical Assistance Board and the specialized agencies concerned, and of the Report of the Committee of Nine and the replies of Governments thereto, a further report dealing with the following matters:

"(a) The possible forms, the functions and the role of a special United Nations fund for economic development, and especially the methods by which the operations of the fund may be integrated with the development plans of the countries receiving assistance from the fund;

"(b) Consideration of the working relationship of the fund with the Technical Assistance Board, the International Bank for Reconstruction and Development and other specialized agencies concerned, as well as with the United Nations regional economic commissions. Such a report should also include any comments which the Technical Assistance Board or the specialized agencies may wish to make concerning the report of the Committee of Nine, and concerning the relationships which might exist between such a fund and existing institutions and programmes in the field of economic development;

[The Working Group was divided on the words "possible forms, the functions and the role". One suggestion was that it should read "possible form, the functions and the role". Later, the representative of the United Kingdom proposed the following for sub-paragraph 5(a): "The forms and functions which a special United Nations fund for economic development might have and especially the methods by which its operations might be integrated with the development plans of the countries receiving assistance from it;"

A decision on this sub-paragraph was deferred.

With respect to the words "on the basis of" in the opening part of paragraph 5, it was understood that this phrase was acceptable to certain delegations only if agreement were reached on the wording of sub-paragraph 5(a).]

"6. Requests Mr. Scheyven to make to the Economic and Social Council, and the Council specially to consider at its twentieth session, such report as may then be possible on the results of his missions and to present his final report to the General Assembly at its tenth session so that the General Assembly may consider the report with such comments as may be forwarded by the Economic and Social Council on the report made to it earlier;

"7. Requests the Secretary-General, the specialized agencies concerned and interested non-governmental organizations to make available to the public through their regular publications such information as will offer guidance on the part such a fund may play in the development of under-developed countries and in promoting stability and progress in world economy;

[This text was not agreed to unanimously and an alternative proposal was made by the representative of Chile, but was not considered by the Working Group. The proposal was as follows:

"7. Requests the Economic and Social Council to consider at the appropriate time the best method of making known, with the co-operation of the specialized agencies concerned, the aims and purposes which a special United Nations fund for economic development may be expected to achieve in the economic development of under-developed countries and in promoting stability and progress in world economy;"]

⁴ In this connexion the Committee had also before it a statement by the Secretary-General (A/C.2/L.230/Add.1) on the financial implications.

"8. *Requests* the Secretary-General to provide the above-mentioned *ad hoc* group and Mr. Scheyven with all necessary assistance and facilities."

8. The Committee discussed the report of the Working Group at its 305th to 308th meetings with the following results :

9. At its 305th meeting, the Committee adopted provisionally the preamble; operative paragraph 2 without change; operative paragraph 3 with the deletion of the word "detailed" proposed by Cuba; operative paragraph 4, after replacing the words "with respect to" by "as regards"; operative paragraph 6; and operative paragraph 8. At the same meeting, it was decided to defer the consideration of operative paragraphs 1, 5 and 7.

10. With regard to operative paragraph 1, amendments were verbally suggested by the representatives of (1) the United States of America to replace the word "practicable" by the words "circumstances permit"; this amendment was withdrawn at the same meeting; (2) Egypt, to delete the words "as soon as practicable"; (3) India, to delete the whole paragraph; (4) Peru, to replace the words "as soon as practicable" by the words "in accordance with the previous resolutions of the General Assembly"; and (5) the Netherlands to replace the word "practicable" by the word "possible".

11. At its 306th meeting, the Committee received an amendment by Afghanistan, Bolivia, Brazil, Burma, Chile, El Salvador, Egypt, Ethiopia, India, Indonesia, Iran, Iraq, Lebanon, Netherlands, Pakistan, Philippines, Saudi Arabia, Syria, Uruguay, Venezuela and Yugoslavia (A/C.2/L.231) to replace the text of operative paragraph 5 as proposed in the report of the Working Group (A/C.2/L.230) by the following :

"5. *Requests* Mr. Scheyven to prepare, with the assistance of the Secretary-General and of an *ad hoc* group of experts selected by him in consultation with Mr. Scheyven, and on the basis of consultation with the Technical Assistance Board and the specialized agencies concerned as well as of the report of the Committee of Nine and the replies of Governments, a further report designed to give the General Assembly and, at the appropriate time, the Governments a full and precise picture of the organization and working of such a fund with particular reference to its form, functions and responsibilities, especially the methods by which the operations of the fund may be integrated with the development plans of the countries receiving assistance from it and to its working relationship with the Technical Assistance Board, the International Bank for Reconstruction and Development and other specialized agencies concerned as well as the regional economic commissions".

12. At the 307th meeting, the representative of Sweden proposed orally to replace in the text of operative paragraph 5 (a), as contained in the report of the Working Group, the words "the possible forms, the functions and the role" by the words "the form or forms, functions and responsibilities".

13. At its 308th meeting, the representative of India, referring to the verbal amendment of Sweden proposed at the 307th meeting, stated on behalf of the twenty-one sponsors of the new proposed text for operative paragraph 5 (A/C.2/L.231) that they would agree (1) to delete the words "and precise"; and (2) to add the words "or forms" after the word "form". At the same meeting the Committee adopted, by 39 votes to 10, with 5 abstentions, a proposal by the representative of India that the joint amendment submitted by the twenty-one Powers should be the basis for discussion of operative paragraph 5.

14. A further proposal was submitted by the representative of Sweden to set up a drafting group to consider, on the basis of the twenty-one Power text, a common text for operative paragraph 5. The Committee agreed to set up a drafting group consisting of the representatives of Chile, Egypt, France, India, the Netherlands, the United Kingdom, and the United States to consider the text proposed by the twenty-one Powers (A/C.2/L.231) for operative paragraph 5 and those other paragraphs in the report of the Working Group upon which agreement had not been reached.

15. The Drafting Group met on 11 November and, on the same day, reported (A/C.2/L.232) to the Committee at its 309th meeting that it had agreed on the following texts for operative paragraphs 1 and 5 :

"1. *Expresses* the hope that a special United Nations fund for economic development be established as soon as practicable ;"

"5. *Requests* Mr. Scheyven to prepare, with the assistance of the Secretary-General and of an *ad hoc* group of experts selected by him in consultation with Mr. Scheyven, and on the basis of consultation with the Technical Assistance Board and the specialized agencies concerned as well as of the report of the Committee of Nine and the comments of Governments, a further report giving a full and precise picture of the form or forms, functions and responsibilities which such a special United Nations fund for economic development might have, and especially the methods by which its operations might be integrated with the development plans of the countries receiving assistance from it. Such a report should also consider the working relationship of such a fund with the Technical Assistance Board, the International Bank for Reconstruction and Development and other specialized agencies concerned, the United Nations regional economic commissions and existing programmes in the field of economic development ;"

The Drafting Group reported further that it had agreed to the deletion of operative paragraph 7 on the understanding that information on developments regarding a special fund for the economic development of underdeveloped countries would be, for the time being, provided by the Secretary-General through his normal action. The Group finally recommended that the *ad hoc* group of experts, as provided for in the proposed operative paragraph 5, should consist of not more than eight persons, and on the basis of this recommendation a revised statement of financial implications (A/C.2/L.233/Add.1) was submitted by the Secretary-General.

16. The Committee agreed that a comprehensive text incorporating the preamble and operative paragraphs 2, 3, 4, 6 and 8 (now paragraph 7) as provisionally approved by the Committee at its 305th meeting, and operative paragraphs 1 and 5 as contained in the report of the Drafting Group (A/C.2/L.232), should be prepared by the Secretariat with a view to a final decision being taken by the Committee at a subsequent meeting.

17. The Netherlands draft resolution (A/C.2/L.226) and the Belgian draft resolution (A/C.2/L.227) were then withdrawn by the sponsors.

18. At its 312th meeting, the Committee, which had before it the final text (A/C.2/L.233 and Corr.1) prepared by the Secretariat as requested, approved the draft resolution unanimously.

19. The twenty-Power draft resolution (A/C.2/L.228 and Add.1) was then withdrawn by the representative of India on behalf of its co-sponsors. Explanations of vote were made by the representatives of Mexico, the United States, the United Kingdom, Canada, Peru, New Zealand,

Chile, Cuba, Honduras, Turkey, Haiti, Saudi Arabia, Union of South Africa, Iran, Iraq, Pakistan, India, Yugoslavia and Egypt at the 312th meeting and by the representative of Colombia at the 313th meeting.

20. The Second Committee therefore recommends to the General Assembly the adoption of draft resolution I annexed to the present report.

II. QUESTION OF THE ESTABLISHMENT OF AN INTERNATIONAL FINANCE CORPORATION: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

21. This sub-item was considered by the Committee from 3 to 6 December 1954 (A/C.2/SR.330 to 333).

22. The Committee, at its 330th meeting, had before it a twenty-Power draft resolution submitted by Burma, Chile, China, Colombia, Costa Rica, Cuba, Egypt, El Salvador, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Israel, Pakistan, Panama, Philippines and Uruguay (A/C.2/L.229 and Rev.1). In accordance with this proposal, the General Assembly would (1) express its appreciation of the studies carried out by the International Bank; (2) express the wish that the international finance corporation be established in the very near future; (3) request the International Bank for Reconstruction and Development (a) to prepare draft statutes to govern the corporation, taking into account the views expressed in the United Nations; (b) to invite Governments to make known what material support might be expected from them for the formation of the initial capital estimated as essential for the beginning of the corporation's operations; (c) to submit to the Economic and Social Council at its twentieth session the draft statutes and a report on the results of the negotiations carried out with a view to complying with the request in (b) above, in order to advance the establishment of the corporation; (4) further request the Bank to submit to its Board of Directors the draft statutes and report referred to above, and (a) to obtain from the Board an opinion on the draft statutes and the possibility of establishing the corporation in the near future; and (b) to transmit to the United Nations the opinions requested in the preceding subparagraph in time for them to be considered at the twentieth regular session of the Economic and Social Council; (5) ask the Economic and Social Council to study the draft statutes and report to be submitted to it by the Bank in accordance with operative paragraphs 3 (c) and 4 (b), and to communicate the result of its discussions to the General Assembly at its tenth regular session; (6) request the Secretary-General (a) to transmit to the Governments of Member States as soon as possible the information requested in operative paragraphs 3 (c), 4 (b) and 5; (b) to communicate to the Governments of Member States any circumstances which might arise which, in his opinion, would permit the establishment of the corporation before the beginning of the tenth regular session of the General Assembly, and to suggest any steps likely to lead to the establishment of the corporation; and (7) decide to include the question of the international finance corporation as a special item in the agenda of its tenth regular session.

23. At the same meeting, the Committee received a revised text of the joint draft proposal (A/C.2/L.229/Rev.2). The changes in this revised text were as follows: (a) in the sixth paragraph of the preamble which read "In view of the fact that the President and several Governors of the International Bank urged the prompt establishment of the corporation at the meeting held by the Board of Governors in September 1954" the words "the President" were deleted; (b) in operative paragraph 4 the word "Executive" was inserted before the word

"Directors"; and in operative paragraph 6 (b) the words "and that of the President of the International Bank" were inserted after the words "in his opinion". Changes were also made in the list of co-sponsors of this draft resolution.

24. At its 331st meeting, the Committee received a further draft resolution by Brazil, Canada, France, Greece, Mexico, Pakistan, Peru, Turkey and the United States (A/C.2/L.249) by which the General Assembly would (1) express its appreciation of the studies carried out by the International Bank; (2) take note of the statement of the United States Administration and consequent declarations of other countries in support of an international finance corporation and look forward to its establishment as soon as practicable; (3) request the International Bank (a) to prepare draft statutes to govern the corporation, taking into account the views expressed in the United Nations and the responsibilities of existing financial organizations; (b) to present the draft to the member Governments of the Bank for discussion and invite them to indicate the degree of support that might be expected from them in providing the capital for the establishment of the corporation; (c) to take steps to bring about agreement among its members on the draft statutes; and (d) to report on the results of its work to the Economic and Social Council at its twentieth session; and (4) request the Economic and Social Council to report on this matter to the General Assembly at its tenth session.

25. At the same meeting the sixteen-Power draft resolution (A/C.2/L.229/Rev.2) was withdrawn by its sponsors.

26. At the 333rd meeting, the representative of Canada, on behalf of the sponsors of the nine-Power draft resolution (A/C.2/L.249), proposed to modify operative subparagraph 2, by inserting the date of the statement of the United States Administration and deleting the word "consequent" before "declarations", so that this paragraph would read:

"Takes note of the statement of the United States Administration of 11 November 1954 and declarations of other countries in support of an international finance corporation and looks forward to its establishment as soon as practicable;"

27. The draft resolution (A/C.2/L.249), with the changes made by its sponsors as indicated in paragraph 26 above, was approved by the Committee at its 333rd meeting by 44 votes to none, with 5 abstentions

28. The Second Committee therefore recommends to the General Assembly the adoption of draft resolution II annexed to the present report.

III. INTERNATIONAL FLOW OF PRIVATE CAPITAL FOR THE ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES

29. This sub-item was considered by the Committee from 29 November to 3 December (A/C.2/SR.323 to 330).

30. The Committee had before it the following draft resolutions:

(a) A draft resolution recommended by the Economic and Social Council at its seventeenth session for adoption by the General Assembly and contained in its resolution 512 B (XVII);

(b) A draft resolution submitted by Haiti (A/C.2/L.225);

(c) A draft resolution submitted by Chile, Colombia, Cuba, Iraq, Mexico, Philippines and Venezuela (A/C.2/L.241).

31. The following amendments to the Council's recommendation contained in resolution 512 B (XVII) were submitted :

(a) Belgium, France, Greece, Iran and Turkey (A/C.2/L.242) proposed at the 326th meeting that operative paragraph 6 which read :

"Requests the Secretary-General to prepare annually a report on the international flow of private capital and its contribution to economic development, and on the measures taken by Governments affecting such a flow. In preparing this report, account should be taken of the discussions on this subject in the Council and of suggestions which may be communicated by Governments for promoting the International flow of private capital"

should be amended to read :

"Requests the Secretary-General to prepare annually a report on the international flow of private capital and its contribution to economic development, and on the measures taken or under consideration by Governments affecting such flow. In preparing this report account should be taken of the discussions and the proposals made on this subject in the Council and the General Assembly and of suggestions which may be communicated by Governments, the International Bank for Reconstruction and Development, and the International Monetary Fund for promoting the international flow of private capital."

At the 327th meeting, a verbal sub-amendment was submitted to this amendment by the representative of Saudi Arabia to insert after the words "economic development", the words "of the capital-exporting and capital-importing countries". This sub-amendment was withdrawn by its sponsor after the sponsors of the amendment accepted a verbal sub-amendment by the representative of Chile to replace the words "economic development" by the words "an expanding international economy". The sponsors of the amendment also accepted a verbal proposal by the Chairman to replace the words "or under consideration by Government affecting such flow" by the words "by Governments affecting such flow, or announced by them to be under consideration". A further sub-amendment proposed by Egypt (A/C.2/L.244) at the 327th meeting, which would insert, after the words "General Assembly", the words "including the draft resolution in document A/C.2/L.225" was withdrawn by its sponsor in the course of this meeting.

(b) Egypt (A/C.2/L.243) proposed, at the 327th meeting, to add after the third paragraph of the preamble the following new paragraph :

"Recognizing that voluntary re-investment in under-developed countries of profits and earnings of foreign capital not only reduces demand for foreign exchange, but also contributes directly to the expansion of economic activity and the increase in the national income of the country in which it takes place,"

32. At its 327th meeting, the Committee voted on the draft resolution recommended by the Economic and Social Council and the amendments to it with the following results :

The amendment by Egypt (A/C.2/L.243), was adopted by 44 votes to none, with 7 abstentions.

The five-Power amendment (A/C.2/L.242), as amended [see paragraph 31 above], was adopted by 48 votes to none, with 6 abstentions.

The second paragraph of the preamble of the draft resolution proposed by the Council, on which a separate vote was requested by the representative of Chile, was adopted by 42 votes to 5, with 7 abstentions.

Sub-paragraph (a) of operative paragraph 1, on which a separate vote was requested by the representative of Mexico, was adopted by 42 votes to 6, with 5 abstentions.

The draft resolution as a whole, as amended, was approved by 45 votes to 1, with 7 abstentions.

33. The Second Committee therefore recommends to the General Assembly the adoption of draft resolution III annexed to the present report.

34. In the operative part of the draft resolution submitted by Haiti (A/C.2/L.225) the General Assembly would request the Secretary-General, after consultation with the International Bank for Reconstruction and Development, with the specialized agencies and, as he might deem desirable and necessary, with experts in banking and finance, and at the same time having regard where appropriate to the main purposes of Economic and Social Council resolution 512 B (XVII) on the "International flow of private capital for the economic development of under-developed countries": (1) to study practical methods of increasing, by the use of existing institutions and arrangements, desirable investments in the under-developed countries for the purchase of the equipment necessary for modernization or for the establishment of new industries, and to include more especially in his study the possibility of (a) making use of technical assistance experts in the under-developed countries for the preparation of projects designed to establish new enterprises which would be financed by national or international private capital or by both jointly; (b) obtaining for such enterprises long- and medium-term loans from the International Bank, or from other public international sources, or from private banking institutions in the capital-exporting countries acting through international agencies; (c) facilitating such investments by means of guarantees or endorsements by the Governments of the requesting countries. These guarantees or endorsements might carry the obligation to deduct each year, under suitable supervision, a percentage of the profits of the debtor undertakings to cover interest and amortization payments; (2) to take into consideration the suggestions made to the Economic and Social Council in accordance with resolution 512 B (XVII) by Governments desiring to promote the flow of private capital; and (3) to submit a report on the results of his study for consideration by the Council at its twenty-first session.

35. At the 325th meeting, the following amendments to the Haitian draft resolution (A/C.2/L.225), were submitted by Cuba (A/C.2/L.240) :

(1) The third, fourth and fifth paragraphs of the preamble which read :

"Recalling its resolutions relating to a special international fund and the international finance corporation, but noting that conditions favourable to the establishment of these institutions have not yet been created ;

"Maintaining its decision to keep under close review the question of the establishment of these two institutions and, in particular, to be attentive to any changes, either in world conditions or in the attitudes of the Governments of Member States, which might be propitious to the establishment of such a fund in the near future ;

"Considering that the stimulation of an expanded flow of capital to under-developed countries need not be delayed until conditions are favourable to the establishment of these new institutions,"

would be replaced by the following two paragraphs :

"Recalling its resolutions relating to a special international fund and the international finance corporation,

"Considering that other endeavours for stimulating an expansion of the flow of capital to under-developed countries need not be delayed until these new institutions are established,"

(2) The seventh paragraph of the preamble which read :

"Considering in particular that it would be helpful to examine forthwith whether foreign capital investments in the economies of the under-developed countries could not be obtained through a system of credit based on attestation of an international character, as to the soundness of undertakings seeking the foreign capital essential for their modernization and development, and also on Government guarantees,"

would be replaced by the following :

"Considering in particular that it would be useful to examine forthwith the possibility of obtaining foreign capital investments in under-developed countries through a credit system which would require a certification of an international authority concerning the profitability of the enterprise seeking the foreign capital essential for its establishment, modernization or development, accompanied by guarantees of public or semi-public bodies,"

(3) In operative paragraph 1 above, the phrase "for the purchase of the equipment necessary for modernization or for the establishment of new industries" would be replaced by the following :

"necessary for the modernization, expansion or establishment of enterprises".

(4) In sub-paragraph 1 (a), the word "new" would be deleted and the words "expand or modernize" would be inserted between the words "establish" and "enterprises".

(5) In sub-paragraph 1 (b), the following would be inserted after the words "medium-term loans": "on a larger scale than has been done heretofore", and the words "directly or" would be inserted after the word "acting".

(6) In sub-paragraph 1 (c), the words "the Governments" would be replaced by the words "public or semi-public bodies" and the sentence beginning with the words "These guarantees" would be deleted.

36. At the same meeting, the amendments by Cuba (A/C.2/L.240) were accepted by the representative of Haiti.

37. At the 327th meeting, the representative of Haiti withdrew his draft resolution (A/C.2/L.225) on the understanding that the Committee agreed with a statement by the Rapporteur to the effect that the Secretary-General, when preparing the annual report recommended by the Economic and Social Council in its resolution 512 B (XVII),⁵ should take into consideration the Haitian proposal, as amended by Cuba (A/C.2/L.240).

38. Under the draft resolution submitted by Chile, Colombia, Cuba, Iraq, Mexico, Philippines and Venezuela (A/C.2/L.241) the General Assembly would request the Secretary-General to (a) continue the studies on the application by capital-exporting countries of taxation on the income from investments in under-developed countries; and (b) submit his finding for the consideration of the Economic and Social Council.

39. Amendments to this joint draft resolution were submitted at the 327th meeting by Egypt (A/C.2/L.245), proposing that in the operative part (1) the words "the Secretary-General" in the first line should be replaced

by the words "the Economic and Social Council", and (2) the words "the Economic and Social Council" should be replaced by the words "the General Assembly".

40. At its 329th meeting, the Committee received a revised text of this seven-Power draft resolution (A/C.2/L.241/Rev.1) by which the General Assembly would (1) request the Secretary-General (a) to continue his studies of the taxation by capital-exporting and capital-importing countries on the income from foreign investments in under-developed countries and to make an analysis of replies of Governments to his questionnaire concerning the taxation of foreign nationals, assets and transactions; (b) to submit his studies to the Economic and Social Council; and (2) request the Economic and Social Council to consider the reports of the Secretary-General mentioned above and to transmit the results of its deliberations to the General Assembly.

41. At the same meeting, the following verbal amendments to this revised text were submitted by the representatives of (i) the Union of South Africa, who proposed to add in sub-paragraph 1 (a), after the words "investments" the words "particularly those made"; (ii) Cuba, who proposed to replace in sub-paragraph 1 (a) the words "and to make" by the words "making use in such studies of"; (iii) Egypt, who withdrew the amendment contained in document A/C.2/L.245, and proposed to add to sub-paragraph 1 (a) the words "in order to accelerate the economic development of under-developed countries". In connexion with sub-paragraph 1 (a) and the verbal amendments submitted to it, the Chairman suggested, and the Committee agreed, that he would present to the Committee at its next meeting, a new draft text of the whole sub-paragraph, taking into account the amendments proposed.

42. At its 330th meeting, the Committee received the new draft of sub-paragraph 1 (a) proposed by the Chairman (A/C.2/L.246) which read as follows :

"With a view to accelerating the rate of economic development of under-developed countries, to continue his studies of the taxation by capital-exporting and capital-importing countries on the income from foreign investments, particularly those made in the under-developed countries, making use in such studies of an analysis of replies of Governments to his questionnaire concerning the taxation of foreign nationals, assets and transactions;".

The sponsors of the seven-Power draft resolution (A/C.2/L.241/Rev.1) accepted the wording for the sub-paragraph proposed by the Chairman.

43. The revised joint draft resolution (A/C.2/L.241/Rev.1), as amended (A/C.2/L.246), was approved by 30 votes to none, with 5 abstentions.

44. The Second Committee therefore recommends to the General Assembly the adoption of draft resolution IV annexed to the present report.

IV. LAND REFORM

45. This sub-item was considered by the Committee on 29 October, 12 to 17 November and 29 November (A/C.2/SR.304, 310 to 314 and 323).

46. The Committee had before it a joint draft resolution submitted by Bolivia, Costa Rica, Egypt, Indonesia and Pakistan (A/C.2/L.234) by which the General Assembly, considering the Secretary-General's reports *Progress in Land Reform* (E/2526)⁶ and *Rural Progress through Co-*

⁵ See document A/RESOLUTION/253. below.

⁶ United Nations Publication, Sales No. : 1954 II.B3

operatives (E/2524)⁷ and Economic and Social Council resolution 512 C (XVII) on land reform, which requested the General Assembly to continue its interest in land reform in all its aspects, giving particular attention to the problem of financing; bearing in mind that structural reforms and other reforms referred to in General Assembly resolution 625 (VII) and Economic and Social Council resolution 512 C (XVII) would not only help promote social progress and raise the standard of living but would also tend to stimulate agricultural production and general economic development; considering the important part played by land reform by enabling landless peasants to become landowners in under-developed countries and territories where agriculture was an important source of the national income; noting the considerable benefits derived from the various forms of agricultural co-operatives particularly when they ensured that land reform did not result in its early stages in a decline in production or disorganization of trade; recalling that despite the efforts so far made one of the greatest obstacles to progress in some under-developed countries was the existence of great numbers of peasants who had not been given the possibilities of becoming landowners; bearing in mind that the effective development of land reform programmes in those countries was dependent upon the enjoyment of equal political and social rights without any racial discrimination in the economic, social and political fields including equal access to the benefits provided by public facilities; considering that various Member States had initiated important land reform programmes, under which millions of peasants had recently become landowners; would (1) recommend that Member States should institute, when necessary, appropriate land reforms in the interest of the landless peasants, and of small and medium landowners, making provision for the establishment and development of agricultural co-operatives, to enable the new landowners to obtain the necessary means of production and credit on the best possible terms, together with all other necessary facilities, commercial and otherwise; and plan their fiscal and investment policies with a view to the expansion of the area under cultivation and the improvement of the methods of agricultural production; (2) recommend that Governments should observe the principle of equal treatment and eliminate the concept and practice of discrimination in the political, social and economic fields; ensure the adequate remuneration of labour, provide for adequate measures of social welfare and freedom of association; see that public facilities are made adequately available to the rural population; and ensure respect for such traditional institutions of the indigenous populations as are compatible with progress and modern techniques; (3) express its support for all Member States which, in carrying out their land reform programmes, adopted equitable measures to enable the peasants to acquire ownership of land, it being understood that the technical co-operation of the United Nations should be made increasingly available to States which requested it on the grounds that they were studying or carrying out programmes of land reforms; (4) recommend that the International Bank for Reconstruction and Development should give sympathetic consideration to loan applications from under-developed countries for development projects designed to implement their programmes of agrarian reform, including projects designed to bring new lands under agricultural cultivation, and invite the Bank, consistent with its maintenance as a self-supporting entity, to consider making any such loans on terms of interest and amortization designed to place the smallest feasible burden on the borrowing countries; and (5) request the Secretary-General, in co-operation with

the specialized agencies concerned, to implement resolution 512 C (XVII) and to arrange for the holding of regional land reform conferences and seminars with a view to a general conference on land reform.

47. At its 323rd meeting, the Committee received a revised text of this joint draft resolution (A/C.2/L.234/Rev.1, Corr.1 and 3). In this revised text, the General Assembly, considering the Secretary-General's reports *Progress in Land Reform* (E/2526) and *Rural Progress through Co-operatives* (E/2524) and Economic and Social Council resolution 512 C (XVII) on land reform, in which the General Assembly is requested to continue its interest in land reform in all its aspects, giving particular attention to the problem of financing; bearing in mind that improvement of agrarian structure which in some under-developed countries constituted an obstacle to economic development, together with other reforms referred to in General Assembly resolutions 401 (V), 524 (VI) and 625 (VII) and Economic and Social Council resolutions 370 (XIII) and 512 C (XVII) would not only help promote social progress and raise the standard of living, but would also tend to stimulate agricultural production and general economic development by an integrated approach to the tasks of development; considering the important part played by programmes of land reform designed to improve progressively the condition of the rural population, conditions of tenure, and, as appropriate, to facilitate the ownership of land by the largest practicable number of the rural population in under-developed countries and territories; bearing in mind that the effective development of land reform programmes in those countries was dependent in large measure upon the enjoyment of economic, social and political equality, including the right to share equitably the benefits of public facilities; would (1) recommend that Member States, where appropriate, should institute land reform measures to encourage among other things the ownership of land by the largest practicable number of the rural population and pursue fiscal and investment policies with a view to the expansion of the area under cultivation and the improvement of the methods of agricultural production; (2) recommend that Member States, in implementing land reform programmes in the process of their economic development, should observe the principle of equitable treatment in the economic, political and social fields with a view to improving the condition of the rural population, respect the free establishment of agricultural associations, promote the general welfare including measures designed to provide agricultural workers with the possibility of earning adequate remuneration and to respect such institutions of the indigenous population as might be compatible with economic and social progress and modern techniques; (3) endorse the recommendations of Economic and Social Council resolution 512 C (XVII) concerning the formation and development of co-operatives; (4) endorse also the recommendation of the Economic and Social Council in its resolution 512 (XVII) that the International Bank for Reconstruction and Development should give sympathetic consideration to loan applications from under-developed countries for the development projects designed to implement their programmes of agrarian reform, including projects designed to bring new lands under agricultural cultivation, and invite the Bank, consistent with its maintenance as a self-supporting entity, to consider making any such loans on terms of interest and amortization designed to place the smallest feasible burden on the borrowing countries; (5) express its support for Member States which were carrying out land reforms in conformity with General Assembly resolutions and the hope that, in accordance with the recommendations of the Economic and Social Council, high priority would be given to requests for United Nations technical assistance

⁷ United Nations Publication, Sales No.: 1954.II.B4

for the purpose of studying or carrying out land reform programmes; and (6) request the Secretary-General, the Food and Agriculture Organization and the other specialized agencies concerned, in consultation with the Secretary-General, to consider the best methods for the further implementation of Economic and Social Council resolution 512 C (XVII).

48. At the same meeting, the Committee was informed (A/C.2/L.234/Rev.1/Add.1) that France was a co-sponsor of this revised draft resolution.

49. At its 323rd meeting, the Committee received amendments by Poland (A/C.2/L.239) to the revised joint draft resolution (A/C.2/L.234/Rev.1), which would delete the words "and *Rural Progress through Co-operatives*" from the first paragraph of the preamble, and replace operative paragraph 1 [see (a) above] by the following text: "Recommends that Member States concerned institute land reforms in the interest of landless, small and medium farmers and pursue fiscal and investment policies with a view to the expansion of the area under cultivation and the improvement of the methods of agricultural production".

50. The Polish amendments (A/C.2/L.239), which were voted upon separately at the request of the representative of Poland, and the revised joint draft resolution (A/C.2/L.234/Rev.1, Corr.1, and 3 and Add.1) were voted upon at the 323rd meeting as follows:

The first amendment by Poland was rejected by 44 votes to 5, with 3 abstentions.

The second amendment by Poland was rejected by 32 votes to 5, with 13 abstentions.

The first paragraph of the preamble of the revised joint draft resolution, on which a separate vote was requested by the representative of Poland was adopted by 47 votes to 5, with no abstentions.

The fourth paragraph of the preamble, on which a separate vote was requested by the representative of the Philippines, was adopted by 49 votes to none, with 2 abstentions.

Operative paragraph 2, on which a separate vote was also requested by the representative of the Philippines, was adopted by 48 votes to none, with 3 abstentions.

The revised joint draft resolution as a whole was approved by 43 votes to none, with 5 abstentions.

51. The Second Committee therefore recommends to the General Assembly the adoption of draft resolution V annexed to the present report.

Recommendations of the Second Committee

52. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

I

QUESTION OF THE ESTABLISHMENT OF A SPECIAL UNITED NATIONS FUND FOR ECONOMIC DEVELOPMENT

[Text adopted without change by the General Assembly. See document A/RESOLUTION/251 below]

II

QUESTION OF THE ESTABLISHMENT OF AN INTERNATIONAL FINANCE CORPORATION

[Text adopted without change by the General Assembly. See document A/RESOLUTION/252 below]

III

INTERNATIONAL FLOW OF PRIVATE CAPITAL FOR THE ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES

[Text adopted without change by the General Assembly. See document A/RESOLUTION/253 below]

IV

INTERNATIONAL TAX PROBLEMS

[Text adopted without change by the General Assembly. See document A/RESOLUTION/254 below]

V

LAND REFORM

[Text adopted without change by the General Assembly. See document A/RESOLUTION/255 below]

DOCUMENT A/2848

Report of the Fifth Committee

[Original text: English]
[9 December 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee, at its 471st meeting held on 1 December 1954, considered the financial implications of draft resolution I, proposed by the Second Committee (A/2847), on the question of the establishment of a Special United Nations Fund for Economic Development. Under that resolution, the General Assembly, in addition to extending the appointment of Mr. Raymond Scheyven for another year, would request Mr. Scheyven, with the assistance of the Secretary-General and of an *ad hoc* group of experts selected by the Secretary-General in consultation with Mr. Scheyven, and on the basis of consultation with the Technical Assistance Board and the specialized agencies concerned, to prepare a further report for consideration by the Economic and Social Council at its twentieth session and to present a final report to the General Assembly at its tenth session.

2. The Secretary-General submitted a statement (A/C.5/610) in which he estimated that the costs involved in the draft resolution proposed by the Second Committee which were not provided for in the 1955 estimates would total \$20,500.

3. In its report on this item (A/2819), the Advisory Committee on Administrative and Budgetary Questions concurred in the estimate submitted by the Secretary-General.

4. The Fifth Committee decided, without objection, that in the event of the adoption by the General Assembly of the draft resolution proposed by the Second Committee, additional provision would be required in the 1955 appropriations in the amount of \$20,500.

DOCUMENT A/RESOLUTION/251

[Resolution 822 (IX)]

Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954

QUESTION OF THE ESTABLISHMENT OF A SPECIAL UNITED NATIONS FUND FOR ECONOMIC DEVELOPMENT

The General Assembly,

Mindful of the determination expressed in the Preamble of the Charter "to employ international machinery for the promotion of the economic and social advancement of all peoples", and of the obligations of the United Nations and its Members under Articles 55 and 56 of the Charter,

Recalling its previous resolutions and those of the Economic and Social Council on the need to provide financial assistance through international co-operation for the economic development of the under-developed countries and, in particular, on the proposal to establish a special United Nations fund for economic development,

Taking account of all relevant documents prepared in pursuance of the above-mentioned resolutions,

Bearing in mind the increasing progress made in obtaining the support of Governments for such a fund,

Having examined the final report⁸ of Mr. Raymond Scheyven prepared in pursuance of General Assembly resolution 724 B (VIII) of 7 December 1953, and the statement⁹ made by him in the Second Committee of the General Assembly,

1. Expresses the hope that a special United Nations fund for economic development be established as soon as practicable ;

2. Expresses its great appreciation of the work done by Mr. Scheyven ;

3. Extends the appointment of Mr. Scheyven for another year in order that he may continue his consultations with Governments, and elicit in the course of his consultations the views of those Governments which have not so far indicated them, on the recommendations contained in the report¹⁰ of the Committee of Nine and on the support which may be expected from them for

such a fund, and in order that he may undertake such work as is specified in paragraph 5 below ;

4. Urges Governments to review their respective positions as regards extending their material support to a special United Nations fund for economic development, in accordance with changes in the international situation and other relevant factors, both national and international ;

5. Requests Mr. Scheyven to prepare, with the assistance of the Secretary-General and of an *ad hoc* group of experts selected by him in consultation with Mr. Scheyven, and on the basis of consultation with the Technical Assistance Board and the specialized agencies concerned as well as of the report of the Committee of Nine and the comments of Governments, a further report giving a full and precise picture of the form or forms, functions and responsibilities which such a special United Nations fund for economic development might have, and especially the methods by which its operations might be integrated with the development plans of the countries receiving assistance from it. Such a report should also consider the working relationship of such a fund with the Technical Assistance Board, the International Bank for Reconstruction and Development and other specialized agencies concerned, the United Nations regional economic commissions and existing programmes in the field of economic development ;

6. Requests Mr. Scheyven to make to the Economic and Social Council, and the Council specially to consider at its twentieth session, such report as may then be possible on the results of his missions and to present his final report to the General Assembly at its tenth session, so that the General Assembly may consider the report together with such comments as may be forwarded by the Economic and Social Council on the report made to it earlier ;

7. Requests the Secretary-General to provide the above-mentioned *ad hoc* group and Mr. Scheyven with all necessary assistance and facilities.

DOCUMENT A/RESOLUTION/252

[Resolution 823 (IX)]

Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954

QUESTION OF THE ESTABLISHMENT OF AN INTERNATIONAL FINANCE CORPORATION

The General Assembly,

Being convinced of the need for international co-operation to facilitate the setting up and expansion of productive private enterprise in under-developed countries by the investment of capital without the necessity for governmental guarantees,

Recalling resolution 532 B (XVIII) of the Economic and Social Council,

Bearing in mind the reports¹¹ submitted by the International Bank for Reconstruction and Development on the establishment of an international finance corporation and the views of the Bank management regarding the useful contribution which an international finance corporation could make to the stimulation of private investment,

⁸ See *Official Records of the General Assembly, Ninth Session, Supplement No. 19* and Corrigendum.

⁹ *Ibid.*, Second Committee, 295th meeting.

¹⁰ United Nations Publication, Sales No.: 1953.II.B.1.

¹¹ See document E/2215 ; *Official Records of the Economic and Social Council, Sixteenth Session, Annexes*, agenda item 3, document E/2441 ; and *ibid.*, *Eighteenth Session, Annexes*, agenda item 3, document E/2616.

Believing that an international finance corporation, in appropriate form, could contribute materially to the economic development of under-developed areas and to the general stability of the world economy,

1. *Expresses* its appreciation of the studies carried out by the International Bank for Reconstruction and Development ;

2. *Takes note* of the statement of the United States Administration of 11 November 1954 and declarations of other countries in support of an international finance corporation, and looks forward to its establishment as soon as practicable ;

3. *Requests* the International Bank :

(a) To prepare draft statutes to govern the corporation,

taking into account the views expressed in the United Nations and the responsibilities of existing financial organizations ;

(b) To present the draft to the Governments of members of the Bank for discussion and invite them to indicate the degree of support that may be expected from them in providing the capital for the establishment of the corporation ;

(c) To take steps to bring about agreement among its members on the draft statutes ;

(d) To report on the results of its work to the Economic and Social Council at its twentieth session ;

4. *Requests* the Council to report on this matter to the General Assembly at its tenth session.

DOCUMENT A/RESOLUTION/253

[*Resolution 824 (IX)*]

Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954

INTERNATIONAL FLOW OF PRIVATE CAPITAL FOR THE ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES

The General Assembly,

Taking note of the reports¹² on the international flow of private capital prepared by the Secretary-General pursuant to its resolution 622 C (VII) of 21 December 1952,

Recognizing that the international flow of private investment for productive activities contributes to the raising of living standards by assisting in the development of natural resources, the expansion and diversification of agricultural and industrial production, and the growth of technical skills,

Recognizing that the flow of private investment has not been commensurate with the needs in those areas where rapid development is essential for economic progress,

Recognizing that voluntary reinvestment in under-developed countries of profits and earnings of foreign capital not only reduces demand for foreign exchange, but also contributes directly to the expansion of economic activity and the increase in the national income of the country in which it takes place,

Recognizing that expanding international trade and continued progress towards wider convertibility of currencies will be conducive to a greater flow of such investment,

Recognizing the necessity for measures designed to remove the impediments to such a flow and to attract private investment,

1. *Recommends* continuing efforts by countries seeking to attract private foreign capital to :

(a) Re-examine, wherever necessary, domestic policies, legislation and administrative practices with a view to improving the investment climate ; avoid unduly burdensome taxation ; avoid discrimination against foreign investments ; facilitate the import by investors of capital goods, machinery and component materials needed for new investment ; make adequate provision for the remission of earnings and repatriation of capital ;

(b) Develop domestic and foreign information services and other means for informing potential foreign investors of business opportunities in their countries and of the relevant laws and regulations governing foreign enterprise ;

(c) Consider supplementing their efforts to attract foreign private investment by including in their requests for technical advice and assistance from the United Nations and its specialized agencies as well as from the countries well advanced technically, such matters as :

(i) Economic surveys to determine the sectors most likely to be of interest to private investors and to identify specific opportunities within those sectors ;

(ii) The preparation of material regarding specific projects in a manner which will command the attention of private investors ;

(iii) The establishment of channels for the presentation of specific projects to potential investors in capital-exporting countries ;

2. *Recommends* continuing efforts by countries able to export capital to :

(a) Re-examine, wherever necessary, domestic policies, legislation and administrative practices with a view to encouraging the flow of private capital to capital-importing countries ;

(b) Ensure to potential investors the availability of the fullest possible information on foreign investment opportunities and on the conditions and outlook for investment in individual foreign countries ;

(c) Ensure to capital-importing countries (including firms and individuals therein) the availability of information on the investment desires of firms and individuals in the capital-exporting countries ;

(d) Impress on investors the importance of endeavouring to secure local capital participation in their foreign enterprises whenever feasible and appropriate ;

(e) Adopt, within the framework of their institutions, measures on taxation that will progressively reduce international double taxation with a view to its final elimination ;

3. *Recommends* continuing efforts by the capital-exporting and capital-importing countries, where ap-

¹² See United Nations Publication, Sales No.: 1954.II.D.1, and document E/2546.

appropriate, to take such other steps as may be feasible and mutually acceptable to stimulate the flow of capital to under-developed countries and more especially to :

(a) Negotiate appropriate treaties, agreements, or other arrangements ;

(b) Negotiate treaties on double taxation ;

(c) Negotiate agreements, if consistent with national laws, providing for the insurability of certain non-business risks ;

4. *Recommends* further that capital-importing and capital-exporting countries consider the desirability and feasibility of establishing investment corporations in individual countries designed to encourage the participation of private investors ;

5. *Declares* that, in order for new foreign investments to be an effective contribution to the economic develop-

ment of the under-developed countries, it is advisable to take into account, among other things, the situation with regard to previously established enterprises so as not to affect their normal development, provided that this is in harmony with the national interest ;

6. *Requests* the Secretary-General to prepare annually a report on the international flow of private capital and its contribution to an expanding international economy, and on the measures taken by Governments affecting such flow, or announced by them to be under consideration. In preparing the report account should be taken of the discussions on this subject in the Economic and Social Council and in the General Assembly and of the proposals made therein, and of suggestions which may be communicated by Governments, by the International Bank for Reconstruction and Development and by the International Monetary Fund for promoting the international flow of private capital.

DOCUMENT A/RESOLUTION/254

[*Resolution 825 (IX)*]

Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954

INTERNATIONAL TAX PROBLEMS

The General Assembly,

Noting that in resolution 486 B (XVI) the Economic and Social Council, in addition to establishing the future lines of work of the Secretariat in the fiscal field, stated that it expected a report by the Fiscal Commission on the results of its future studies on the problem of the imposition by capital-exporting countries of any further taxes on the income from investments in under-developed countries beyond those applied by the latter countries,

Considering that, as one of the results of its review of the organization and operation of its commissions, the Economic and Social Council, by resolution 557 C (XVIII), section II, decided to discontinue the activity of the Fiscal Commission before it could complete the studies envisaged under resolution 486 B (XVI) mentioned above,

Noting with satisfaction that the Secretary-General intends to continue his studies on the fiscal aspects of

economic problems referred to in Economic and Social Council resolutions 486 B (XVI) and 557 C (XVIII), section II,

1. *Requests* the Secretary-General :

(a) With a view to accelerating the rate of economic development of under-developed countries, to continue his studies of the taxation by capital-exporting and capital-importing countries on the income from foreign investments, particularly those made in the under-developed countries, making use in such studies of an analysis of replies of Governments to his questionnaire¹³ concerning the taxation of foreign nationals, assets and transactions ;

(b) To submit his studies to the Economic and Social Council ;

2. *Requests* the Economic and Social Council to consider the reports of the Secretary-General mentioned in paragraph 1 above and to transmit the results of its deliberations to the General Assembly.

DOCUMENT A/RESOLUTION/255

[*Resolution 826 (IX)*]

Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954

LAND REFORM

The General Assembly,

Considering the Secretary-General's reports "Progress in Land Reform"¹⁴ and "Rural Progress through Co-operatives"¹⁵ and Economic and Social Council resolution 512 C (XVII), section I, on land reform, in which the General Assembly is requested to continue its interest in land reform in all its aspects, giving particular attention to the problem of financing,

Bearing in mind that improvement of agrarian structure which in some under-developed countries constitutes an obstacle to economic development, together with other reforms referred to in General Assembly resolutions 401 (V), 524 (VI) and 625 (VII) and Economic and Social Council resolutions 370 (XIII) and 512 C (XVII) would not only help promote social progress and raise the standard of living, but would also tend to stimulate agricultural production and general economic development by an integrated approach to the task of development,

Considering the important part played by programmes of land reform designed to improve progressively the condition of the rural population and conditions of tenure,

¹³ See document E/CN.8/W.19

¹⁴ United Nations Publication, Sales No. : 1954.II.B.3.

¹⁵ United Nations Publication, Sales No. : 1954.II.B.2.

and, as appropriate, to facilitate the ownership of land by the largest practicable number of the rural population in under-developed countries and territories,

Bearing in mind that the effective development of land reform programmes in those countries is dependent in large measure upon the enjoyment of economic, social and political equality, including the right to share equitably the benefits of public facilities,

1. *Recommends* that Member States, where appropriate, institute land reform measures to encourage, among other things, the ownership of land by the largest practicable number of the rural population and pursue fiscal and investment policies with a view to the expansion of the area under cultivation and the improvement of the methods of agricultural production ;

2. *Recommends* that Member States, in implementing land reform programmes in the process of their economic development, observe the principle of equitable treatment in the economic, political and social fields with a view to improving the condition of the rural population ; respect the free establishment of agricultural associations ; promote the general welfare, including measures designed to provide agricultural workers with the possibility of earning adequate remuneration ; and respect such institutions of the indigenous population as may be compatible with economic and social progress and modern techniques ;

3. *Endorses* the recommendations of Economic and Social Council resolution 512 C (XVII), section II, concerning the formation and development of co-operatives ;

4. *Endorses also* the recommendation of the Economic and Social Council in its resolution 512 C (XVII), section I, that the International Bank for Reconstruction and Development give sympathetic consideration to loan applications from under-developed countries for development projects which are designed to bring new lands under agricultural cultivation, and invites the Bank, consistent with its maintenance as a self-supporting entity, to consider making any such loans on terms of interest and amortization designed to place the smallest feasible burden on the borrowing countries ;

5. *Expresses its support* for Member States which are carrying out land reforms in conformity with General Assembly resolutions and expresses the hope that, in accordance with the recommendations of the Economic and Social Council, high priority will be given to requests for United Nations technical assistance for the purpose of studying or carrying out land reform programmes ;

6. *Requests* the Secretary-General, the Food and Agriculture Organization and the other specialized agencies concerned, in consultation with the Secretary-General, to consider the best methods for the further implementation of Economic and Social Council resolution 512 C (XVII).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 510th plenary meeting, on 11 December 1954, the General Assembly adopted draft resolutions I, II, III, IV and V submitted by the Second Committee (A/2847, para. 52). For the final texts, see documents A/RESOLUTION/251, A/RESOLUTION/252, A/RESOLUTION/253, A/RESOLUTION/254 and A/RESOLUTION/255, respectively above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2663	Annual report of the Secretary-General on the work of the Organization, 1 July 1953-30 June 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 1</i>
A/2686	Report of the Economic and Social Council covering the period from 6 August 1953 to 6 August 1954		<i>Ibid., Supplement No. 3</i>
A/2702	Memorandum by the Secretary-General		Mimeographed document only
A/2847	Report of the Second Committee	3	
A/C.2/L.251	Draft report of the Second Committee		Mimeographed document only. Same text as A/2847
E/1333	<i>Methods of Financing Economic Development in Under-Developed Countries</i>		United Nations Publication, Sales No.: 1949.II.B.4
E/1986	<i>Measures for the Economic Development of Under-Developed Countries</i>		United Nations Publication, Sales No.: 1951.II.B.2
E/2519	<i>Commodity Trade and Economic Development</i>		United Nations Publication, Sales No.: 1954.II.B.1
E/2536 and Corr.1	Sixth Annual Report of the Economic Commission for Latin America (26 April 1953-10 February 1954)		<i>Official Records of the Economic and Social Council, Seventeenth Session, Supplement No. 2</i>

Document No.	Title	Page	Observations and references
E/2560	<i>World Economic Report, 1952-53</i>		United Nations Publication, Sales No.: 1954.II.C.1
E/2637 and Corr.1 and 2	Report of the Technical Assistance Committee		See <i>Official Records of the Economic and Social Council, Eighteenth Session, Annexes</i> , agenda item 8 (b)
E/AC.6/L.79	Belgium, Pakistan, Turkey and United States of America: draft resolution		Mimeographed document only. See fascicule relating to agenda item 3 (c) of the Economic and Social Council (seventeenth session)
E/CN.12/291/Rev.2	<i>Economic Survey of Latin America, 1951-52</i>		United Nations Publication, Sales No.: 1953.II.G.3
E/CN.12/292	Preliminary study of the technique of programming economic development		Mimeographed document only
E/CN.12/358	<i>Economic Survey of Latin America, 1953</i>		United Nations Publication, Sales No.: 1954.II.G.1
E/CN.12/359	<i>International co-operation in a Latin-American Development Policy</i>		United Nations Publication, Sales No.: 1954.II.G.2
F/ECE/157 and Corr.1	<i>Economic Survey of Europe since the War</i>		United Nations Publication, Sales No.: 1953.II.E.4
ST/TAA/K/Bolivia/1	<i>Report of the United Nations Mission of Technical Assistance to Bolivia</i>		United Nations Publication, Sales No.: 1951.II.B.5
(a) Question of the establishment of a special United Nations fund for economic development			
A/2646 and Add.1 to 5	Comments of Governments on the report of the Committee of Nine, submitted in accordance with General Assembly Resolution 724 B (VIII)		Mimeographed document only
A/2727 and Corr.1	Summary of comments of Governments on the report of the Committee of Nine (E/2381) made in accordance with General Assembly resolution 724 B (VIII): document submitted by the Secretary-General		Ditto
A/2728 and Corr.1	Final report by Mr. Raymond Scheyven, prepared in pursuance of General Assembly resolution 724 B (VIII)		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 19</i>
A/2819	Twenty-seventh report of the Advisory Committee on Administrative and Budgetary Questions	3	
A/2848	Report of the Fifth Committee	11	
A/C.1/752/Rev.2	Canada, France, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution		Mimeographed document only. See fascicule relating to agenda items 20 and 68
A/C.2/183	Text of statement made by Mr. Raymond Scheyven at the 295th meeting		Mimeographed document only. The statement is summarized in the summary record of the 295th meeting
A/C.2/L.226	Netherlands: draft resolution		Mimeographed document only. See A/2847, para. 6
A/C.2/L.227	Belgium: draft resolution		Ditto
A/C.2/L.228 and Add.1	Afghanistan, Bolivia, Brazil, Burma, Chile, Egypt, El Salvador, Ethiopia, India, Indonesia, Iran, Iraq, Lebanon, Netherlands, Philippines, Saudi Arabia, Syria, Uruguay, Venezuela and Yugoslavia: draft resolution		Ditto
A/C.2/L.230	Report of the Working Group		Mimeographed document only. See A/2847, para. 7
A/C.2/L.230/Add.1	Financial implications of the draft resolution submitted by the Working Group (A/C.2/L.230): estimate submitted by the Secretary-General	2	
A/C.2/L.231	Afghanistan, Bolivia, Brazil, Burma, Chile, Egypt, El Salvador, Ethiopia, India, Indonesia, Iran, Iraq, Lebanon, Netherlands, Pakistan, Philippines, Saudi Arabia, Syria, Uruguay, Venezuela and Yugoslavia: amendment to draft resolution submitted by the Working Group (A/C.2/L.230)		Mimeographed document only. See A/2847, para. 11
A/C.2/L.232	Report of the Drafting Group		Mimeographed document only. See A/2847, para. 15
A/C.2/L.233 and Corr.1	Working paper by the Secretariat		Mimeographed document only. Same text as A/RESOLUTION/251
A/C.2/L.233/Add.1	Financial implications of the draft resolution contained in the working paper by the Secretariat (A/C.2/L.233): estimate submitted by the Secretary-General	2	

Document No.	Title	Page	Observations and references
A/C.5/610	Financial implications of the draft resolution adopted by the Second Committee (A/C.2/L.233) : estimate submitted by the Secretary-General	2	
A/C.5/L.313	Draft report of the Fifth Committee		Mimeographed document only. Same text as A/2848
A/RESOLUTION/251	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	12	
E/2381	<i>Report on a Special United Nations Fund for Economic Development</i>		United Nations Publication. Sales No.: 1953.II.B.1
E/2599 and Corr.1	Interim report submitted by Mr. Raymond Scheyven, in accordance with General Assembly resolution 724 B (VIII), on the comments of Governments on the report of the Special United Nations Fund for Economic Development		See <i>Official Records of the Economic and Social Council, Eighteenth Session, Annexes</i> , agenda item 3 (a) (i)
E/2618	Co-ordination between the activities of a special United Nations fund, the Technical Assistance Board and certain specialized agencies : working paper by the Secretary-General		Mimeographed document only. See fascicule relating to agenda item 3 (a) (i) of the Economic and Social Council (eighteenth session)
(b) Question of the establishment of an international finance corporation			
A/C.2/L.229 and Rev.1	Burma, Chile, China, Colombia, Costa Rica, Cuba, Egypt, El Salvador, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Israel, Pakistan, Panama, Philippines and Uruguay : draft resolution		Mimeographed document only. See A/2847, para. 22
A/C.2/L.229/Rev.2	Burma, Chile, China, Colombia, Costa Rica, Cuba, El Salvador, Greece, Guatemala, Haiti, India, Indonesia, Israel, Panama, Philippines and Uruguay : revised draft resolution		Mimeographed document only. See A/2847, para. 23
A/C.2/L.249	Brazil, Canada, France, Greece, Mexico, Pakistan, Peru, Turkey and the United States of America : draft resolution		Mimeographed document only. See A/2847, para. 24 and 26
A/RESOLUTION/252	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	12	
E/2215	Report of the International Bank for Reconstruction and Development on the question of creating an international finance corporation		Printed by the International Bank, Washington, 1952
E/2441	Report of the International Bank for Reconstruction and Development on the question of creating an international finance corporation		See <i>Official Records of the Economic and Social Council, Sixteenth Session, Annexes</i> , agenda item 3
E/2616	Report of the International Bank for Reconstruction and Development on the question of creating an international finance corporation		See <i>Official Records of the Economic and Social Council, Eighteenth Session, Annexes</i> , agenda item 3 (a) (ii)
(c) International flow of private capital for the economic development of under-developed countries			
A/C.2/131	Haiti : draft resolution		See <i>Official Records of the General Assembly, Third Session, First Part, Second Committee Records, Annexes</i> , page 8
A/C.2/L.225	Haiti : draft resolution		Mimeographed document only. See A/2847, para. 34
A/C.2/L.240	Cuba : amendments to draft resolution submitted by Haiti (A/C.2/L.225)		Mimeographed document only. See A/2847, para. 35
A/C.2/L.241	Chile, Colombia, Cuba, Iraq, Mexico, Philippines and Venezuela : draft resolution		Mimeographed document only. See A/2847, para. 38
A/C.2/L.241/Rev.1	Chile, Colombia, Cuba, Iraq, Mexico, Philippines and Venezuela : revised draft resolution		Mimeographed document only. See A/2847, para. 40
A/C.2/L.242	Belgium, France, Greece, Iran, Turkey : amendment to the text submitted by the Economic and Social Council in its resolution 512 B (XVII)		Mimeographed document only. See A/2847, para. 31
A/C.2/L.243	Egypt : amendment to the text submitted by the Economic and Social Council in its resolution 512 B (XVII)		Mimeographed document only. See A/2847, para. 31
A/C.2/L.244	Egypt : amendment to the amendment submitted by Belgium, France, Greece, Iran and Turkey (A/C.2/L.242)		Ditto
A/C.2/L.245	Egypt : amendments to the draft resolution submitted by Chile, Colombia, Cuba, Iraq, Mexico, Philippines and Venezuela (A/C.2/L.241)		Mimeographed document only. See A/2847, para. 39

Document No.	Title	Page	Observations and references
A/C.2/L.246	Text proposed by the Chairman for operative paragraph 1 (a) of the revised draft resolution submitted by Chile, Colombia, Cuba, Iraq, Mexico, Philippines and Venezuela (A/C.2/L.241/Rev.1)		Mimeographed document only. See A/2847, para. 42
A/RESOLUTION/253	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	13	
A/RESOLUTION/254	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954 International tax problems	14	
E/2531	<i>The International Flow of Private Capital 1946-1952</i>		United Nations Publication, Sales No.: 1954.II.D.1
E/2546	Memorandum by the Secretary-General on Action taken to Stimulate the International Flow of Private Capital		Mimeographed document only
E/AC.6/SR.146	Economic Committee: summary record of the 146th meeting		Ditto
E/CN.8/W.19	Fiscal Commission, Questionnaire on the Tax Treatment of Foreign Nationals, Assets and Transactions		Ditto
(d) Land reform			
A/C.2/L.36	Poland: draft resolution		See <i>Official Records of the General Assembly, Fifth Session, Annexes</i> , agenda item 28
A/C.2/L.234	Bolivia, Costa Rica, Egypt, Indonesia and Pakistan: draft resolution		Mimeographed document only. See A/2847, para. 46
A/C.2/L.234/Rev.1 and Corr.1 and 3	Bolivia, Costa Rica, Egypt, France, Indonesia and Pakistan: revised draft resolution		Mimeographed document only. See A/2847, para. 47 and 48. Same text as A/RESOLUTION/255
A/C.2/L.239	Poland: amendments to revised draft resolution submitted by Bolivia, Costa Rica, Egypt, France, Indonesia and Pakistan (A/C.2/L.234/Rev.1 and Corr.1)		Mimeographed document only. See A/2847, para. 49
A/RESOLUTION/255	Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954	14	
E/2524	<i>Rural Progress through Co-operatives</i>		United Nations Publication, Sales No.: 1954.II.B.2
E/2526	<i>Progress in Land Reform</i>		United Nations Publication, Sales No.: 1954.II.B.3



Agenda item 26: Programmes of technical assistance: report of the Economic and Social Council

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DOCUMENT A/2803**Report of the Second Committee**

[Original text : English]
[25 November 1954]

1. The General Assembly, at its 478th plenary meeting on 25 September 1954, allocated to the Second Committee the agenda item "Programmes of technical assistance: report of the Economic and Social Council".

2. In accordance with the recommendation of the Chairman, the Committee agreed at its 289th meeting to discuss simultaneously with the above item the relevant part of chapter III of the report of the Economic and Social Council (A/2686) dealing with the question of economic development of under-developed countries. Also at this meeting the Committee requested the Chairman to make arrangements with the Chairman of the Fifth Committee regarding consideration of the report of the Advisory Committee on Administrative and Budgetary Questions on the Expanded Programme of Technical Assistance (A/2661) which was prepared under General Assembly resolution 722 (VIII) of 23 October 1953 on the basis of a recommendation of the Second Committee. Under the arrangements made (A/C.2/L.224) the Fifth Committee was to consider the Advisory Committee's report first and forward its comments on it to the Second Committee before discussion of the technical assistance item began in that Committee. However, in view of the fact that the Second Committee advanced its consideration of the item in order to complete it before the opening of the Fifth United Nations Technical Assistance Conference, the Second Committee did not receive the Fifth Committee's comments on the Advisory Committee's report before taking up the item.

3. The Committee considered the item during seven meetings (A/C.2/SR.315 to 321). The first six meetings were devoted entirely to the general debate, in which thirty-seven delegations, as well as the Secretary-General, the Chairman of the Advisory Committee on Administrative and Budgetary Questions, the Executive Chairman of the Technical Assistance Board and the Director-General of the Technical Assistance Administration, made statements.

4. The Committee had before it one draft resolution jointly submitted by Argentina, Australia, Chile, Egypt, El Salvador, France, India, Indonesia, Iraq, Netherlands, Norway, Saudi Arabia, Sweden, Venezuela and Yugoslavia (A/C.2/L.235 and Add.1) which would in section A (1) invite Governments to give the fullest possible support to the Expanded Programme of Technical Assistance and to announce their pledges for the year 1955 at the forthcoming Fifth Technical Assistance Conference, in order to ensure the continued growth of the Programme; (2) recommend that Governments and participating agencies should continue to pay due regard to making the aims and operations of the Expanded Programme of Technical Assistance more widely known; in section B (1) approve the arrangements recommended by the Economic and Social Council in its resolution 521 A (XVII)¹ regarding the reconstitution of the Special Reserve Fund of the Expanded Programme as a Working

¹ See annex I to document A/RESOLUTION/229, below, p. 4.

Capital and Reserve Fund; (2) approve the recommendation of the Council that the financial arrangements for the year 1954 as laid down in Council resolution 492 C II (XVI)² should be continued for the year 1955; (3) approve the recommendations of the Council regarding the future system of allocation of funds under the Expanded Programme included in Council resolution 542 (XVIII)³ amending resolutions 22 (IX) and 433 (XIV); (4) request the Council to study the practical means of securing contributions to the Expanded Programme on a continuing basis; and, in section C, refer to the Council the comments and recommendations contained in the first report of the Advisory Committee on Administrative and Budgetary Questions (A/2661).

5. At its 320th meeting, the Committee received amendments (A/C.2/L.236) submitted by Haiti to the joint draft resolution (A/C.2/L.235 and Add.1) proposing:

(1) To insert after the word "Approves" in section B, paragraph 3, the words " , as amended, ";

(2) To insert after the word "availability" in the fifth line of annex III, paragraph b (i), the following: " taking into account the relative urgency of and need for the various tasks of technical assistance from the point of view of the development of the countries concerned ";

(3) To insert after the word "avoided," in the eighth line of annex III, paragraph b (i), the following: "having regard especially to the situation of countries of very low standard of living and ";

(4) To insert after the word "representatives" in the tenth line of annex III, paragraph b (ii), the following: "with regard to whose retention in office the views of the Government concerned shall be taken into consideration".

6. At the same meeting, the Committee also received an amendment (A/C.2/L.237) submitted by Israel to the joint draft resolution proposing to add a new section D reading as follows:

"1. *Endorses* the initiation by the Technical Assistance Administration of a procedure whereby countries wishing to employ foreign experts directly are enabled to secure them, on a reimbursable basis, through the Expanded Programme; and

"2. *Recommends* that consideration be given to the wider adoption of this procedure."

7. Also at the 320th meeting the Committee received a revised text (A/C.2/L.235/Rev.1) of the joint draft resolution, to which the United Kingdom also became a co-sponsor. In this revised text: (a) the word "shall" in the third paragraph of the preamble was replaced by the word "would"; (b) the words "the greatest" in the fifth paragraph of the preamble were replaced by the word "increased"; (c) the following phrase was added to the last paragraph of the preamble: "and having welcomed the statement of the Secretary-General that the Administrative Committee on Co-ordination would, in its forthcoming study of the organizational relationships in the Expanded Programme, take full account of this report"; and (d) the word "practical" was deleted from the fourth paragraph of section B of the draft resolution and the words "where possible" were added after the word "securing" in the same paragraph.

8. At the 321st meeting, the representative of Haiti withdrew his amendments (A/C.2/L.236), and the representative of Israel also withdrew his amendment (A/C.2/L.237) on the understanding that it was agreed by the Committee that the concepts contained in the Haitian and Israel amendments would be given due attention in the appropriate organs of the Economic and Social Council.

9. The revised sixteen-Power joint draft resolution (A/C.2/L.235/Rev.1) was voted upon at the 321st meeting as follows:

The first operative paragraph of section B, on which a separate vote was requested by Pakistan, was adopted by 50 votes to none, with one abstention.

The joint draft resolution as a whole was unanimously adopted.

Recommendation of the Second Committee

10. The Second Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

PROGRAMMES OF TECHNICAL ASSISTANCE

[Text adopted without change by the General Assembly. See document A/RESOLUTION/229, sections A, B and C, below (p. 3).]

DOCUMENT A/2804

Report of the Fifth Committee

[Original text: English]
[25 November 1954]

1. The President of the General Assembly, in a letter to the Chairman of the Fifth Committee dated 24 November 1954, drew the attention of the Fifth Committee, for such comments as it might like to formulate, to the draft resolution adopted at the 321st meeting of the Second Committee on item 26 of the agenda of the ninth session "Programmes of Technical Assistance: report of the Economic and Social Council".

² See annex II to document A/RESOLUTION/229, below, p. 4.

³ See annex III to document A/RESOLUTION/229, below, p. 4.

2. The Fifth Committee considered this matter at its 468th meeting. It had before it the text of the draft resolution (A/C.2/L.235/Rev.1) of the Second Committee and the report of the Advisory Committee on Administrative and Budgetary Questions on the Expanded Programme of Technical Assistance (A/2661).

3. The Secretary-General, the Chairman of the Advisory Committee and seventeen delegations participated in a discussion of a number of important administrative issues which had been raised by the Advisory Committee in its report, such as the system of resident representatives, the ratio of administrative costs to total programme costs, the treatment of indirect operational costs and the in-

tegration of new expanded programme activities with regular programme activities. The Fifth Committee also took note of the statement of the Secretary-General that the Administrative Committee on Co-ordination (ACC) would, in its forthcoming study of the organizational relationships in the Expanded Programme, take full account of the report of the Advisory Committee, and also took note of the continuing study by the Economic and Social Council of these relationships.

4. The United Kingdom submitted a draft resolution (A/C.5/L.302), according to which the General Assembly would request the Secretary-General to furnish to the tenth session of the General Assembly a report on the progress made in the consideration of the questions raised in the report of the Advisory Committee, together with the comments of the Advisory Committee thereon. The Fifth Committee approved this resolution by 37 votes to 2, with 3 abstentions.

Recommendation of the Fifth Committee

5. Accordingly, the Fifth Committee recommends for adoption by the General Assembly the following draft resolution:

PROGRAMMES OF TECHNICAL ASSISTANCE

The General Assembly

Requests the Secretary-General to furnish to the tenth session of the General Assembly a report on the progress made in the consideration of the questions raised in the report of the Advisory Committee on Administrative and Budgetary Questions (A/2661), together with the comments of the Advisory Committee thereon.

[The above text was adopted by the General Assembly, as amended at the 502nd plenary meeting. See document A/RESOLUTION/229, section D, below.]

DOCUMENT A/RESOLUTION/229

[Resolution 831 (IX)]

Resolution adopted by the General Assembly at its 502nd plenary meeting on 26 November 1954

PROGRAMMES OF TECHNICAL ASSISTANCE

A

The General Assembly,

Having considered the report of the Economic and Social Council⁴ regarding the Expanded Programme of Technical Assistance,

Mindful that this Programme constitutes one of the most fruitful achievements of the United Nations,

Convinced that a further expansion of this Programme would contribute substantially to the promotion of economic development and social progress in the underdeveloped countries,

Noting with satisfaction the wide moral and material support given so far to the Expanded Programme and the readiness of Governments to contribute to this enterprise of international co-operation,

Considering that the Economic and Social Council has taken steps to ensure that the Expanded Programme is operated with increased efficiency,

Recognizing the need for adequate programme planning at the country level and the important role of the participating organizations whose technical skills and competence make possible the achievements of the Programme, and also being desirous of promoting more effective co-ordination of the work of the participating organizations in order that the whole Programme might be more effective,

Considering, in particular, resolutions 521 A (XVII) and 542 B (XVIII) of the Economic and Social Council,

Having noted the first report⁵ of the Advisory Committee on Administrative and Budgetary Questions to the ninth session of the General Assembly relating to the Expanded Programme, and having welcomed the statement by the Secretary-General⁶ that the Administrative Committee on Co-ordination would, in its forthcoming study of the organizational relationships in the Expanded Programme, take full account of this report,

1. Invites Governments to give the fullest support to the Expanded Programme of Technical Assistance and to announce their pledges for the year 1955 at the forthcoming Fifth United Nations Technical Assistance Conference, in order to ensure the continued growth of the Programme;

2. Recommends that Governments and participating organizations continue to pay due regard to making the aims and operations of the Expanded Programme of Technical Assistance more widely known;

B

1. Approves the arrangements recommended by the Economic and Social Council and reproduced in annex I to the present resolution regarding the reconstitution of the Special Reserve Fund of the Expanded Programme as a Working Capital and Reserve Fund;

2. Approves the recommendation of the Council⁷ that the financial arrangements for the year 1954 as laid down in Council resolution 492 C (XVI), section II, and reproduced in annex II to the present resolution, be continued for the year 1955;

3. Approves the recommendations of the Council regarding the future system of allocation of funds under the Expanded Programme, outlined in annex III to the present resolution and included in Council resolution 542 B (XVIII), section II, amending resolutions 222 (IX) and 433 (XIV);

4. Requests the Council to study the means of securing, where possible, contributions to the Expanded Programme on a continuing basis;

C

Refers to the Economic and Social Council the comments and recommendations contained in the first report⁵

⁴ See *Official Records of the General Assembly, Ninth Session, Supplement No. 3*, chapter III.

⁵ See A/2661.

⁶ See *Official Records of the General Assembly, Ninth Session, Second Committee*, 315th meeting, paragraphs 3 and 4.

⁷ See *Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 1*, resolution 542 B (XVIII), section III, para. 4.

of the Advisory Committee on Administrative and Budgetary Questions to the ninth session of the General Assembly ;

D

Requests the Economic and Social Council to furnish to the General Assembly at its tenth session a report on the progress made in the consideration of the questions raised in the first report of the Advisory Committee on Administrative and Budgetary Questions to the ninth session together with the comments of the Advisory Committee on the report of the Council.

ANNEX I

WORKING CAPITAL AND RESERVE FUND OF THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

[Recommended by the Economic and Social Council in resolution 521 A (XVII)]

(a) The Special Reserve Fund shall be reconstituted as a Working Capital and Reserve Fund, which will serve as a continuing operating reserve and which may be used for the following purposes :

(i) To make advances to participating organizations pending the receipt of contributions from Governments, for the purpose of initiating or continuing approved programmes within an organization's approved earmarkings ;

(ii) To improve and facilitate currency management, by making currencies available for exchange with organizations' allocated currencies, for the purchase of needed currencies pending collection of particular contributions, and for advances of currencies which would otherwise have to be purchased by organizations with dollars ;

(iii) For such other purposes as may be approved by the Technical Assistance Committee from time to time ;

(b) The size of the Working Capital and Reserve Fund shall be determined from time to time by the Technical Assistance Committee ;

(c) Withdrawals from the Working Capital and Reserve Fund shall be replaced before the end of the financial period in which they are made.

ANNEX II

FINANCIAL ARRANGEMENTS FOR 1955

[From paragraph 5 of section II of resolution 492 C (XVI) of the Economic and Social Council]

(a) Seventy-five per cent of total funds available, excluding carry-over, shall be available for allocation to the participating organizations after approval of country programmes by the Technical Assistance Board (TAB), in accordance with the percentages set forth in paragraph 8 (c) ⁸ of Council resolution 222 (IX) as amended and modified pursuant to paragraph 19 of the report of the Technical Assistance Committee to the thirteenth session of the Council ;

(b) The balance of funds available, including carry-over, shall be retained in the Special Account (i) to cover the necessary minimum expenses of TAB and the resident representatives ; and (ii) for further allocation to the participating organizations, as provided in Council resolution 433 (XIV) ;

(c) In establishing the level of the necessary administrative expense in the whole Programme, the need for economy, in view of the present level of operational expenditure, shall be fully taken into account.

⁸ Formerly paragraph 9 (c).

ANNEX III

SYSTEM OF ALLOCATION OF FUNDS UNDER THE EXPANDED PROGRAMME

[Approved by the Economic and Social Council in paragraph 1 of section II of resolution 542 B (XVIII)]

(a) As from 1 January 1955 and in relation to the programme for 1956 and subsequent years, the funds of the Expanded Programme of Technical Assistance shall no longer be allocated to the organizations participating in the Programme on the basis of percentages fixed in advance. The funds shall be distributed on the basis of the requests submitted by Governments and the priorities established by them, subject to the provisions of paragraph (b) below ;

(b) The planning and approval of the programmes, and the allocation of funds for their implementation, shall be subject to the following procedure and principles :

(i) TAB shall formulate early in the year, as a guide in planning country and regional programmes, target figures showing the amount of expenditure on technical assistance which it may be possible to undertake during the ensuing year on the basis of an assumed financial availability. In order to ensure stable programming, sharp reductions in country target figures in any single year should normally be avoided, subject to the availability of financial resources. Country target figures, including agency sub-totals for each of the participating organizations, derived from their activities during the preceding year, shall be communicated to the respective Governments. Governments shall, however, be at liberty to present their requests without being bound by these sub-totals ;

(ii) Programmes shall be drawn up at the country level by the requesting Governments, in consultation with the resident representatives or such representatives of TAB as may be specially assigned for the purpose, due regard being paid to continuing commitments. Participating organizations shall continue to be responsible for advising and assisting the appropriate Government authorities in the technical planning of individual projects. The responsibility for co-ordinating consultations between Governments and participating organizations shall rest with the resident representatives or such representatives of TAB as may be specially assigned for the purpose ;

(iii) The country programmes shall be forwarded by requesting Governments, with an indication of the priorities established by them, to TAB through the resident representatives. TAB shall consider the programmes, draw up the over-all Programme for the following year, including estimates of administrative and indirect operational costs, and submit it, with its recommendations, to TAC. In drawing up the Programme, TAB shall ensure that the ratio between the programmes to be implemented by the different participating organizations will make possible the authorization of allocations in accordance with sub-paragraph (vi) below ;

(iv) TAC shall review the over-all Programme in the light of its importance for economic development ; this review should not deal with country allocations or with the technical aspects of the Programme or the national development plans of the respective Governments, but should be concerned with over-all priorities, evaluation of the projects and the programme inter-relationships. On the basis of this review, TAC shall approve the Programme, and its approval shall be a prerequisite for any commitment in regard to the implementation of the Programme. The preparation and review of the Programme and all other necessary steps shall be carried out in such a way that TAC will be in a position to approve the over-all Programme and authorize allocations to the participating organizations by 30 November, at the latest ;

(v) Subject to the confirmation of the General Assembly, TAC shall authorize the allocation of funds to each of the participating organizations in proportion to their share in the approved over-all Programme, subject to paragraph (vi) below. These funds shall be drawn from the net financial resources, after setting aside the expenses of the TAB secretariat, the Reserve and Working Capital Fund, and a sum amounting to 5 per cent of the estimated resources for the financial year, which shall be allocated by the Executive Chairman of TAB to meet any urgent needs which may arise during the implementation of the annual Programme ;

(vi) In order to avoid substantial fluctuations in the total amounts entrusted to each participating organization from year to year, the amount allocated to each of them for the coming year shall not be less than 85 per cent of the amount allocated to them under the current year's Programme, except that, if the estimated net financial resources for the ensuing year fall below the total allocations made during the current year, the amount allocated to each participating organization shall not be less than 85 per cent of its proportion of the allocations for the current year;

(vii) Any extraordinary requests submitted by a Government for modification of the programme, received subsequent to TAC approval of the annual Programme, may be approved

by TAB and reported to TAC at its next meeting. Should it not be possible to effect necessary increases and decreases within the programme of the country concerned, the funds available for allocation by the Executive Chairman under paragraph (v) may be used for this purpose;

(c) TAC shall continue to be under the authority of the Economic and Social Council, and its decisions subject to general policy review by the Council;

(d) The appropriate organs of the participating organizations are requested to continue to review the technical aspects of the programmes for which they assume responsibility, in the same way, in so far as possible, as they examine their regular programmes.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 502nd plenary meeting, on 26 November 1954, the General Assembly adopted the draft resolution submitted by the Second Committee (A/2803, para. 10).

At the same meeting, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2804, para. 5), with amendments.

For the final text, see document A/RESOLUTION/229 (sections A, B, C and D), above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2430	Report of the Economic and Social Council covering the period 2 August 1952 - 15 August 1953		<i>Official Records of the General Assembly, Eighth Session, Supplement No. 3</i>
A/2647	Budget estimates for the financial year 1955 and information annex		<i>Ibid., Ninth Session, Supplement No. 5</i>
A/2661	First report of the Advisory Committee on Administrative and Budgetary Questions		Printed separately. See also fascicule relating to agenda item 45
A/2686	Report of the Economic and Social Council covering the period 6 August 1953 - 6 August 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 3</i>
A/2702	Memorandum by the Secretary-General		Mimeographed document only
A/2803	Report of the Second Committee	1	
A/2804	Report of the Fifth Committee	2	
A/C.2/L.224	Organization of work: Note by the Chairman		Mimeographed document only
A/C.2/L.234	Land reform—Bolivia, Costa Rica, Egypt, Indonesia and Pakistan: draft resolution		See fascicule relating to agenda item 25
A/C.2/L.235 and Add.1	Argentina, Australia, Chile, Egypt, El Salvador, France, India, Indonesia, Iraq, Netherlands, Norway, Saudi Arabia, Sweden, Venezuela and Yugoslavia: draft resolution		Mimeographed document only. See A/2803, para. 4
A/C.2/L.235/Rev.1	Argentina, Australia, Chile, Egypt, El Salvador, France, India, Indonesia, Iraq, Netherlands, Norway, Saudi Arabia, Sweden, United Kingdom of Great Britain and Northern Ireland, Venezuela and Yugoslavia: revised draft resolution		Mimeographed document only. Same text as A/RESOLUTION/229, sections A, B and C
A/C.2/L.236	Haiti: amendments to draft resolution submitted by Argentina, Australia, Chile, Egypt, El Salvador, France, India, Indonesia, Iraq, Netherlands, Norway, Saudi Arabia, Sweden, Venezuela and Yugoslavia (A/C.2/L.235)		Mimeographed document only. See A/2803, para. 5 and 8
A/C.2/L.237	Israel: amendment to draft resolution submitted by Argentina, Australia, Chile, Egypt, El Salvador, France, India, Indonesia, Iraq, Netherlands, Norway, Saudi Arabia, Sweden, Venezuela and Yugoslavia (A/C.2/L.235)		Mimeographed document only. See A/2803, para. 6 and 8
A/C.2/L.238	Draft report of the Second Committee		Mimeographed document only. Same text as A/2803
A/C.5/L.302	United Kingdom of Great Britain and Northern Ireland: draft resolution		Mimeographed document only. See A/2804, para. 5

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/RESOLUTION/229	Resolution adopted by the General Assembly at its 502nd plenary meeting on 26 November 1954	3	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 831 (IX)
E/1742	First report of the Technical Assistance Board to the Technical Assistance Committee		<i>Official Records of the Economic and Social Council, Eleventh Session, Annexes</i> , agenda item 43
E/1911	Second report of the Technical Assistance Board to the Technical Assistance Committee		Mimeographed document only
E/2054	Third report of the Technical Assistance Board to the Technical Assistance Committee		<i>Idem</i>
E/2213	Fourth report of the Technical Assistance Board to the Technical Assistance Committee		<i>Idem</i>
E/2433	Fifth report of the Technical Assistance Board to the Technical Assistance Committee		<i>Official Records of the Economic and Social Council, Sixteenth Session, Supplement No. 10</i>
E/2526	<i>Progress in Land Reform</i>		United Nations Publications, Sales No.: 1954.II.B 3
E/2558 and Corr.1	Report of the Technical Assistance Committee		<i>Official Records of the Economic and Social Council, Seventeenth Session, Annexes</i> , agenda item 11
E/2566 and Add.1 and Corr.1	Sixth report of the Technical Assistance Board to the Technical Assistance Committee		<i>Ibid.</i> , <i>Eighteenth Session, Supplement No. 4</i>
E/2575	Report by the Secretary-General		<i>Ibid.</i> , <i>Annexes</i> , agenda item 8 (a)
E/2607 and Corr.1	Sixteenth report of the Administrative Committee on Co-ordination		<i>Ibid.</i> , agenda item 8 (b) and 26 (a)
E/TAC/40 and Corr.1	System of allocation of funds under the Expanded Programme of Technical Assistance: information furnished by the Technical Assistance Board to the Technical Assistance Committee		<i>Ibid.</i> , agenda item 8 (b)
E/TAC/41 and Corr.1	Techniques of evaluation of the Expanded Programme of Technical Assistance		Mimeographed documents only. See fascicule relating to agenda item 8 (b) of the Economic and Social Council (eighteenth session)
E/TAC/L.76 and Corr.1	Australia, Belgium, France, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution		<i>Idem</i>



Agenda item 27: Report of the United Nations High Commissioner for Refugees

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A/C.3/L.403 and Add.1	Australia, Belgium, Costa Rica, Ecuador, France, the Netherlands, Turkey and the United States of America : draft resolution	2
A/C.3/L.403/Rev.2 and Corr.1	Australia, Belgium, Costa Rica, Ecuador, France, the Netherlands, Turkey and the United States of America : revised draft resolution	2
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DOCUMENT A/C.3/L.402

Sweden : draft resolution

[Original text : English]
[5 October 1954]

The General Assembly,

Having considered the problem of the refugees within the mandate of the United Nations High Commissioner for Refugees in the light of his report to the General Assembly (A/2648 and Add.2),

Having noted with appreciation the work being done on behalf of these refugees,

Having noted with concern that the situation of the majority of these refugees remains precarious,

Considering that the programme for economic integration of refugees in the countries of their residence, outlined in the report of the High Commissioner, contains constructive elements for an effective attempt at achieving a permanent solution to the problems of certain groups of the refugees who are the concern of the High Commissioner.

Considering that international funds will be required

to assure the successful execution of long-term projects for the assimilation of refugees,

1. *Authorizes* the High Commissioner to implement, in co-operation with the Governments concerned and, where appropriate, in consultation with the specialized agencies and other governmental or non-governmental agencies, the programme for economic integration of refugees, as outlined in his report ;

2. *Decides* to appropriate the funds necessary to enable the High Commissioner to perform this task ;

3. *Establishes* a Board consisting of Government representatives to advise the High Commissioner on the implementation of the programme ;

4. *Requests* the High Commissioner to include in his annual report a statement on the measures which he has taken under the terms of the present resolution.

DOCUMENT A/C.3/L.403 and Add.1¹**Australia,¹ Belgium, Costa Rica, Ecuador, France, the Netherlands, Turkey and the United States of America : draft resolution**

[Original text : English and French]
[6 October 1954]

The General Assembly,

Having considered the problems of refugees within the mandate of the United Nations High Commissioner for Refugees in the light of his report to the General Assembly at its ninth session,

Having noted with satisfaction the work accomplished for refugees,

Noting that in spite of the efforts made by the countries of residence, there is little hope that—at the present rate of repatriation, resettlement, or integration—a satisfactory solution to these problems will be reached within a reasonable period of time,

Considering that while the ultimate responsibility for the refugees within the mandate of the High Commissioner falls upon the countries of residence, certain of these countries have to face particularly heavy burdens as a result of their geographical situation, and some complementary aid has been shown to be necessary to accelerate the implementation of a programme for permanent solutions.

Recalling resolution 728 (VIII) of the General Assembly and resolution 549 (XVIII) of the Economic and Social Council,

Considering that the programme outlined in the report of the High Commissioner contains a number of constructive elements for an effective attempt at achieving a permanent solution to the problems of certain groups of the refugees who are the concern of the High Commissioner,

1. *Authorizes* the High Commissioner, in accordance with his Statute, to undertake a programme designed to achieve permanent solutions within the period of his current mandate for the refugees included within the proposals in his report to the General Assembly at its ninth session (A/2648), chapter IV, section 4, and A/2648/Add.2, paragraphs 1 to 11);

2. *Requests* the Negotiating Committee for Extra-Budgetary Funds, in co-operation with the High Commissioner, to negotiate with the Governments of Member and non-member States for voluntary contributions

towards a fund based on the proposals of the High Commissioner (the amount to be determined by the High Commissioner's Advisory Committee at its next session), to be devoted principally to the promotion of permanent solutions, and also to permit emergency assistance to the most needy cases, such fund to incorporate the fund authorized by the General Assembly in resolution 538 B (VI);

3. *Authorizes* the High Commissioner to make appeals for funds for the purposes set forth in paragraph 2;

4. *Requests* the Economic and Social Council not later than its nineteenth session, and in the light of proposals to be submitted to it by the High Commissioner upon the advice of the Advisory Committee, either to establish an Executive Committee responsible for giving directives to the High Commissioner in carrying out his programme and for exercising the necessary controls in the use of funds allotted to the Office of the High Commissioner or to revise the terms of reference and composition of the Advisory Committee in order to enable it to carry out the same duties;

5. *Requests* the High Commissioner to prepare, for presentation to the inter-governmental body mentioned in paragraph 4, detailed proposals for projects designed to achieve permanent solutions, including plans for adequate financial contributions from sources within the countries of residence;

6. *Requests* the Governments concerned, in the negotiation of agreements with the High Commissioner for the projects under this programme, to give assurances that they will assume full financial responsibility should any of the refugees within the scope of the programme still require assistance at the end of the stipulated period;

7. *Urges* Member and non-member States to co-operate with the High Commissioner to the fullest extent in this programme; and

8. *Requests* the High Commissioner to include in his annual report a statement on the measures which he has taken under the terms of the present resolution.

DOCUMENT A/C.3/L.403/Rev.2 and Corr.1²**Australia, Belgium, Costa Rica, Ecuador, France, the Netherlands, Turkey and the United States of America : revised draft resolution**

[Original text : English and French]
[14 October 1954]

The General Assembly,

Having considered the problems of refugees within the mandate of the United Nations High Commissioner for Refugees in the light of his report to the General Assembly at its ninth session,

Having noted with satisfaction the work accomplished for refugees,

Noting that in spite of the efforts made there is little hope that—at the present rate of repatriation, resettlement, or integration—a satisfactory solution to these problems will be reached within a reasonable period of time,

Considering that while the ultimate responsibility for the refugees within the mandate of the High Commissioner falls in fact upon the countries of residence, certain of these countries have to face particularly heavy burdens as a result of their geographical situation, and some

¹ The addition of Australia to the list of sponsors was noted in document A/C.3/L.403/Add.1 of 11 October 1954.

² In the provisional mimeographed form of this document the words "having special regard to family groups" read "especially family groups". The correction was noted in document A/C.3/L.403/Rev.1/Corr.1 of 15 October 1954.

complementary aid has been shown to be necessary to accelerate the implementation of a programme for permanent solutions.

Recalling resolution 728 (VIII) of the General Assembly and resolution 549 (XVIII) of the Economic and Social Council,

Considering that the programme outlined in the report of the High Commissioner contains a number of constructive elements for an effective attempt at achieving a permanent solution to the problems of certain groups of the refugees, having special regard to family groups², who are the concern of the High Commissioner,

1. *Authorizes* the High Commissioner, in accordance with his Statute, to undertake a programme designed to achieve permanent solutions within the period of his current mandate for the refugees included within the proposals in his report to the General Assembly at its ninth session (A/2648, chapter IV, section 4, and A/2648/Add.2, paragraphs 1 to 11);

2. *Requests* the Negotiating Committee for Extra-Budgetary Funds, in co-operation with the High Commissioner, to negotiate with the Governments of Member and non-member States for voluntary contributions towards a fund based on the proposals of the High Commissioner (the amount to be determined by the High Commissioner's Advisory Committee at its next session), to be devoted principally to the promotion of permanent solutions, and also to permit emergency assistance to the most needy cases, such fund to incorporate the fund authorized by the General Assembly in resolution 538 B (VI);

3. *Authorizes* the High Commissioner to make appeals for funds for the purposes set forth in paragraph 2;

4. *Requests* the Economic and Social Council not later than its nineteenth session, and in the light of proposals to be submitted to it by the High Commissioner upon the advice of his Advisory Committee, either to establish an Executive Committee responsible for giving directives to the High Commissioner in carrying out his programme and for exercising the necessary controls in the use of funds allotted to the Office of the High Commissioner or to revise the terms of reference and composition of the Advisory Committee in order to enable it to carry out the same duties;

5. *Requests* the High Commissioner to prepare, for presentation to the inter-governmental body mentioned in paragraph 4, detailed proposals for projects designed to achieve permanent solutions, including plans for adequate financial or other contributions from sources within the countries of residence;

6. *Requests* the Governments concerned, in the negotiation of agreements with the High Commissioner for the projects under this programme, to give assurances that they will assume full financial responsibility should any of the refugees within the scope of the programme still require assistance at the end of the stipulated period;

7. *Urges* Member and non-member States to co-operate with the High Commissioner to the fullest extent in this programme; and

8. *Requests* the High Commissioner to include in his annual report a statement on the measures which he has taken under the terms of the present resolution

DOCUMENT A/C.3/L.404

Uruguay: amendment to draft resolution A/C.3/L.403 and Add.1

[Original text: Spanish]
[13 October 1954]

Paragraph 1 of the operative part

Add the following: "and also for the special problems of certain family groups of refugees".

DOCUMENT A/C.3/L.405

Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen: amendments to draft resolution A/C.3/L.403 and Add.1

[Original text: French]
[13 October 1954]

1. *Third paragraph of the preamble*

Delete the words "by the countries of residence".

2. *Fourth paragraph of the preamble*

Replace by the following text:

"*Considering* that certain of the countries of residence have to face particularly heavy burdens as a result of their geographical situation, and some complementary aid has been shown to be necessary to ac-

celerate the implementation of a programme for permanent solutions,"

3. *Paragraph 5 of the operative part*

Replace the last part of the sentence, beginning with the words "including plans for..." by the following text: "taking into account any contributions from the countries of residence".

4. *Paragraph 6 of the operative part*

Replace the words "they will assume full financial responsibility" by the following: "they will provide all the assistance within their power".

² See footnote 2 on page 2.

DOCUMENT A/2759 and Corr.1

Report of the Third Committee

1. The General Assembly, at its 478th plenary meeting held on 25 September 1954, decided to allocate to the Third Committee the item "Report of the United Nations High Commissioner for Refugees".

2. The Committee considered the item at its 545th to 548th and 550th to 556th meetings held between 1 and 18 October 1954. The Committee had before it the report of the High Commissioner (A/2648 and Add.2)³ and chapter IV, section V of the report of the Economic and Social Council (A/2686).⁴

3. At the 545th meeting, the High Commissioner made a statement in which he gave information about the activities of his Office during the past year. He said that those activities were fourfold: the protection of the refugees under its mandate; the search for permanent solutions for the problem of refugees; the co-ordination of the activities of the voluntary agencies working for refugees; and, under General Assembly resolution 538 B (VI), emergency aid to the most needy groups. He gave detailed information about camp population and stressed the fact that the camp-adoption scheme initiated by his Office had been further developed during the past year. He pointed out that the so-called difficult cases among refugees presented the hardest problem, as there was little hope that those refugees would ever be integrated in the economy of the countries of residence or of any other country. Under the Statute of his Office (General Assembly resolution 428 (V) annex), he was called upon to help Governments to find permanent solutions and reduce the number of refugees requiring protection. His Office had taken active steps to refer to the appropriate authorities any request for repatriation which had been received from individual refugees. The experience of the past year had shown that the refugee problem with which the High Commissioner was concerned was far from solved, and if his Office continued activities on the lines which had been followed till then, it would not be solved. The work which had been undertaken by his Office under the Ford Foundation grant had shown the lines on which a programme for permanent solutions could be developed. Such a programme would require about \$12 million from international sources, with matching contributions from the countries of residence. At the 550th and 551st meetings, the High Commissioner gave additional information in reply to the questions of various delegations.

4. The Secretary-General, in the course of a statement at the 545th meeting, urged the Committee to help the United Nations to make an effective contribution to the High Commissioner's work, bearing in mind the long-term character of his task.

5. In the discussion the majority of the representatives expressed the appreciation of their Governments for the work of the Office of the High Commissioner and generally supported his programme for promoting permanent solutions. A few representatives, however, expressed criticism of international action undertaken on behalf of refugees since the end of the Second World War

through various international organizations and the Office of the High Commissioner. They considered that the Office tended to perpetuate the refugee problem which could have been solved a long time before through the repatriation of the refugees in accordance with General Assembly resolution 8 (I) of 12 February 1946.

6. Many representatives emphasized the international character of the refugee problem and the responsibility which the international community should continue to bear in that connexion.

7. Some delegations favoured the merging of the fund for emergency aid with that proposed for permanent solutions. They felt that a time limit for international assistance for permanent solutions should be set. It was generally felt that a new executive committee representing the Governments primarily concerned with the problem should be established.

8. Doubts were expressed that a fund of \$12 million would be sufficient either to provide a solution for the problem of refugees or to decrease their number. It was suggested that the overseas resettlement of refugees would be facilitated if international assistance for the economic development of countries of immigration were forthcoming.

9. Some delegations believed that the system of voluntary contributions to the fund for permanent solutions was inadequate and therefore stressed the necessity for the General Assembly to appropriate direct the required funds.

10. It was the strong belief of some delegations that the countries of residence of refugees should not be asked to bear the full financial responsibility for the refugees.

11. A draft resolution was submitted by Sweden (A/C.3/L.402) according to which the funds necessary to enable the High Commissioner to implement his programme would be appropriated direct by the General Assembly.

12. A second draft resolution was submitted by Australia, Belgium, Costa Rica, Ecuador, France, the Netherlands, Turkey and the United States of America (A/C.3/L.403 and Add.1) requesting the Negotiating Committee for Extra-Budgetary Funds, in co-operation with the High Commissioner, to negotiate with the Governments of Member and non-member States for voluntary contributions towards a fund to be devoted to the promotion of permanent solutions and to permit emergency aid to be given to the most needy cases of refugees.

13. An amendment to the joint draft resolution was submitted by Uruguay (A/C.3/L.404). This amendment, which stressed the problems of certain family groups of refugees, was accepted by the sponsors.

14. Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen submitted amendments (A/C.3/L.405) to various paragraphs of the joint draft resolution (A/C.3/L.403) drawing particular attention to the fact that the countries of residence should not have to assume after a certain period the full financial responsibility for refugees whose problems had not been solved by the permanent solutions programme; they suggested that the countries of residence should be requested only to provide all the assistance within their power for the refugees.

³ *Official Records of the General Assembly, Ninth Session, Supplement Nos. 13 and 13 B.* Document A/2648/Add.1 (*Supplement 13 A*) has been placed on the agenda of the Fifth Committee under item 36 (e) of the agenda of the session.

⁴ *Ibid.*, Supplement No. 3.

15. A final revision of the text of the joint draft resolution (A/C.3/L.403/Rev.3), in which certain changes were embodied in order to meet the views on which the six-Power amendments (A/C.3/L.405) had been based, was introduced at the 556th meeting. At the same meeting, those amendments were withdrawn.

16. The Swedish draft resolution (A/C.3/L.402) was rejected by 27 votes to 9, with 21 abstentions.

17. The Committee voted as follows on the joint draft resolution (A/C.3/L.403/Rev.3):

Fourth paragraph of the preamble: on a separate vote, taken at the request of the representatives of Greece and Lebanon, the Committee decided by 33 votes to 11, with 6 abstentions, to maintain the following phrase: "Considering that while the ultimate responsibility for the refugees within the mandate of the High Commissioner falls in fact upon the countries of residence";

Operative paragraph 5: on a separate vote, taken at the request of the representative of Iraq, this paragraph was adopted by 36 votes to 7, with 10 abstentions;

Operative paragraph 6: on a separate vote, taken at the request of the representative of Saudi Arabia, this paragraph was adopted by 32 votes to 10, with 11 abstentions;

The joint draft resolution as a whole was approved by 40 votes to 5, with 10 abstentions.

Recommendation of the Third Committee

18. The Third Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/203 below.]

DOCUMENT A/RESOLUTION/203

[Resolution 832 (IX)]

Resolution adopted by the General Assembly at its 495th plenary meeting, on 21 October 1954

INTERNATIONAL ASSISTANCE TO REFUGEES WITHIN THE MANDATE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

The General Assembly,

Having considered the problems of refugees within the mandate of the United Nations High Commissioner for Refugees in the light of his report⁵ to the General Assembly at its ninth session,

Having noted with satisfaction the work accomplished for refugees,

Noting that, in spite of the efforts made, there is little hope that—at the present rate of repatriation, resettlement, or integration—a satisfactory solution to these problems will be reached within a reasonable period of time,

Considering that, while the ultimate responsibility for the refugees within the mandate of the High Commissioner falls in fact upon the countries of residence, certain of these countries have to face particularly heavy burdens as a result of their geographical situation, and some complementary aid has been shown to be necessary to accelerate the implementation of a programme for permanent solutions,

Recalling resolution 728 (VIII) of the General Assembly and resolution 549 (XVIII) of the Economic and Social Council,

Considering that the programme outlined in the report of the High Commissioner contains a number of constructive elements for an effective attempt at achieving a permanent solution to the problems of certain groups of the refugees who are the concern of the High Commissioner, having special regard to family groups,

1. *Authorizes* the High Commissioner, in accordance with his Statute, to undertake a programme designed to achieve permanent solutions within the period of his current mandate for the refugees included within the proposals⁶ in his report to the General Assembly at its ninth session;

2. *Requests* the Negotiating Committee for Extra-Budgetary Funds, in co-operation with the High Com-

missioner, to negotiate with the Governments of Member and non-member States for voluntary contributions towards a fund based on the proposals of the High Commissioner (the amount to be determined by the High Commissioner's Advisory Committee at its next session), to be devoted principally to the promotion of permanent solutions, and also to permit emergency assistance to the most needy cases, such funds to incorporate the fund authorized by the General Assembly in resolution 538 B (VI);

3. *Authorizes* the High Commissioner to make appeals for funds for the purposes set forth in paragraph 2 above;

4. *Requests* the Economic and Social Council, not later than its nineteenth session and in the light of proposals to be submitted to it by the High Commissioner upon the advice of his Advisory Committee, either to establish an Executive Committee responsible for giving directives to the High Commissioner in carrying out his programme and for exercising the necessary controls in the use of funds allotted to the Office of the High Commissioner or to revise the terms of reference and composition of the Advisory Committee in order to enable it to carry out the same duties;

5. *Requests* the High Commissioner to prepare, for presentation to the inter-governmental body mentioned in paragraph 4 above, detailed proposals for projects designed to achieve permanent solutions, including plans for adequate financial or other contributions from sources within the countries of residence;

6. *Requests* the Governments concerned, in the negotiation of agreements with the High Commissioner for the projects for permanent solutions under this programme, to give assurances that they will assume full financial responsibility should any of the refugees within the scope of the programme still require assistance at the end of the stipulated period;

7. *Urges* Member and non-member States to co-operate with the High Commissioner to the fullest extent in this programme;

8. *Requests* the High Commissioner to include in his annual report a statement on the measures which he has taken under the terms of the present resolution.

⁵ See *Official Records of the General Assembly, Ninth Session, Supplements Nos. 13 and 13 B.*

⁶ *Ibid.*, Supplement No. 13, chapter IV, section 4, and Supplement No. 13 B, paras. 1 to 11 inclusive.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 495th plenary meeting, on 21 October 1954, the General Assembly adopted the draft resolution submitted by the Third Committee (A/2759 and Corr.1, para. 18). For the final text see document A/RESOLUTION/203, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2648	Report of the United Nations High Commissioner for Refugees		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 13</i>
A/2648/Add.2	Report of the United Nations High Commissioner for Refugees—Addendum		<i>Ibid., Supplement No. 13 B</i>
A/2686	Report of the Economic and Social Council covering the period from 6 August 1953 to 6 August 1954		<i>Ibid., Supplement No. 3</i>
A/2759 and Corr.1	Report of the Third Committee	4	
A/C.3/L.402	Sweden: draft resolution	1	
A/C.3/L.403 and Add.1	Australia, Belgium, Costa Rica, Ecuador, France, the Netherlands, Turkey and the United States of America: draft resolution . .	2	
A/C.3/L.403/Rev.2 and Corr.1	Australia, Belgium, Costa Rica, Ecuador, France, the Netherlands, Turkey and the United States of America: revised draft resolution	2	
A/C.3/L.403/Rev.3	Australia, Belgium, Costa Rica, Ecuador, France, the Netherlands, Turkey and the United States of America: revised draft resolution		Adopted without change. See A/2759 and Corr.1, para. 18, and A/RESOLUTION/203
A/C.3/L.404	Uruguay: amendment to draft resolution A/C.3/L.403 and Add.1	3	
A/C.3/L.405	Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen: amendments to draft resolution A/C.3/L.403 and Add.1	3	
A/CONF.2/108	United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons held at Geneva, Switzerland, from 2 to 25 July 1951, <i>Final Act and Convention relating to the Status of Refugees</i> , Geneva, 1951		United Nations Publications, Sales No.: 1951.IV.4
A/RESOLUTION/203	Resolution adopted by the General Assembly at its 495th plenary meeting, on 21 October 1954—International assistance to refugees within the mandate of the United Nations High Commissioner for Refugees	5	



Agenda item 28: Freedom of information: report of the Economic and Social Council

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DOCUMENT A/2705

Note by the Secretary-General

[Original text: English]
[23 August 1954]

1. Pursuant to General Assembly resolution 736 A (VIII) of 28 November 1953, the Economic and Social Council, at its seventeenth session, gave priority to discussion of the question of freedom of information, including the report of the Rapporteur on Freedom of Information (E/2426 and Add.1 to 5) and a report of the Secretary-General on the encouragement and development of independent domestic information enterprises (E/2534).

2. The report of the Rapporteur is an account of major contemporary problems and developments in the field of freedom of information, together with recommendations regarding practical action which might be taken by the Economic and Social Council. The Secretary-General's

report discusses ways and means of encouraging and developing independent domestic information enterprises, including news agencies, the Press, radio and films, and includes observations relating to information enterprises in general and to relevant aspects of technical assistance.

3. As a result of its discussions, the Council, on 29 April 1954, adopted resolution 522 (XVII) on "Freedom of information".¹ The resolution is divided into twelve parts. In part A, the Council requested the Secretary-General, in co-operation with Member States, specialized

¹ See also *Official Records of the General Assembly, Ninth Session, Supplement No. 3*, chapter V, section VI.

agencies, and professional associations and information enterprises, to prepare :

(a) A concrete programme of action to promote among news personnel everywhere a wider knowledge of the work of the United Nations, of foreign countries and of international affairs, with a view to promoting friendly relations among nations based on the Purposes and Principles of the Charter ;

(b) A world-wide survey of current principles and practices involved in the censorship of outgoing news dispatches ;

(c) A study of the legal aspects of the rights and responsibilities of the media of information ;

(d) A study of the problem of the protection of sources of information of news personnel, taking into account the preliminary report² already prepared by the Secretary-General on the subject ;

(e) A study of public and private information monopolies and their effects on freedom of information.

The remaining eleven parts deal with other aspects of

freedom of information, as follows : part B, transmission of outgoing news dispatches ; part C, status and movement of foreign correspondents ; part D, copyright ; part E, independence of information personnel ; part F, professional training ; part G, Press rates and priorities ; part H, international broadcasting ; part I, tariff and trade practices ; part J, technical assistance in freedom of information ; part K, encouragement and development of independent domestic information enterprises ; and part L, production and distribution of newsprint.

4. Special attention is drawn to resolution 522 J II (XVII), in which the Council, *inter alia*, decided that "subject to the approval of the General Assembly, the Secretary-General shall be authorized to render, at the request of Member States, services which do not fall within the scope and objectives of existing technical assistance programmes, in order to assist these States in promoting freedom of information". Furthermore, in resolution 522 K (XVII), the Council, *inter alia*, drew the attention of the Governments of under-developed countries to resolution 522 J (XVII).

DOCUMENT A/C.3/L.447

International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936)

Union of Soviet Socialist Republics : draft resolution

[Original text : Russian]

[29 November 1954]

The General Assembly,

Recognizing that the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936)³ could be of great assistance in the strengthening of peace at the present time,

Decides :

1. To request States which are or may become parties to the International Convention of 1936 concerning the Use of Broadcasting in the Cause of Peace to agree to transfer to the United Nations the functions which were performed under the terms of that Convention by the League of Nations ;

2. To instruct the Secretary-General :

(a) To prepare for this purpose a draft protocol con-

cerning the transfer to the United Nations of the functions assigned to the League of Nations under the International Convention of 1936 concerning the Use of Broadcasting in the Cause of Peace,

(b) To provide in the draft protocol for the accession of States Members and non-members of the United Nations which are not parties to the Convention, and also to provide for such legal adjustments as may be necessitated by current conditions ;

(c) To circulate the draft protocol to the International Convention concerning the Use of Broadcasting in the Cause of Peace to the States Parties to that Convention, and also to communicate it to the Economic and Social Council at its nineteenth session in order that the Council may submit its recommendations on the draft protocol to the General Assembly at its tenth session.

DOCUMENT A/C.3/L.448/Add.2

Financial implications of the draft resolution submitted by Chile, Ecuador, Lebanon, Mexico, the Philippines, Sweden and the United States of America (A/C.3/L.448 and Add.1)

Estimate submitted by the Secretary-General

[Original text : English]

[7 December 1954]

1. The joint draft resolution (A/C.3/L.448 and Add.1) would authorize the Secretary-General to render, at the request of Member States, services which do not fall within the scope and objectives of existing technical assistance programmes, in order to assist these States in promoting freedom of information.

2. In view of the lack of information concerning the nature and volume of requests which would arise under the proposal if adopted, the Secretary-General is unable at this stage to estimate the financial implications for 1955 and subsequent years. The assistance proposed

would accordingly be provided to the greatest possible extent from existing resources through the use of staff members seconded from the permanent establishment. It is probable that such requests would involve expenditures for travel and subsistence of seconded staff and for necessary miscellaneous expenses. As regards local costs, it is assumed that they would be borne by recipient Governments in accordance with the usual technical assistance arrangements.

3. Should the above-mentioned measures prove to be inadequate, the Secretary-General would rely on the resolution on unforeseen and extraordinary expenses whereby, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, additional resources from the Working Capital Fund might be made available to meet urgent needs.

² See document E/CN.4/Sub.1/146.

³ See League of Nations, *Treaty Series*, vol. CLXXXVI, 1938, p. 301.

DOCUMENT A/C.3/L.450/Add.1

Financial implications of the draft resolution submitted by the Philippines (A/C.3/L.450)

Estimates submitted by the Secretary-General

[Original text: English]
[7 December 1954]

1. The draft resolution set forth in document A/C.3/L.450 would provide for the establishment of a commission composed of three "eminent persons who are experts in the fields of law or information" to prepare:

(a) A report, with recommendations, concerning the effect of the media of mass communications upon relations between peoples, with particular regard to war tensions; and

(b) A world-wide survey, together with recommendations where practicable, of barriers to the free flow of news and information within countries and across national frontiers.

The members of the commission would be selected by the President of the General Assembly, in consultation with the Secretary-General and would serve in their personal capacity, with the consent of their Governments, for a period of two years from the date of their appointment. The commission would present the above-mentioned surveys to the General Assembly as soon as possible and in any case would make a progress report to the General Assembly at its tenth session.

2. On the assumption that the expenses of the commission members will be limited to travel and subsistence for two meetings at Headquarters—(one in 1955 to organize and plan the commission's activities, the other in 1956 to prepare its final report to the General Assembly)—and that the assistance required from the Secretariat

would not exceed the resources currently available, the estimated costs would be as follows:

	\$	\$
(a) 1955 requirements		3,525
Cost of travel and subsistence of three experts meeting at Headquarters for three weeks' travel on basis of \$650.00 each	1,950	
Subsistence allowance at \$ 25 per per expert	1,575	
(b) 1956 requirements		26,275
(1) Cost of travel and subsistence for three experts meeting at Headquarters for seven weeks		
Travel on basis of \$650.00 each	1,950	
Subsistence allowance at \$25 per day per expert	3,675	
(2) Translation and typing of 320 manuscript pages into five languages (staff costs if they were to be calculated separately)		9,600
(3) Printing of the report to the General Assembly in five languages	11,050	
(c) Total estimated requirements		29,800

3. Should the draft resolution be approved by the General Assembly, the Secretary-General would request additional appropriations of \$3,525 under Section I of the 1955 budget estimates. The 1956 requirements would be taken into account in preparing the budget estimates for that year.

DOCUMENT A/C.3/L.451/Rev.1

Draft convention on freedom of information

Afghanistan, Costa Rica, Egypt, India, Indonesia, the Philippines, Saudi Arabia and Yugoslavia: revised draft resolution

[Original text: English]
[7 December 1954]

The General Assembly,

Considering that it has not studied the draft convention on freedom of information during its sixth, seventh, eighth and ninth sessions,

Recalling its decision in resolution 631 (VII) that it would consider, *inter alia*, the draft convention on freedom of information in the light of the report of the Rapporteur on Freedom of Information to the Economic and Social Council and after the Council had had an opportunity to examine that report,

Noting that the Rapporteur on Freedom of Information has made recommendations for further consideration of the draft convention,

Noting that the Economic and Social Council has not made any recommendations for further action on the draft convention,

Considering the importance of freedom of information as a fundamental human right and the necessity of giving the conclusion of a convention on this right high priority in the work of the United Nations,

1. Requests the Economic and Social Council to discuss, at its nineteenth session, the draft convention on freedom of information and to formulate recommendations for the consideration of the General Assembly, taking into account the views expressed and the proposals made on this subject at the ninth and previous sessions of the General Assembly;

2. Decides to discuss the draft convention on freedom of information not later than at its eleventh regular session, including such recommendations as the Economic and Social Council may make.

DOCUMENT A/2877

Report of the Third Committee

[Original text: English]
[15 December 1954]

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I. INTRODUCTION

1. The General Assembly, at its 478th plenary meeting held on 25 September 1954, decided to refer to the Third Committee, together with other items on the agenda of its ninth session, item 28: "Freedom of information: report of the Economic and Social Council".

2. The Committee decided to take this item as the fourth item of its agenda. It will be noted that chapter V, section VI, of the report of the Economic and Social Council (A/2686) (item 12 of the agenda of the General Assembly), related to item 28. (See report of the Third Committee on agenda item 12 (A/2829, para. 3).

3. The Committee considered item 28 at its 599th to 616th meetings held from 30 November to 11 December 1954.

4. The following documents were before the Committee:

(a) The report of the Economic and Social Council covering the period from 6 August 1953 to 6 August 1954 (A/2686), chapter V, section VI;

(b) A note by the Secretary-General (A/2705) concerning the action taken by the Economic and Social Council at its seventeenth session on freedom of information.

II. GENERAL DEBATE

5. The Committee held a general debate on the item during its 599th to 607th meetings inclusive. The greater part of the debate was devoted to an examination of the action which the Economic and Social Council had taken at its seventeenth session on the report submitted to it by the Rapporteur on Freedom of Information pursuant to Council resolution 442 C (XIV). The representative of the Philippines, drawing on his experience as Rapporteur on Freedom of Information, a post in which he served in his personal capacity, opened the discussion with a comparison between the recommendations for practical action contained in the Rapporteur's report and the action taken by the Council on them.

6. Some representatives noted that the Council's action had been restricted largely to technical aspects of freedom of information and that, while that would very likely lead to useful results, the Council had not tackled a number of important matters, some of them lying at the heart of the whole problem of freedom of information. In this respect, it was pointed out that although the General Assembly had, at its eighth session, indicated

to the Council its interest in the draft convention on freedom of information, and although the Rapporteur's report had contained a recommendation aimed at stimulating further work on the draft convention, the Council had not even discussed it. The opinion was also expressed that for obvious political reasons, the Secretary-General would have difficulty in carrying out some of the tasks entrusted to him under Council resolution 522 A (XVII), and that the Council should have devised some other means of performing them. On the other hand, it was claimed that the tasks envisaged under Council resolution 522 (XVII) could most effectively be performed by the Secretary-General and the specialized agencies, who would have more varied resources at their disposal than would a rapporteur. Several representatives commented on the form and scope of the reports and studies which the Secretary-General had been asked to prepare.

7. Some representatives, while sympathizing with the impatience which had been expressed at the slow progress in freedom of information, maintained that the nature of the problem and its philosophical as well as its political content should, realistically, preclude any extravagant hopes. Differences in national concepts of freedom of information, combined with the heightening of international tensions in the post-war years, could not but make for slow progress, and perhaps those who were disappointed at the results had not sufficiently taken existing conditions into account. Some representatives, while noting the wide scope of the Rapporteur's report (E/2426 and Add.1 to 5), criticized it for its "lack of objectivity" and its use of what were described as dubious sources. Certain representatives supplied information aimed at correcting or modifying statements contained in the report.

8. Stress was laid on the importance of technical assistance as one means of providing the people of the under-developed regions of the world with free access to information, and the Council was commended for the steps it had taken to open up the possibility of providing help under United Nations technical assistance programmes. A note of caution was added, however; it was pointed out that since the money available for the programme as a whole was necessarily limited, technical assistance in that field might be rendered at the expense of help in other, perhaps equally important, fields. Mention was made of various ways in which technical assistance could be rendered in freedom of information, including professional training of journalists, the setting up of fellowships and scholarships and the establishment of independent domestic information enterprises

9. As in discussions of freedom of information at previous sessions of the General Assembly, the responsibility of the media of information to refrain from propaganda which might provoke or encourage a threat to the peace or which might incite to racial or national hatred, was emphasized by a number of representatives. The media of information, they pointed out, had a positive obligation to give expression to the desire of all peoples to see a lasting peace established, and the United Nations should do everything in its power to co-operate to that end.

III. TECHNICAL ASSISTANCE IN FREEDOM OF INFORMATION

10. Chile, Ecuador, Lebanon, Mexico, the Philippines, Sweden and the United States of America submitted a draft resolution (A/C.3/L.448 and Add.1) whereby the General Assembly, noting Economic and Social Council resolution 522 J (XVII) of 29 April 1954 concerning technical assistance in freedom of information, would authorize the Secretary-General to render, at the request of Member States, services which did not fall within the scope and objectives of existing technical assistance programmes, in order to assist those States in promoting freedom of information. The proposal was considered at the Committee's 608th meeting. The Secretary-General presented a statement of financial implications (A/C.3/L.448/Add.2) in accordance with rules 154 and 155 of the rules of procedure of the General Assembly.

11. A majority of representatives agreed that freedom of information should be included, as well as the promotion and safeguarding of the rights of women and the prevention of discrimination and the protection of minorities, as fields in which the Secretary-General should be authorized to render special services. The view was expressed that such services should not involve new staff or more money, and it was also emphasized that action would be taken only at the request of Member States.

12. After discussion, and after hearing representatives of the Secretary-General and of the United Nations Educational, Scientific and Cultural Organization, the Committee adopted the seven-Power draft resolution by 47 votes to 1, with 1 abstention. The Committee accordingly recommends to the General Assembly the adoption of draft resolution I, the text of which appears in paragraph 36, below.

IV. DRAFT CONVENTION ON FREEDOM OF INFORMATION

13. Afghanistan, Costa Rica, Egypt, India, Indonesia, the Philippines, Saudi Arabia and Yugoslavia submitted to the Committee a draft resolution (A/C.3/L.451), by which the General Assembly, considering that it had not studied the draft convention on freedom of information during its sixth, seventh, eighth and ninth sessions; recalling its decision in resolution 631 (VII) that it would consider, *inter alia*, the draft convention in the light of the report of the Rapporteur on Freedom of Information to the Economic and Social Council, and after the Council had had an opportunity to examine that report; noting that the Rapporteur on Freedom of Information had made recommendations for further consideration of the draft convention and that the Council had not made any recommendations for further action on it; and further considering the importance of freedom of information as a fundamental human right and the necessity for giving the conclusion of a convention on this right high priority in the work of the United Nations, would (1) request the Economic and Social Council to discuss the draft convention on freedom of information at its nineteenth session and to formulate recommendations for the con-

sideration of the General Assembly, taking into account the views expressed on this subject at the ninth and previous sessions of the Assembly; (2) decide to discuss the draft convention at its tenth regular session, including such recommendations as the Council might make.

14. Chile also submitted a draft resolution (A/C.3/L.452) on the subject of the draft convention on freedom of information. This proposal referred to the fact that Economic and Social Council resolution 442 C (XIV) had recognized the overriding importance of freedom of information as a fundamental human right and that its protection was one of the objectives of the United Nations Charter, and noted that, while the subject had been under study in the United Nations for a considerable time, a definitive resolution relating in particular to the drafting of a convention on freedom of information had not been adopted. The draft resolution further recalled the General Assembly's decision in resolution 631 (VII) regarding consideration of the draft convention on freedom of information on the basis of the Rapporteur's report to the Economic and Social Council, and after the Council had had an opportunity to examine that report, and considered that a convention on freedom of information should be adopted on the basis of broad agreement expressed at an international meeting called exclusively for this purpose. According to the draft resolution the General Assembly would request the Economic and Social Council to convene, after considering the Rapporteur's report and the draft convention on freedom of information, an international conference to complete the drafting of a convention on freedom of information on the basis of the pending draft, this conference to meet before the beginning of the tenth session of the General Assembly. This proposal was subsequently withdrawn (see paragraph 17 below).

15. The question of the draft convention freedom of information was also referred to in a draft resolution (A/C.3/L.449) submitted by Afghanistan. Under this proposal, the General Assembly, considering that it was essential for the proper development of strong and independent domestic information enterprises that they should be able to contribute to the spread of information, to the development of national culture and to international understanding, and considering that the development of information media contributed greatly to the economic and social progress of peoples, and being convinced that the right of all nations to nationalize any foreign information enterprises for the purpose of preserving their full sovereignty over their natural and material resources was an undeniable and absolute right, would request the Economic and Social Council to consider, while examining the draft convention on freedom of information at its nineteenth session, the right of all nations to nationalize any foreign information enterprises for the purpose of preserving and protecting their national information enterprises and their national culture, and to formulate, together with the recommendations it might on the draft convention on freedom of information recommendations for the consideration of the General Assembly at its tenth session.

16. At its 608th meeting, the Committee, at the suggestion of the representative of Costa Rica, agreed that the sponsors of the proposals contained in documents A/C.3/L.449, A/C.3/L.451 and A/C.3/L.452 and the Rapporteur of the Committee should constitute an informal working group whose task would be the formulation of a joint draft resolution based on the separate drafts.

17. At the suggestion of the working group (609th meeting) the three above-mentioned proposals were maintained and discussed separately. The sponsors of the joint draft resolution (A/C.3/L.451) submitted a revised text (A/C.3/L.451/Rev.1), according to which the General

Assembly would request the Economic and Social Council in its discussion, at its nineteenth session, of the draft convention on freedom of information, to take into account the views expressed "and the proposals made" on the subject of the draft convention at the ninth and previous sessions of the General Assembly. Under the revised proposal, the Assembly would also decide to discuss the draft convention "not later than at its eleventh regular session" instead of "at its tenth regular session". The representative of Chile withdrew his draft resolution (A/C.3/L.452) (see paragraph 14 above), requesting that its substance should be described in the Committee's report and that it should be transmitted to the Economic and Social Council.

18. Denmark, Norway and Sweden submitted amendments (A/C.3/L.454) to the revised joint draft resolution (A/C.3/L.451/Rev.1). As revised orally by the sponsors at the Committee's 611th meeting, the amendments called for:

(1) Deletion of the first and second paragraphs of the preamble, referring to the fact that the General Assembly had not studied the draft convention on freedom of information during its sixth, seventh, eighth and ninth sessions, and to the General Assembly's decision in resolution 631 (VII) concerning the consideration of the draft convention in the light of the report of the Rapporteur on Freedom of Information to the Economic and Social Council;

(2) Insertion, in the third paragraph of the preamble, after the word "Information", of the words "to the Economic and Social Council", and the insertion, after the word "convention", of the words "on freedom of information", so that this preambular paragraph would read:

"Noting that the Rapporteur on Freedom of Information to the Economic and Social Council has made recommendations for further consideration of the draft convention on freedom of information";

(3) Addition, after the third paragraph of the preamble, of the following new paragraph:

"Considering the reasons why the convention has been delayed, as pointed out by the Rapporteur";

(4) Deletion from the fifth paragraph of the preamble of the words: "and the necessity of giving the conclusion of a convention on this right high priority in the work of the United Nations" so that this preambular paragraph would read: "Considering the importance of freedom of information as a fundamental human right";

(5) Addition of the following new preambular paragraph:

"Noting that the draft covenants on human rights are to be discussed during the tenth session of the General Assembly";

(6) Replacement of the word "nineteenth" in operative paragraph 1 by "twenty-first", so that the Economic and Social Council would be requested to discuss the draft convention on freedom of information at its twenty-first instead of at its nineteenth session;

(7) Deletion of operative paragraph 2 concerning the General Assembly's decision to discuss the draft convention on freedom of information not later than at its eleventh regular session, and insertion of a new operative paragraph reading:

"Requests the Economic and Social Council to continue its efforts on the technical level to promote freedom of information".

19. The various proposals concerning the draft convention were considered at the Committee's 608th to 610th meetings.

20. As in the general debate, various opinions were expressed concerning the desirability of continuing work on the draft convention. It was argued that the United Nations could not postpone indefinitely the final drafting of a convention which would set international legal standards, that the Convention on the International Right of Correction and the articles of the convention on the international transmission of news, on which articles final action had not yet been taken, would be incomplete without the addition of a convention on freedom of information, and that the importance of the draft convention was indicated by the fact that freedom of information was the one human right concerning which a separate convention was considered necessary.

21. Several representatives, however, recalled the difficulties which, ever since it was first proposed in 1948, had attended the drafting of the convention, particularly in respect to the controversial article 2, which dealt with the permissible restrictions on freedom of information. The opinion was also expressed that, since the convention would not be likely to command a solid majority, it would not be effective, that a hastily concluded convention might even prove a disservice to the cause of freedom of information, and that it would be wise to be patient and wait for a more favourable political climate before attempting to draw up a final text of the convention.

22. The Committee voted on the amendments (A/C.3/L.454) submitted by Denmark, Norway and Sweden (see paragraph 18 above) to the joint draft resolution (A/C.3/L.451/Rev.1) as follows:

(1) At the request of the representatives of Poland and the Union of Soviet Socialist Republics, a separate vote was taken on the amendments relating to the first and second preambular paragraphs of the joint draft resolution.

The proposal to delete the first preambular paragraph was rejected by 23 votes to 16, with 8 abstentions.

The proposal to delete the second preambular paragraph was rejected by 22 votes to 22, with 5 abstentions.

(2) The amendment to the third paragraph of the preamble was withdrawn by the sponsors as a result of the rejection of their first amendment.

(3) The proposal for the addition of a new paragraph was adopted by 24 votes to 13, with 11 abstentions.

(4) The amendment to the fifth paragraph of the preamble was rejected by 22 votes to 17, with 11 abstentions.

(5) The proposal for the addition of a new preambular paragraph was adopted by 28 votes to 17, with 6 abstentions.

(6) On a roll-call vote requested by the representative of Chile, the amendment to paragraph 1 of the operative part was rejected by 23 votes to 15, with 14 abstentions. The voting was as follows:

In favour: Australia, Belgium, Canada, China, Cuba, Denmark, Dominican Republic, France, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Bolivia, Brazil, Burma, Chile, Costa Rica, Egypt, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iraq, Israel, Liberia, Mexico, Philippines, Saudi Arabia, Syria, Uruguay, Yemen, Yugoslavia.

Abstaining: Argentina, Byelorussian Soviet Socialist Republic, Colombia, Czechoslovakia, Ecuador, Honduras, Iran, Peru, Poland, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela.

(7) On a roll-call vote requested by the representative of Chile, the proposal for the deletion of operative para-

graph 2, was rejected by 34 votes to 17, with 1 abstention. The voting was as follows:

In favour: Australia, Belgium, Canada, China, Cuba, Denmark, Dominican Republic, Ecuador, France, Netherlands, New Zealand, Norway, Peru, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, Colombia, Costa Rica, Czechoslovakia, Egypt, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Liberia, Mexico, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Abstaining: Turkey.

The proposal for the insertion of a new operative paragraph was adopted by 49 votes to none, with 2 abstentions. The sponsors of the amendments agreed that the new paragraph should become operative paragraph 1 of the resolution.

23. The Committee then voted on the revised joint draft resolution as amended.

On a separate vote requested by the representative of the USSR, the third paragraph of the preamble was adopted by 30 votes to 7, with 15 abstentions.

On a roll-call vote requested by the representative of Chile, the joint draft resolution (A/C.3/L.451/Rev.1), as amended, was adopted by 31 votes to 11, with 11 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Chile, Colombia, Costa Rica, Egypt, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Liberia, Mexico, Pakistan, Peru, Philippines, Saudi Arabia, Syria, Thailand, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, China, Denmark, France, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Byelorussian Soviet Socialist Republic, Canada, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Netherlands, Poland, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

24. After statements had been made by a number of representatives, the representative of Afghanistan withdrew his draft resolution (A/C.3/L.449), (see paragraph 15 above) requesting the Economic and Social Council to consider, when discussing the draft convention on freedom of information at its nineteenth session, the rights of all nations to nationalize any foreign information enterprises. The representative of Afghanistan noted that under the terms of the draft resolution which the Committee had adopted on the draft convention, the Economic and Social Council would be requested to take into account the views expressed and the proposals made on this subject at the ninth and previous sessions of the General Assembly.

25. The Committee accordingly recommends to the General Assembly the adoption of draft resolution II, the text of which appears in paragraph 36 below.

V. INTERNATIONAL CONVENTION CONCERNING THE USE OF BROADCASTING IN THE CAUSE OF PEACE (GENEVA, 1936)

26. The Union of Soviet Socialist Republics submitted a draft resolution (A/C.3/L.447) by which the General Assembly, recognizing that the International Convention

concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936) could be of great assistance in strengthening peace at the present time, would decide to request States which were or might become parties to this Convention to agree to transfer to the United Nations the functions which were performed under the terms of that Convention by the League of Nations, to instruct the Secretary-General to prepare for this purpose a draft protocol concerning the transfer of the functions, and to provide in the draft protocol for the accession of States Members and non-members of the United Nations which are not parties to the Convention, and also to provide for such legal adjustments as might be necessitated by current conditions. The Secretary-General would further be instructed to circulate the draft protocol to the Convention to States parties to that Convention and also to communicate the draft protocol to the Economic and Social Council at its nineteenth session in order that the Council might submit its recommendations to the General Assembly at its tenth session.

27. The Netherlands, Turkey and the United Kingdom submitted an amendment (A/C.3/L.453) to the USSR proposal. The amendment called for the following:

(1) Replacement of the preamble by the following text:

“Considering that the International Convention concerning the Use of Broadcasting in the Cause of Peace constitutes an important element in the field of freedom of information,

“Considering that, in accordance with resolution 24 (I) of the General Assembly, the custodial functions mentioned in the Convention have already been assumed by the Secretary-General of the United Nations and that the Convention is still in force,

“Considering further that by taking over by agreement between the parties to the Convention the powers and functions established by certain provisions of the Convention, the United Nations can give full effect to all the provisions of the Convention in question”.

(2) In operative paragraph 1: (a) deletion of the words “or may become” in the phrase “to request States which are or may become parties to the International Convention...”; and (b) replacement of the words “to agree to transfer to” by the words “to state whether they wish to transfer to”;

(3) In operative paragraph 2 (b): (a) addition of the words “or signatories” after the word “parties”; (b) deletion of the words “to provide” in the phrase “and also to provide for such legal adjustments as may be necessitated by current conditions”; (c) addition of the words “or other” after the word “legal” in the above phrase; and (d) addition of the following to paragraph 2 (b): “including a new article, based on General Assembly resolution 424 (V) of 14 December 1950, to provide that each High Contracting Party shall not interfere with the reception, within its territory, of foreign radio broadcasts”.

(4) Deletion from operative paragraph 2 (c) of the words “and also to communicate it to the Economic and Social Council at its nineteenth session in order that the Council may submit its recommendations on the draft protocol to the General Assembly at its tenth session”.

28. The Union of Soviet Socialist Republics submitted a working paper (A/C.3/L.458) in connexion with its draft resolution (A/C.3/L.447) and the amendments thereto proposed by the Netherlands, Turkey and the United Kingdom (A/C.3/L.453). It proposed that the three-Power amendment concerning the addition of a new article based on General Assembly resolution 424 (V) providing that each High Contracting Party should not

interfere with the reception, within its territory, of foreign radio broadcasts, should be replaced by the following text:

"including a new article, based on General Assembly resolution 424 (V) of 14 December 1954,⁴ to invite all Governments to refrain from radio broadcasts that would mean unfair attacks or slanders against other peoples anywhere and in so doing to conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively, and to provide that each High Contracting Party shall not interfere with the reception, within its territory, of foreign radio broadcasts,⁴ on the understanding that the contents of such broadcasts do not violate the provisions of articles 1 and 3 of the Convention concerning the Use of Broadcasting in the Cause of Peace."

29. The Committee discussed the USSR proposal and the amendments thereto at its 599th, 600th, 601st, 605th, 607th, 608th, 610th, 613th, 615th, and 616th meetings. The representative of the USSR pointed out that his delegation had in fact accepted the amendment of the three Powers concerning an addition to paragraph 2 (b) (see paragraph 27 (3) (d) above) and stated that if the proposal contained in the USSR working paper was acceptable to the three Powers, the USSR in turn would accept the other amendments contained in document A/C.3/L.453. The representatives of the Netherlands, Turkey and the United Kingdom accepted the USSR formula in document A/C.3/L.458 up to and including the words "foreign radio broadcasts", but not the words "on the understanding that the contents of such broadcasts do not violate the provisions of articles 1 and 3 of the Convention concerning the Use of Broadcasting in the Cause of Peace". The representative of the USSR maintained the proposal contained in document A/C.3/L.458, moving it as an amendment to operative paragraph 2 (b) of the original USSR draft resolution (A/C.3/L.447).

30. The Committee voted as follows on the USSR proposal (A/C.3/L.447 and A/C.3/L.458) and the three-Power amendment (A/C.3/L.453):

(a) The amendment concerning the preamble of the USSR draft resolution (A/C.3/L.447) (see paragraph 27, point (1) above) was adopted by 33 votes to 5, with 6 abstentions.

(b) The amendment calling for deletion of the words "or may become" in operative paragraph 1 of the USSR draft resolution (A/C.3/L.447) (see paragraph 27, point (2) (a) above) was adopted by 27 votes to none, with 13 abstentions.

(c) The amendment concerning replacement of the words "to agree to transfer to" in operative paragraph 1 of the USSR draft resolution (A/C.3/L.447) (see paragraph 27, point (2) (b) above) was adopted by 31 votes to 5, with 9 abstentions.

(d) The amendment concerning the addition of the words "or signatories" in operative paragraph 2 (b) of the USSR draft resolution (A/C.3/L.447) (see paragraph 27, point (3) (a) above) was adopted by 27 votes to none, with 17 abstentions.

(e) The amendment concerning deletion of the words "to provide" in operative paragraph 2 (b) of the USSR draft resolution (A/C.3/L.447) (see paragraph 27, point (3) (b) above) was adopted by 19 votes to none, with 23 abstentions.

(f) The amendment concerning the addition of the words "or other" in operative paragraph 2 (b) of the

USSR draft resolution (A/C.3/L.447) (see paragraph 27, point (3) (c) above) was adopted by 30 votes to 5, with 8 abstentions.

(g) The amendment concerning the deletion of the second part of operative paragraph 2 (c) of the USSR draft resolution (A/C.3/L.447) beginning with the words "and also to communicate" (see paragraph 27, point (4) above) was adopted by 19 votes to 7, with 18 abstentions.

(h) At the request of the representative of Saudi Arabia, a separate vote was taken on the words "including a new article, based on General Assembly resolution 424 (V) of 14 December 1950" proposed by the USSR in document A/C.3/L.458 (see paragraph 28 above) as an addition to operative paragraph 2 (b) of the USSR proposal (A/C.3/L.447). Their inclusion was approved by 32 votes to none, with 13 abstentions.

(i) On a roll-call vote requested by the representative of the Ukrainian SSR, the Australian proposal for the deletion of the words "to invite all Governments to refrain from radio broadcasts that would mean unfair attacks or slander against other peoples anywhere and in so doing to conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively, and" from the addition to operative paragraph 2 (b) of the USSR draft resolution (A/C.3/L.447) proposed by the USSR in document A/C.3/L.458 (see paragraph 28 above) was rejected by 28 votes to 8, with 9 abstentions. The voting was as follows:

In favour: Australia, China, Netherlands, New Zealand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Argentina, Byelorussian Soviet Socialist Republic, Chile, Costa Rica, Czechoslovakia, Denmark, Egypt, France, Greece, Guatemala, Honduras, India, Iran, Iraq, Israel, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia.

Abstaining: Belgium, Brazil, Burma, Canada, Cuba, Dominican Republic, Ethiopia, Norway, Venezuela.

(j) At the request of the representative of the Ukrainian SSR, a roll-call vote was taken on the proposal made by the representative of Turkey on behalf of the co-sponsors of the three-Power amendment (A/C.3/L.453) for the deletion of the words "on the understanding that the contents of such broadcasts do not violate the provisions of articles 1 and 3 of the Convention concerning the Use of Broadcasting in the Cause of Peace" from the addition to operative paragraph 2 (b) of the USSR draft resolution (A/C.3/L.447) proposed by the USSR in document A/C.3/L.458 (see paragraph 28 above).

The proposal was adopted by 21 votes to 6, with 18 abstentions.

The voting was as follows:

In favour: Australia, Brazil, Canada, China, Costa Rica, Cuba, Denmark, Dominican Republic, Greece, Guatemala, Iraq, Netherlands, New Zealand, Norway, Pakistan, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Against: Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Argentina, Belgium, Burma, Egypt, Ethiopia, France, Honduras, India, Iran, Israel, Mexico, Philippines, Saudi Arabia, Syria, Thailand, Venezuela, Yemen.

(k) At the request of the representative of the United States of America, a separate vote was taken on the proposal made by the USSR in document A/C.3/L.458 (see paragraph 28 above) for the inclusion of the words

⁴ The text of the three-Power amendment (A/C.3/L.453) is italicized.

“to provide that each High Contracting Party shall not interfere with the reception, within its territory, of foreign radio broadcasts” in the addition to operative paragraph 2 (b) of the USSR draft resolution (A/C.3/L.447). The proposal was adopted by 31 votes to none, with 12 abstentions.

(1) The draft resolution as a whole, as amended, was adopted by 25 votes to none, with 20 abstentions.

31. The Committee accordingly recommends to the General Assembly the adoption of draft resolution III, the text of which appears in paragraph 36 below.

VI. PHILIPPINE PROPOSAL REGARDING FUTURE WORK ON FREEDOM OF INFORMATION

32. The Philippines submitted a draft resolution (A/C.3/L.450) under which the General Assembly, noting the report of the Economic and Social Council concerning its study, at its seventeenth session, of the problems of freedom of information; noting further the action which the Council had taken in its resolution 522 (XVII), on the basis of recommendations made by the Rapporteur on Freedom of Information in his report; considering, however, that no provision existed to ensure the continuation of the work of the United Nations on freedom of information beyond the nineteenth session of the Economic and Social Council; and reaffirming its interest in continued international action to protect and promote freedom of information throughout the world, would establish a commission of three persons who would be entrusted with the preparation of (a) a report, with recommendations, concerning the effect of the media of mass communications upon relations between peoples, with particular regard to war tensions; and (b) a world-wide survey, together with recommendations where practicable, of barriers to the free flow of news and information within countries and across national frontiers. This commission would be composed of eminent persons, expert in the fields of law or information, serving in their personal capacity with the consent of their Governments. They would be selected by the President of the General Assembly in consultation with the Secretary-General from a panel to be nominated by Member States, the selection to be announced before 30 March 1955, and they would serve for a period of two years from the date of their appointment. The commission would be requested, in the pursuance of its task, to seek the co-operation of States Members and non-members of the United Nations, of the specialized agencies concerned and of appropriate information enterprises and professional associations. The Secretary-General would be requested to take the necessary administrative steps to implement the General Assembly resolution on this matter and to provide the commission with the necessary staff and facilities. The commission would be requested to present its report and survey to the General Assembly as soon as possible and, in any case, to make a progress report to the General Assembly at its tenth session. The States, agencies and organizations mentioned in the draft resolution would be invited to extend the fullest co-operation to the commission.

33. In accordance with rules 154 and 155 of the rules of procedure of the General Assembly, the Secretary-General submitted a statement of financial implications (A/C.3/L.450/Add.1) in connexion with the Philippine draft resolution. The draft resolution was considered at the Committee's 609th and 610th meetings.

34. It was argued in support of the Philippine proposal that the Economic and Social Council had shown a lack of interest in some of the basic aspects of freedom of information, and there was no guarantee that the work of the United Nations in this field would continue after the Council's nineteenth session unless the General Assembly itself took steps to set up some kind of machinery. Moreover, there were many tasks in freedom of information which could be performed more satisfactorily by a small group of experts, acting in their individual capacities, than by the Secretary-General. A majority of representatives, however, expressed themselves against the setting up of the proposed commission. It was argued, among other things, that the proposed terms of reference of the commission were too narrow and restrictive, that the General Assembly could not approve any further proliferation of bodies working in the social field, that the body would in effect consist of three "rapporteurs", and that the experience of the Economic and Social Council had seemed to indicate that the institution of a rapporteur was not the most appropriate method of continuing work in freedom of information. The cost of the proposed commission was also cited as an argument against it.

35. The representative of the Philippines withdrew his proposal at the Committee's 610th meeting.

VII. Recommendations of the Third Committee

36. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

TECHNICAL ASSISTANCE IN FREEDOM OF INFORMATION

[Text adopted without change by the General Assembly. See document A/RESOLUTION/284 below.]

Draft resolution II

DRAFT CONVENTION ON FREEDOM OF INFORMATION

[Text adopted without change by the General Assembly. See document A/RESOLUTION/285 below.]

Draft resolution III

INTERNATIONAL CONVENTION CONCERNING THE USE OF BROADCASTING IN THE CAUSE OF PEACE (GENEVA, 1936)

[Text adopted by the General Assembly with the changes indicated in document A/RESOLUTION/286 below.]

DOCUMENT A/RESOLUTION/284

[Resolution 839 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954

TECHNICAL ASSISTANCE IN FREEDOM OF INFORMATION

The General Assembly,

Noting Economic and Social Council resolution 522 J (XVII) of 29 April 1954 concerning technical assistance in freedom of information,

Authorizes the Secretary-General to render, at the request of Member States, services which do not fall within the scope and objectives of existing technical assistance programmes, in order to assist these States in promoting freedom of information.

DOCUMENT A/RESOLUTION/285

[Resolution 840 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954

DRAFT CONVENTION ON FREEDOM OF INFORMATION

The General Assembly,

Considering that it has not studied the draft Convention on Freedom of Information (A/AC.42/7 and Corr.1, annex) during its sixth, seventh, eighth and ninth sessions,

Recalling its decision, in resolution 631 (VII) of 16 December 1952, that it would consider, *inter alia*, the draft Convention on Freedom of Information in the light of the report of the Rapporteur on Freedom of Information (E/2426) to the Economic and Social Council and after the Council had had an opportunity to examine that report,

Noting that the Rapporteur on Freedom of Information had made recommendations for further consideration of the draft Convention,

Considering the reasons why the Convention has been delayed, as pointed out by the Rapporteur,

Noting that the Economic and Social Council has not made any recommendations for further action on the draft Convention,

Considering the importance of freedom of information as a fundamental human right and the necessity for giving the conclusion of a convention on this right high priority in the work of the United Nations,

Noting that the draft International Covenants on Human Rights are to be discussed during the tenth session of the General Assembly,

1. *Requests* the Economic and Social Council to continue its efforts on the technical level to promote freedom of information ;

2. *Further requests* the Economic and Social Council to discuss, at its nineteenth session, the draft Convention on Freedom of Information and to formulate recommendations for the consideration of the General Assembly, taking into account the views expressed and the proposals made on this subject at the ninth and previous sessions of the General Assembly ;

3. *Decides* to discuss the draft Convention on Freedom of Information not later than at its eleventh session, including such recommendations as the Economic and Social Council may make.

DOCUMENT A/RESOLUTION/286

[Resolution 841 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954

INTERNATIONAL CONVENTION CONCERNING THE USE OF BROADCASTING IN THE CAUSE OF PEACE (GENEVA, 1936)

The General Assembly,

Considering that the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936)⁵ constitutes an important element in the field of freedom of information,

Considering that, in accordance with General Assembly resolution 24 (I) of 12 February 1946, the custodial functions mentioned in the Convention have already been assumed by the Secretary-General of the United Nations and that the Convention is still in force,

Considering further that by taking over, by agreement between the Parties to the Convention, the powers and functions established by certain provisions of the Convention, the United Nations can give full effect to all the provisions of the Convention in question,

Decides :

1. To request States which are Parties to the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936) to state whether they wish to transfer to the United Nations the functions which were performed, under the terms of that Convention, by the League of Nations ;

2. To instruct the Secretary-General :

(a) To prepare for this purpose a draft protocol concerning the transfer to the United Nations of the functions assigned to the League of Nations under the International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936) ;

(b) To provide in the draft protocol for the accession of Members and non-members of the United Nations which are not Parties or signatories to the Convention, and also for such legal or other adjustments as may be necessitated by current conditions ; including new articles,⁶ based on General Assembly resolution 424 (V) of 14 December 1950, to provide that each High Contracting Party shall refrain⁶ from radio broadcasts that would mean unfair attacks or slanders against other peoples anywhere and in so doing to conform strictly to an ethical conduct in the interest of world peace by reporting facts truly and objectively, and to provide that each High Contracting Party shall not interfere with the reception, within its territory, of foreign radio broadcasts ;

(c) To circulate the draft protocol to the International Convention concerning the Use of Broadcasting in the Cause of Peace to the States Parties to that Convention.

⁵ See League of Nations, *Treaty Series*, Vol. CLXXXVI, 1938, p. 301.

⁶ At its 514th plenary meeting the General Assembly adopted an amendment submitted by Turkey and the United Kingdom of Great Britain and Northern Ireland (A/L.191) replacing the words "including a new article" by the words "including new articles" and replacing the words "to invite all Governments to refrain" by the words "to provide that each High Contracting Party shall refrain".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted draft resolutions I and II submitted by the Third Committee (A/2877, para. 36). For the final texts, see documents A/RESOLUTION/284 and A/RESOLUTION/285, above.

At the same meeting the General Assembly adopted draft resolution III submitted by the Third Committee (A/2877, para. 36) with the amendments submitted by Turkey and the United Kingdom of Great Britain and Northern Ireland (A/L.191). For the final text, see document A/RESOLUTION/286, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2686	Report of the Economic and Social Council covering the period from 6 August 1953 to 6 August 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 3</i>
A/2705	Note by the Secretary-General	1	
A/2877	Report of the Third Committee	4	
A/AC.42/7 and Corr.1	Committee on the Draft Convention on Freedom of Information: report to the Economic and Social Council		<i>Ibid., Seventh Session, Annexes, agenda item 29</i>
A/C.3/L.447	International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936)—Union of Soviet Socialist Republics: draft resolution	7	
A/C.3/L.448 and Add.1	Technical assistance in freedom of information—Chile, Ecuador, Lebanon, Mexico, the Philippines, Sweden and the United States of America: draft resolution		Adopted without change. See A/2877, para. 36, draft resolution I, and A/RESOLUTION/284
A/C.3/L.448/Add.2	Financial implications of the draft resolution submitted by Chile, Ecuador, Lebanon, Mexico, the Philippines, Sweden and the United States of America (A/C.3/L.448 and Add.1)—Estimate submitted by the Secretary-General	3	
A/C.3/L.449	Draft convention on freedom of information—Afghanistan: draft resolution		Covered in substance in A/2877, para. 15
A/C.3/L.450	Proposal concerning future work in freedom of information—Philippines: draft resolution		Covered in substance in A/2877, para. 32
A/C.3/L.450/Add.1	Financial implications of the draft resolution submitted by the Philippines (A/C.3/L.450)—Estimate submitted by the Secretary-General	3	
A/C.3/L.451	Draft convention on freedom of information—Afghanistan, Costa Rica, Egypt, India, Indonesia, the Philippines, Saudi Arabia and Yugoslavia: draft resolution		Covered in substance in A/2877, para. 13
A/C.3/L.451/Rev.1	Afghanistan, Costa Rica, Egypt, India, Indonesia, the Philippines, Saudi Arabia and Yugoslavia: revised draft resolution	3	
A/C.3/L.452	Draft convention on freedom of information—Chile: draft resolution		Covered in substance in A/2877, para. 14
A/C.3/L.453	Netherlands, Turkey and the United Kingdom of Great Britain and Northern Ireland: amendments to draft resolution A/C.3/L.447		Covered in substance in A/2877, para. 27
A/C.3/L.454	Denmark, Norway and Sweden: amendments to draft resolution A/C.3/L.451/Rev.1		Covered in substance in A/2877, para. 18
A/C.3/L.458	Union of Soviet Socialist Republics: working paper		Covered in substance in A/2877, para. 28
A/L.191	Turkey and the United Kingdom of Great Britain and Northern Ireland: amendments to draft resolution III submitted by the Third Committee (A/2877, para. 36)		See document A/RESOLUTION/286, footnote 6
A/RESOLUTION/284	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954—Technical assistance in freedom of information	9	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 839 (IX)</i>
A/RESOLUTION/285	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954—Draft convention on freedom of information	10	<i>Ibid., resolution 840 (IX)</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/RESOLUTION/286	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954—International Convention concerning the Use of Broadcasting in the Cause of Peace (Geneva, 1936)	10	<i>Ibid.</i> , resolution 841 (IX)
E/2426 and Add.1 to 3	Freedom of Information, 1953: report submitted by Mr. Salvador P. López, Rapporteur on Freedom of Information, and addenda		<i>Official Records of the Economic and Social Council, Sixteenth Session, Supplements Nos. 12 and 12 A</i>
E/2534	Freedom of information—Encouragement and development of independent information enterprises—Report of the Secretary-General		<i>Ibid.</i> , <i>Seventeenth Session, Annexes</i> , agenda item 12
E/2573 and E/CN.4/705	Report of the Commission on Human Rights (tenth session) (23 February - 16 April 1954)		<i>Ibid.</i> , <i>Eighteenth Session, Supplement No. 7</i>
E/CN.4/Sub.1/146	Means of protecting sources of information of news personnel—Note by the Secretary-General		Mimeographed document only



Agenda item 29: Question of organizing an international professional conference to prepare the final text of an international code of ethics for the use of information personnel: report of the Secretary-General

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DOCUMENTS A/2691 and Add.1 and 2

Document A/2691

Report of the Secretary-General

[*Original text: English*]
[16 August 1954]

1. On 28 November 1953, the General Assembly adopted resolution 736 B (VIII) under the terms of which it invited the Secretary-General to address a further communication to the enterprises and associations which had not yet replied to his earlier communication,¹ requesting them to do so within a reasonable period, and, provided that a representative group of enterprises and associations expressed a desire to do so, to cooperate with the group in organizing an international professional conference for the purpose of preparing the final text of an international code of ethics and measures for its implementation. The Secretary-General was also requested (a) to bring the text of the resolution to the notice of the information enterprises and national and international associations to which he had communicated the draft code;² and (b) to report to the General Assembly at its ninth session on any progress achieved.

2. The Secretary-General has the honour to report that, in accordance with the aforesaid resolution, he addressed a further communication, on 5 February 1954, to enterprises and associations which had not yet replied to his

previous communication on this subject, requesting them to do so at their earliest convenience. He also brought the text of resolution 736 B (VIII) to the notice of all the information enterprises and national and international associations to which he had communicated the draft code.

3. It will be recalled that, at the request of the Third Committee during the eighth session of the General Assembly, the Secretary-General, on 5 November 1953, submitted a memorandum (A/C.3/L.381) containing data on the replies regarding the proposed conference received from information enterprises and national and international professional associations as at that date. In the memorandum, the Secretary-General reported that fifty-four replies had been received from non-governmental enterprises and associations, twenty-eight of which expressed themselves in more or less specific terms in favour of holding an international professional conference for the purpose of completing work on the draft code. Twelve organizations deferred action or were non-committal on the subject.

4. As stated above, the Secretary-General sought opinions on the proposed conference from enterprises and associations which had not replied to his previous communication. As at 15 August 1954, a total of sixty-four of these enterprises and associations had forwarded sub-

¹ Sent in accordance with General Assembly resolution 635 (VII) of 16 December 1952.

² See *Official Records of the Economic and Social Council, Fourteenth Session, Supplement No. 44, annex A.*

stantive replies to the Secretary-General's letter. A number of organizations which had deferred their reply to the previous consultation, have now indicated their position regarding the conference. In addition, certain organizations which had replied to the previous consultation sent a further communication, in response to the letter by which the Secretary-General brought the text of General Assembly resolution 736 B (VIII) to their attention.

5. Summing up the present position and taking into account all the comments received to date on the subject of the proposed conference, the following fifty-one enterprises and associations have stated that they are in favour of holding an international professional conference to complete work on the draft international code of ethics:

INTERNATIONAL

Fédération internationale des associations de producteurs de films
Fédération internationale de la presse périodique
International Federation of Free Journalists
International Organisation of Journalists
Office catholique international du cinéma
Journées internationales de la presse d'Evian

NATIONAL

Australia
Australian Newspaper Proprietors' Association
Australian United Press, Ltd.
New South Wales Country Press Association

Austria
Verband demokratischer Schriftsteller und Journalisten Oesterreichs

Belgium
Association générale des reporters photographes de la presse quotidienne belge
Entente des directeurs de journaux bruxellois
Fédération des journaux belges

Canada
Association des hebdomadaires de langue française du Canada
Canadian Association of Broadcasters

Chile
Asociación de Radiodifusoras de Chile

Czechoslovakia
Union of Czechoslovak Journalists

France
Association des journalistes parisiens
Syndicat des journalistes de la presse périodique
Syndicat des publications périodiques françaises
Syndicat national des agences de presse
Union syndicale de la presse périodique

Greece
Syndicat des journalistes des quotidiens de Patrias
Union des rédacteurs des journaux quotidiens d'Athènes

India
Indian Federation of Working Journalists
United Press of India, Ltd.

Ireland
Guild of Irish Journalists

Netherlands
Algemeen Nederlands Persbureau
Nederlandse organisatie van tijdschriften uitgevers

Norway
Høires Pressekontor

Pakistan
Pakistan Newspaper Society

Panama
Asociación Panameña de Radiodifusión

Peru
Centro de Periodistas, Cuzco

Philippines
Far East Broadcasting Co., Inc.

Romania
Comité central du Syndicat des travailleurs de la polygraphie, de la presse et de la culture

Sweden
Radiotjänst

United Kingdom of Great Britain and Northern Ireland
Critics' Circle
Newsreel Association of Great Britain and Ireland, Ltd.

United States of America
American Association of English-Jewish Newspapers
Associated Negro Press, Inc.
Authors League of America, Inc.
Columbia Broadcasting, Inc.
Overseas Press Club of America
Pathé News
Press and Radio Club, Inc.
Radio Writers' Guild
Religious Films Association, Inc.
Theta Sigma Phi (The National Fraternity for Women in Journalism)

Uruguay
Cinesur S.A.
Emelco Uruguayaya

Venezuela
Ofipren S.A.

The following points should be noted in connexion with the replies received from the above organizations:

The Association des journalistes parisiens (France) expressed the opinion that it would be preferable to establish codes of ethics on the national level and then, in the light of the results obtained in each country, bring them together in an international code.

The Syndicat national des agences de presse (France) stated that it was disposed to participate in the proposed conference "provided its work will be of a preparatory character and that the delegation who would eventually be representing our organization would subscribe to any decision involving the responsibility of SNAP only after consulting our membership".

The Syndicat des journalistes des quotidiens de Patrias (Greece) stated that its agreement was conditional upon measures being taken to ensure that implementation of the draft code "will be confirmed by the Government of each country in order that the code is given the force of law".

The Guild of Irish Journalists (Ireland) submitted detailed comments on the draft code the tenor of which indicates a favourable attitude towards a conference.

The Critics' Circle (United Kingdom) stated that if the proposed conference were not held in London there might be some difficulty in the matter of the expenses of its delegate.

The Columbia Broadcasting System (United States of America) reserved its position concerning the desirability or undesirability of adoption of a final text "until such time as its content may be further crystallized".

The Overseas Press Club of America (United States of America) stated that it would be represented by observers at any professional conference, but expressed doubts as to the usefulness of the draft code.

6. The following twenty-five enterprises and associations have stated that they were against the holding of a conference :

INTERNATIONAL

Commonwealth Press Union
Fédération internationale des éditeurs de journaux et publications (FIEJ)
International Federation of Journalists

NATIONAL

Australia

Australian Newspaper Council
Australian Provincial Daily Press, Ltd.

Canada

Canadian Press
Periodical Press Association

Denmark

Danske Dagblades Faellesrepraesentation

Finland

Suomen Tietotoimisto, O Y (Finska Notisbryran AB.)

Germany

Gesamtverband der deutschen Zeitungsverleger e.V.

Netherlands

De Nederlandsche Dagbladpers 1945
Federatie van Nederlandse Journalisten

Norway

A/S Norsk Telegrambyraa
Norske Avisutgiveres Landsforbund

United Kingdom of Great Britain and Northern Ireland

Exchange Telegraph Company Limited
Guild of British Newspapers
National Union of Journalists
Newspaper Proprietors' Association, Ltd.
Newspaper Society

United States of America

American Newspaper Publishers' Association
Associated Press
International News Service
Motion Picture Association
Mutual Broadcasting System, Inc.
Sigma Delta Chi

The following points should be noted in connexion with the replies received from the above organizations :

The Fédération internationale des éditeurs de journaux expressed the opinion that "present conditions do not render convocation of a conference desirable" but was in favour of any effort to raise ethical levels; it hoped to take part in a conference if one could be arranged.

A report has been received from the United Nations Observer at the second Congress of the International

Federation of Journalists (Bordeaux, 25 April-1 May 1954) stating that the Federation had decided to inform the United Nations that it did not desire an international professional conference to complete work on the code. If, however, such a conference were held, the Bureau of the Federation had discretion to decide whether or not the Federation should be represented.

The Australian Newspaper Council (Australia) stated that its members, "after careful study of the draft code, consider it acceptable with the exception of article IV".

The Australian Provincial Daily Press, Ltd. (Australia) was in general agreement with the draft code, but doubted the value of a conference "until there is evidence of more general acceptance of the draft code on the national level".

The Canadian Press (Canada) did not refer to the conference, but expressed doubts as to the usefulness of the code.

The American Newspaper Publishers' Association (United States of America) did not refer specifically to the proposed conference but expressed its opposition to the draft code.

The General Manager of the Associated Press (United States of America) stated in his reply that he was giving his personal opinion and not that of the Associated Press.

The Mutual Broadcasting System, Inc. (United States of America) wished to be advised if the proposed conference were organized, and to be kept informed also, from time to time, of any results that might arise from such a conference.

7. The following thirty-one enterprises and associations deferred action or were non-committal :

INTERNATIONAL

Inter-American Association of Broadcasters
Inter-American Press Association
Union des journalistes libres de l'Europe centrale et orientale

NATIONAL

Canada

Canadian Film Institute
Composers, Authors and Publishers' Association
Conseil catholique de la presse canadienne

Ceylon

Associated Newspapers of Ceylon

Denmark

Danske Journalisters Faellesrepraesentation

Finland

Masseutelehtien Liitto

France

Association des journalistes parlementaires
Syndicat de la presse périodique française
Syndicat national des journalistes

India

All-India Newspaper Editors' Conference
Indian and Eastern Newspaper Society

Ireland

Irish News Agency

New Zealand

New Zealand Press Association, Ltd.

Norway

Press Telegraph A/S

Switzerland

Association suisse des éditeurs de journaux
Union romande de journaux

Union of Soviet Socialist Republics

TASS News Agency

United Kingdom of Great Britain and Northern Ireland

Institute of Journalists
Periodical Proprietors' Association, Ltd.
Press Association, Ltd.
Scottish Newspaper Proprietors' Association

United States of America

American Council on Education for Journalism
Associated Press Managing Editors' Association
Association for Education in Journalism
National Broadcasting Company
National Conference of Editorial Writers
Radio Television News Directors' Association

Venezuela

Cámara Venezolana de Radio y Televisión

The following points should be noted in connexion with the replies received from the above organizations :

The Inter-American Association of Broadcasters submitted views concerning the text of the draft code, but did not refer to the proposed conference.

The Inter-American Press Association indicated that it did not favour a code of ethics "imposed from above", but did not comment specifically on the proposed conference.

The Canadian Film Institute (Canada) stated that its directors felt that the matter did not come within the specific terms of reference of the Institute.

The Syndicat national des journalistes and the Association des journalistes parlementaires (France) submitted a joint reply indicating that, at the time of writing, those organizations preferred to await the results of discussion on the subject of an international code of ethics at the second Congress of the International Federation of Journalists (see note concerning this Federation under paragraph 6 above).

The All-India Newspaper Editors' Conference (India) transmitted a text of its own Code of Ethics, but did not refer to the proposed conference. It inquired how the All-India Newspaper Editors' Conference could give its full co-operation in this matter.

The India and Eastern Newspaper Society (India) stated that the matter fell more appropriately within the scope of the All-India Newspaper Editors' Conference.

The Irish News Agency (Ireland) expressed interest in the subject, but believed it could be better dealt with by professional journalistic organizations rather than by news agencies.

The Association suisse des éditeurs de journaux (Switzerland) and the Union romande de journaux (Switzerland) believed that the United Nations could be of considerable assistance in organizing a conference, but felt that agreement on a text would be difficult to achieve.

The TASS News Agency (Union of Soviet Socialist Republics) submitted comments on the contents of the draft code, but did not refer to the proposed conference.

The Press Association, Ltd. (United Kingdom) stated that the views expressed by representative newspaper organizations in the United Kingdom "will cover our position in the matter".

The American Council on Education for Journalism (United States of America) considered that since it was not a professional organization of journalists, but a corporation designed to promote and develop educational programmes for journalism, it should not express an opinion on the conference.

The National Broadcasting Company (United States of America), while not commenting on the possibility of organizing a conference, stated that if a conference were called it "would like to be represented by appropriate news executives".

The Radio Television News Directors' Association (United States of America) did not make any mention of the proposed conference but assured "complete co-operation in any effort concerning freedom of information".

The Cámara Venezolana de Radio y Televisión (Venezuela) sent a copy of the text of a code of ethics adopted by its General Assembly, but did not comment on the proposed conference.

8. The Ministry of Information of the Government of the Union of Burma stated in reply to the Secretary-General's letter sent under paragraph 1 of resolution 736 B (VIII), that it would assist in every way possible in the holding of the conference.

9. Replies were also received from the following :

Rot-Weiss-Rot (Austria) pointed out that this was an official agency.

The Library, Trinity College, Dublin (Ireland), stated that its financial resources were restricted, but that it would disseminate the code to interested persons.

Concerning the Nederlandsche Radio-Unie : It has been necessary to request clarification of this organization's attitude towards the proposed conference.

The New Zealand Broadcasting Service (New Zealand) stated that it would be inappropriate for it to participate since it was a government service.

The Saudi Arabian Broadcasting Station (Saudi Arabia) had no comments to make on the conference ; it requested that it be informed of progress.

The Radio Officers' Union (United Kingdom) submitted a simple acknowledgment.

10. Annexed to the present report is a list of enterprises and associations which the Secretary-General consulted as requested by the General Assembly in paragraph 1 of resolution 736 B (VIII), and which did not reply.

11. Under the above circumstances, the Secretary-General has the honour to request the General Assembly itself to decide whether it wishes him to co-operate with enterprises and associations which have expressed themselves as in favour of a conference in organizing the proposed international professional conference for the purpose of preparing the final text of the code and measures for its implementation as envisaged by General Assembly resolution 736 B (VIII). He would not conceal his feeling, however, that wide and preponderantly favourable professional opinion is necessary if the conference is to achieve practical results and that, at present, there is no clear evidence of such preponderantly favourable opinion.

ANNEX

LIST OF NATIONAL AND INTERNATIONAL PROFESSIONAL ENTERPRISES AND ASSOCIATIONS WHICH HAVE NOT REPLIED TO THE SECRETARY-GENERAL'S LETTER UNDER GENERAL ASSEMBLY RESOLUTION 736 B (VIII)

INTERNATIONAL

Association et fédération internationale des rédacteurs en chef
 Association internationale du cinéma scientifique
 Centre d'information des organisations internationales catholiques
 Comité international de télévision
 Commission permanente internationale des éditeurs de journaux catholiques
 Conseil international du film d'enseignement
 Fédération des agences de presse catholique
 Fédération internationale de la presse cinématographique
 Fédération internationale des journalistes catholiques
 Fédération internationale des journalistes radiophoniques
 Oficina Interamericana de la Radio
 Organisation internationale de la radiodiffusion
 Union européenne de radiodiffusion
 Union internationale de la presse catholique
 Union internationale de radiodiffusion
 Unión Sudamericana de Radiodifusión

NATIONAL

Afghanistan

Afghan Cinema Directorate
 Bakhtar News Agency

Albania

Agence télégraphique d'Albanie
 Direction centrale de la Radiodiffusion d'Albanie

Argentina

Asociación de Periodistas
 Asociación de Periodistas de Santa Fe
 Asociación de Radiodifusoras
 Asociación Noticiosa (ANA)
 Federación Argentina de Periodistas
 Noticiero de la Secretaría de Educación
 "Saporiti"
 Sindicato Argentino de Prensa
 Sindicato del Personal de Intendencia de Empresas Periodistas y Noticiosas
 Sucesos Argentinos
 Telenoticiosa Americana (Telam)

Australia

Associated Northern Dailies
 Australian Associated Press
 Australian Provincial Press Association
 Cinesound Proprietary, Ltd.
 Federation of Commercial Broadcasting Stations
 Movietone News
 New South Wales Institute of Journalists

Austria

Alpenland
 Association of Austrian Newspaper Publishers
 Austrian News of the Week
 Austria Press Agency (APA)
 Austrian Trade Union Association
 Information Service, Federal Chancellery
 Foreign Correspondents' Association
 Österreichische Radio-Verkehrs A.G. (RAVAG)

Parliamentary Press Information Service
 Press and Broadcasting Service of the Vorarlberg Land Government
 Radio Tirol
 Radio Vorarlberg

Belgium

Agence télégraphique (BELGA)
 Association belge de la presse radiophonique
 Association des journalistes catholiques de Belgique
 Association des journalistes libéraux de Belgique
 Association des journalistes luxembourgeois
 Association des journalistes socialistes de Belgique
 Association générale de la presse belge
 Association professionnelle des reporters cinématographiques de Belgique
 Communauté d'intérêts des quotidiens et périodiques édités en région flamande
 Institut national belge de radiodiffusion
 Institut pour journalistes de Belgique
 La Fédération des groupements de la presse périodique en Belgique
 "La plume brisée"
 La presse bruxelloise d'information et de reportage
 La presse judiciaire
 La presse parlementaire (Chambre des représentants)
 La presse parlementaire (Sénat)
 "L'aide du journaliste"
 L'union de la presse quotidienne économique industrielle et financière
 L'Union de la presse périodique belge (UPPB)
 Presse service belge
 Syndicat chrétien des journalistes
 Syndicat des journalistes (Fédération générale du travail de Belgique)
 Union professionnelle de la presse belge

Bolivia

Asociación Boliviana de Periodistas
 Asociación Nacional de Radiodifusoras

Brazil

Associação Brasileira de Emprensa (ABI)
 Agência Meridional
 Agência Nacional (Governmental)
 Agência Nacional (National)
 "Asapress"
 Sindicato dos Jornalistas Profissionais
 União Brasileira de Emprensa

British West Indies

Caribbean Press Association
 Jamaica Press Association

Bulgaria

Agence télégraphique bulgare
 Bulgaria Kinematograficae
 Direction de la Radiodiffusion
 Ministère des affaires étrangères, service de presse
 Union des journalistes en Bulgarie

Burma

Burma Broadcasting Service
 Burma Journalists' Association
 Burma Press Syndicate
 Burma Reporters' Association
 Burma Writers' Association
 Directorate of Information
 Directorate of Stage and Films
 Union of Stage and Screen

Byelorussian Soviet Socialist Republic

All Union Radio Committee
Ministry of Cinematography

Canada

British Columbia Daily Newspapers' Association
British United Press Features
Canada Wide Feature Service
Canadian Daily Newspapers' Association
Canadian Weekly Newspapers' Association
Canadian Women's Press Club
Central Press-Canadian
Conseil catholique de la presse canadienne
Magazine Publishers' Association of Canada
Parliamentary Press Gallery
Société des écrivains canadiens
The Canadian Authors' Association
The Canadian Broadcasting Corporation
The Class A Weeklies Association of Canada
Toronto Star News Service

Ceylon

Associated Newspapers of Ceylon

Chile

Asociación de Impresores
Club de la Prensa

Colombia

Asociación Nacional de Radiodifusión
Círculo de Periodistas de Bogotá

Costa Rica

Journalists' Association of Costa Rica

Cuba

Asociación de Reporters de la Habana
Colegio Nacional de Periodistas
Noticiero Nacional

Czechoslovakia

Ceskoslovenská Tisková Kancelár (CTK)
Czechoslovakian State Film
Slovak News Agency (ZAS)
Svaz ceskolovenskych novináru

Denmark

Dansk Telegrambureau (RETZAUS)
Ministeriernes Filmudvalg
Social Democratic Press Union
The Danish State Radio

Dominican Republic

La Voz Dominicana

Ecuador

Asociación Ecuatoriana de Radiodifusión
Union Nacional de Periodistas

Egypt

Agence arabe pour des nouvelles
Syndicat des journalistes égyptiens
The Misr Theatre and Cinema Co.

El Salvador

Club de la Prensa

Finland

Sanomalehtien Liitto

France

Agence France-Presse
Association de la presse étrangère
Association de la presse indépendante
Association générale et Syndicat professionnel des rédacteurs en chef des journaux et revues français
Association professionnelle des journalistes de la radio et de la télévision
Association syndicale professionnelle des journalistes parisiens
Association syndicale professionnelle des rédacteurs en chef des journaux et revues français
Association syndicale professionnelle des secrétaires de rédaction
Chambre syndicale de la presse filmée
Comité de liaison professionnelle de la presse
Fédération nationale de la presse française
Fédération nationale des syndicats et associations professionnelles de journalistes français
Inter-Presse
La presse diplomatique
Section de la presse filmée du Syndicat des techniciens de la production cinématographique
Société des journalistes et gens de lettres indépendants
Syndicat de la presse française d'outre-mer
Syndicat de la presse nord-africain à Paris
Syndicat de la presse parisienne
Syndicat des journalistes et écrivains de France
Syndicat des journalistes français (CFTC)
Syndicat des quotidiens régionaux
Syndicat des publications parisiennes
Syndicat national des journalistes (CGT Force-Ouvrière)

Greece

Agence d'Athènes (News Agency—AA)
Association des correspondants de la presse étrangère
Syndicat des journalistes des publications périodiques
Syndicat des journalistes des quotidiens de Larissa
Syndicat des propriétaires des publications périodiques de province

Honduras

Asociación de la Prensa Hondureña

Hungary

Magyar Központi Híradó Rt.
Magyar Országos Tudósító (MOT)
Magyar Tavirati Iroda (MTI)
Magyar Újságírók Országos Szövetsége
UMFI (Agence cinématographique)

Iceland

Islands Journalistforbund
Islands Telegrambyra

India

All India Radio
Calcutta Printing Press Owners' Association
Free Press Agency
Globe News Agency
Indian Languages Newspapers' Association
Indian Newspapers' Co-operative Society, Ltd.
Press Owners' Association
Press Trust of India
The Southern India Journalists' Federation

Indonesia

Antara News Agency

Iran

Agence Pars
Association iranienne de Presse
Département de radiodiffusion

Ireland

High School of Commerce—Department of Journalism
Institute of Journalists
Irish Film Society
National Film Institute
National Union of Journalists
Press Association
Royal Dublin Society

Israel

Israel Editors' Committee
Israel News Agency
Israeli Journalists' Union
Jewish Telegraphic Agency
The Carmel Newsreel Co.

Italy

Agenzia Romana Informazioni (ARI)
Federazione Nazionale Editori Giornali
Federazione Nazionale Stampa Italiana
Film Giornale Universale
INCOM Settimana
Istituto Italiano di Pubblicismo
Istituto Nazionale Luce
National Associated Press Agency
Radio Stampa

Lebanon

Ordre de la presse
Syndicat libanais de la presse

Luxembourg

Association luxembourgeoise des éditeurs de journaux
Société nationale luxembourgeoise de la presse filmée

Mexico

Cámara Nacional Mexicana de Radiodifusión
Sindicato Nacional de Redactores de la Prensa

Netherlands

Association of Netherlands Newspaper Publishers
Catholic Broadcasting Company
General Broadcasting Union
Liberal Protestant Broadcasting Company
Multifilm N.V.
N.V. Polygoon
Nederlandse Nieuwsbladpers
Netherlands Protestant Broadcasting Corporation

New Zealand

New Zealand Journalists' Association

Nicaragua

Sindicato de Reporteros e Intelectuales de Prensa

Norway

Norsk Bladeierforening
Norsk Film A/S
Norsk Journalistlag

Pakistan

Associated Press of Pakistan
Karachi Press Association
Karachi Union of Journalists

Orient Press of India
Pakistan Motion Pictures Association
Pakistan Newspaper Editors' Conference

Panama

Journalist Union of Panama

Paraguay

Empresa Filmadora Paraguaya

Peru

Asociación Nacional de Periodistas del Perú
Asociación Peruana de Radiodifusión
Cine Ciudad—Ratto Films, S.A.
Federación de Periodistas del Perú
Nacional Film del Perú
Peruvian United Press
Productora Huascarán, S.A.

Philippines

College Editors' Guild
Malacanan Press Club
Manila Broadcasting Company
Manila Overseas Press Club
Philippine Broadcasting Corporation
Philippine Information Council
Philippine Newspaper Guild
Philippine Women Writers' Association
Writers' Group

Poland

Polskie Film

Romania

Agentie de Informatii Telegrafice
Syndicat des journalistes de Roumanie

Sweden

Föreningen Sveriges Filmproducenter
Publicistklubben
Svensk Filmindustri
Svenska Journalistföreningen
Svenska Tidningsutgivareföreningen
Tidningarnas Telegrambyrå ("TT")

Switzerland

Agence télégraphique suisse
Association de la presse suisse
Association des journalistes libres
Ciné-Journal suisse
Correspondance politique suisse
Société suisse de radiodiffusion
Union suisse de la presse technique et professionnelle
Verein schweizerischer katholischer Publizisten

Syria

Association des propriétaires de journaux
Bureau de propagande et d'information
Poste de radiodiffusion de Syrie

Thailand

Press Association of Thailand

Turkey

Anatolian Press Agency (AA)
And Film
Gazeteciler Cemiyeti, Ankara
Gazeteciler Cemiyeti, Bursa
Gazeteciler Cemiyeti, Eskisehir
Gazeteciler Cemiyeti, Istanbul

Gazeteciler Cemiyeti, Smyrna
 Gazeteciler ve Basın Mensupları
 Güneş Film
 Güney Bölgesi Gazeteciler Derneği
 Halk Film
 İpek Film
 Omay Film
 Near and Far East News Agency
 Trakya Gazeteciler Derneği
 Türk Gazin Derneği
 Türk Haberler Ajansı

Ukrainian Soviet Socialist Republic

All Union Radio Committee
 Ministry of Cinematography

Union of South Africa

Newspaper Press Union
 The South African Broadcasting Corporation
 The South African Press Association

Union of Soviet Socialist Republics

All Union Radio Committee
 Central Committee of the Trade Union of Press Workers of
 the USSR
 Ministry of Cinematography

United Kingdom of Great Britain and Northern Ireland

Associated Newspapers
 British United Press (BUP)
 Radio Society of Great Britain
 Scottish Daily Newspapers' Society
 Society of Women Writers and Journalists
 The British Institute of Press Photographers' Association
 The Newsreel Association of Great Britain and Ireland, Inc.
 The Photographic News Agency
 The Press Club
 The Society of Authors

United States of America

American Association of Newspaper Representatives
 American Broadcasting Company
 American Federation of Radio Artists
 American Legion Press Association
 American Newspaper Guild
 American Publishers' Conference
 American Society of Newspaper Editors
 ANETA
 Associated Newspapers, Inc.
 Association of Accredited Schools and Departments of
 Journalism
 Association of Screen Magazine Publishers
 Catholic Press Association of the United States
 Central Press Association
 Education Writers' Association
 Educational Press Association of America

Federated Press
 Foreign Press Association
 General Features Corporation
 Hearst Metrotone News, Inc.
 International Labor Press of America
 Jewish Telegraphic Agency
 Labor Press Association, Inc.
 Legislative Correspondents' Association
 National Association of Radio and Television Broadcasters
 National Catholic Welfare
 National Editorial Association
 National Negro Press Association
 National News Feature Syndicate
 National Newspaper Promotion Association
 National Press Photographers' Association
 National Publishers' Association
 Negro Newspaper Publishers' Association
 New York Newspaper Women's Club
 Newspaper Enterprise Association
 North American Alliance
 Overseas Writers
 Paramount Newsreel
 Periodical Publishers' Association of America
 Press Photographers' Association of New York
 Radio and Television Directors' Guild
 Radio Correspondents' Association
 Religious News Service
 Religious Newswriters' Association
 Scripps-Howard Newspaper Alliance
 The Associated Business Publications
 TransRadio News Agency
 Twentieth Century Fox Film Corporation
 United Nations Correspondents' Association
 United Press Associations
 Universal Newsreel
 White House Correspondents' Association

Uruguay

Asociación Nacional de Prensa
 Difusoras del Uruguay
 Uruguay el Día

Vatican City

Vatican Radio

Venezuela

Agencia Noticias Nacionales "Notinac"
 Bolívar Films
 Prensa Venezolana
 Sindicato Nacional de Periodistas

Yugoslavia

Agence télégraphique nouvelle Yougoslavie (Tanjug)
 Association of Journalists of the Federal People's Republic
 of Yugoslavia
 The Radio Committee of the Federal People's Republic of
 Yugoslavia

*Document A/2691/Add.1***Addendum**

[Original text : English]
[28 September 1954]

Further to his report of 16 August 1954 (A/2691), the Secretary-General has the honour to draw the attention of the members of the General Assembly to the following additional information :

1. Nederlandsche Radio-Unie (Netherlands) (see document A/2691, paragraph 9) has now informed the Secretary-General that it is prepared to co-operate in the organization of an international professional conference to complete work on the draft international code of ethics.

2. The Syndicat des Journalistes Français (France) has informed the Secretary-General that it believes that, if certain conditions are met, an international professional conference would serve a useful purpose.

3. Reuters (United Kingdom) should be added to the list of information enterprises and professional associations (A/2691, annex) which did not reply to the Secretary-General's letter under General Assembly resolution 736 B (VIII).

*Document A/2691/Add.2***Addendum**

[Original text : English]
[8 October 1954]

Further to his report of 16 August 1954 (A/2691) and to the addendum to that report dated 28 September 1954 (A/2691/Add.1), the Secretary-General has the honour to inform the General Assembly that the following organizations have now expressed an opinion regarding the proposal to organize an international professional conference to complete work on the draft code.

In favour of a conference :

Association of Journalists of Yugoslavia (Yugoslavia)

Against a conference :

National Conference of Editorial Writers (United States of America) (see A/2691, annex)

Non-committal :

New York Newspaper Women's Club (United States of America)

DOCUMENT A/2872**Report of the Third Committee**

[Original text : English]
[14 December 1954]

1. The General Assembly, at its 478th meeting on 25 September 1954, allocated to the Third Committee for consideration and report item 30 of its agenda, entitled : "Question of organizing an international professional conference to prepare the final text of an international code of ethics for the use of information personnel : report of the Secretary-General".

2. The Committee decided to take this item as the fifth item of its agenda. It considered it at its 612th and 613th meetings. The Committee had before it the report by the Secretary-General submitted pursuant to General Assembly resolution 736 B (VIII) (A/2691 and Add.1 and 2).

3. At the suggestion of the representative of Afghanistan, the Committee decided that there should be no general discussion of the item, but that any general remarks might be made during the consideration of specific proposals and amendments. The Philippines submitted a proposal (A/C.3/L.455) by which the General

Assembly, recalling its previous action, in resolutions 635 (VII) and 736 B (VIII), concerning the draft international code of ethics, noting the Secretary-General's report on the question of organizing an international professional conference to prepare the final text of the code, noting further that the information enterprises and national and international professional associations which favoured the organizing of a conference did not appear to constitute a sufficiently representative group, and reaffirming its interest in the improvement of standards of conduct and performance for information personnel, through measures adopted by professional action, would decide (a) to take no further action at the present time in regard to the organizing of such a conference ; (b) to request the Secretary-General to transmit the text of the draft code, together with his report (A/2691 and Add.1 and 2) to the enterprises and associations with which he had been in communication regarding the matter, for their information and for such action as they might deem proper.

4. During discussion of the draft resolution, members of the Committee agreed that, while the question of ethics and standards of performance of information personnel was of continuing importance, the response of professional associations throughout the world to the proposed international conference had not been sufficiently encouraging to justify the United Nations taking any further steps at that stage. It was also maintained that, in any case, further work on the draft code was a matter for the information profession without government interference.

Recommendation of the Third Committee

5. The Philippines draft resolution was approved by 40 votes to none, with 2 abstentions. The Third Committee accordingly recommends to the General Assembly the adoption of the following draft resolution :

DRAFT INTERNATIONAL CODE OF ETHICS FOR THE USE OF INFORMATION PERSONNEL

[Text adopted without change by the General Assembly. See document A/RESOLUTION/283, below.]

DOCUMENT A/RESOLUTION/283

[Resolution 838 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting on 17 December 1954

DRAFT INTERNATIONAL CODE OF ETHICS FOR THE USE OF INFORMATION PERSONNEL

The General Assembly,

Recalling its previous decisions, in its resolutions 635 (VII) of 16 December 1952 and 736 B (VIII) of 28 November 1953 concerning the draft international code³ of ethics for the use of information personnel,

Noting the Secretary-General's report (A/2691 and Add.1 and 2) on the question of organizing an international professional conference to prepare the final text of such a code,

Noting further that the information enterprises and national and international associations which favour the organization of a conference do not appear to constitute a sufficiently representative group,

Reaffirming its interest in the improvement of standards of conduct and performance for information personnel, through measures adopted by professional action,

Decides :

(a) To take no further action at the present time in regard to the organization of such a conference ;

(b) To request the Secretary-General to transmit the text of the draft international code of ethics for the use of information personnel, together with his report (A/2691 and Add.1 and 2) to the enterprises and associations with which he has been in communication regarding this matter, for their information and for such action as they deem proper.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the Third Committee (A/2872, para. 5). For the final text, see document A/RESOLUTION/283, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2686	Report of the Economic and Social Council covering the period from 6 August 1953 to 6 August 1954		Official Records of the General Assembly, Ninth Session, Supplement No. 3
A/2691 and Add.1 and 2	Report of the Secretary-General	1	
A/2872	Report of the Third Committee	9	
A/C.3/L.455	Philippines : draft resolution		Adopted without change. See A/2872, para. 5, and A/RESOLUTION/283
A/RESOLUTION/283	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954—Draft international code of ethics for the use of information personnel	10	See also Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 838 (IX)

³ Ibid.



Agenda item 30: Forced labour: report of the Economic and Social Council

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A/2662	Note by the Secretary-General	1
Plenary meetings (final phase) :		
A/2878	Report of the Third Committee	1
A/RESOLUTION/287	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954	2
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DOCUMENT A/2662

Note by the Secretary-General

[Original text: English]
[2 July 1954]

At its eighth session, the General Assembly adopted resolution 740 (VIII) by which it invited the Economic and Social Council to give early consideration to the report of the *Ad Hoc* Committee on Forced Labour (E/2431) and requested the Council to report on forced labour to the General Assembly at its ninth session. The Council, having considered the report of the *Ad Hoc* Committee at its seventeenth session, adopted, on 27 April 1954, resolution 524 (XVII) and decided to transmit this resolution to the General Assembly for consideration at its ninth session.

DOCUMENT A/2878

Report of the Third Committee

[Original text: English]
[15 December 1954]

1. The General Assembly, at its 478th meeting on 25 September 1954, decided to refer item 30 of the agenda of its ninth session, "Forced Labour: report of the Economic and Social Council", to the Third Committee for consideration and report.

2. The Committee considered this item, as the sixth item of its agenda, at its 613th to 615th and 617th to 620th meetings held on 10, 11, 13 and 14 December. It had before it a note by the Secretary-General (A/2662)

reporting on the action taken by the Economic and Social Council at its seventeenth session (resolution 524 (XVII)) on the report of the *Ad Hoc* Committee on Forced Labour (E/2431).

3. The general debate was marked by charges and counter-charges of the existence of forced labour in various countries and territories. Some delegations cited the report of the *Ad Hoc* Committee on Forced Labour and other information as evidence of the existence of

systems of forced labour employed as a means of political coercion or for economic purposes in a number of countries, endorsed the action taken by the Economic and Social Council on the *Ad Hoc* Committee's report, and recommended that the Council and the International Labour Organisation should continue their efforts for the abolition of such systems of forced labour. Other delegations strongly criticized the *Ad Hoc* Committee with regard to its composition, methods of work and conclusions concerning the existence of forced labour in some countries, and charged that the Committee had disregarded information on forced labour practices, examples of which were given, in other countries and territories. Several delegations felt that the *Ad Hoc* Committee's terms of reference had been too narrow to permit a universal inquiry into forced labour in all its forms, and asserted that the problem should be treated from a humanitarian rather than from a political point of view.

4. A draft resolution (A/C.3/L.456) was submitted jointly by Australia, Brazil, Canada, Costa Rica, Cuba, Norway, Peru, the Philippines, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America. There were no amendments to this proposal, although a separate vote was requested on several phrases in the text with the results indicated below.

5. The words "on such a scale as to constitute" in operative paragraph 1 were adopted by 29 votes to 8, with 7 abstentions.

6. Operative paragraph 1 was adopted by 31 votes to 5, with 12 abstentions.

7. The words "at its nineteenth session" in operative paragraph 4 were adopted by 26 votes to 6, with 15 abstentions.

8. The words "and non-governmental organizations in consultative status" in sub-paragraph (b) of operative paragraph 4 were adopted by 27 votes to 6, with 14 abstentions.

9. The joint draft resolution as a whole was adopted without change by a roll-call vote of 31 to 5, with 12 abstentions. The voting was as follows:

In favour: Australia, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Ethiopia, France, Greece, Guatemala, Iraq, Israel, Mexico, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Against: Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Argentina, Burma, Egypt, India, Indonesia, Iran, Liberia, Saudi Arabia, Syria, Union of South Africa, Yemen.

Recommendation of the Third Committee

10. The Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

FORCED LABOUR

[Text adopted without change by the General Assembly. See document A/RESOLUTION/287 below.]

DOCUMENT A/RESOLUTION/287

[Resolution 842 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954

FORCED LABOUR

The General Assembly,

Having noted Economic and Social Council resolution 524 (XVII) of 27 April 1954 concerning the report of the *Ad Hoc* Committee on Forced Labour,

1. *Endorses* the condemnation by the Economic and Social Council of the existence of systems of forced labour which are employed as a means of political coercion or punishment for holding or expressing political views, and which are on such a scale as to constitute an important element in the economy of a given country;

2. *Requests* the Economic and Social Council and the International Labour Organisation to continue their efforts towards the abolition of such systems of forced labour;

3. *Supports* the Council's appeal to all Governments to re-examine their laws and administrative practices in

the light of present conditions and the increasing desire of the peoples of the world to reaffirm faith in fundamental human rights and in the dignity and worth of the human person;

4. *Expresses its satisfaction* with the action taken by the Economic and Social Council in requesting the Secretary-General and the Director-General of the International Labour Office to prepare a further report on this subject for consideration by the Council at its nineteenth session, setting out:

(a) Whatever replies are received from Governments in pursuance of General Assembly resolution 740 (VIII) of 7 December 1953;

(b) Any new information on systems of forced labour which might be submitted by Member States, specialized agencies and non-governmental organizations in consultative status, together with any comments submitted by the Governments concerned.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the Third Committee (A/2878, para. 10). For the final text, see document A/RESOLUTION/287, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2662	Note by the Secretary-General	1	
A/2686	Report of the Economic and Social Council covering the period from 6 August 1953 to 6 August 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 3</i>
A/2878	Report of the Third Committee	1	
A/C.3/L.456	Australia, Brazil, Canada, Costa Rica, Cuba, Norway, Peru, the Philippines, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution		Adopted without change. See A/2878, para. 10, and A/RESOLUTION/287.
A/RESOLUTION/287	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954—Forced labour	2	See also Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 842 (IX)
E/2431	Report of the <i>Ad Hoc</i> Committee on Forced Labour		Joint UN and ILO document: <i>Official Records of the Economic and Social Council, Sixteenth Session, Supplement No. 13, and No. 36 in the Studies and Reports (New Series) of the International Labour Office</i>
E/2431/Add.5	Observations of the Government of the Union of South Africa on the report of the <i>Ad Hoc</i> Committee on Forced Labour (E/2431)		Mimeographed document only



Agenda item 31: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories:

- (a) Information on economic conditions;
- (b) Information on other conditions;
- (c) Transmission of information;
- (d) Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories

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DOCUMENT A/C.4/L.346

**Examination of information from Non-Self-Governing Territories on a regional or particular basis
Pakistan, Saudi Arabia, Syria, Thailand: draft resolution**

[Original text: English]
[4 November 1954]

The General Assembly,

Having since 1950 annually approved special reports on economic, social and educational conditions in Non-Self-Governing Territories,

Considering that these reports express general views and recommendations applicable to Non-Self-Governing Territories as a whole,

Recognizing that conditions in the various regions and in particular Territories may present special problems,

Believing that the consideration of these special problems by the General Assembly should provide an opportunity for the expression of views and recommendations of concrete value to the separate Territories or regions,

1. *Requests* the Committee on Information from Non-Self-Governing Territories at its 1955 session to examine the manner in which the future reports prepared for the General Assembly may most appropriately be directed to the consideration of information or recommendations concerning particular regions or groups of Territories ;

2. *Further requests* the Committee to examine whether any amplification or amendment of the Standard Form is

necessary so as to assist the Members concerned in providing concrete information on the particular problems common to particular regions or groups of Territories ;

3. *Suggests* that the Committee give full consideration to the views expressed on these subjects during the discussions of the Fourth Committee at the ninth regular session of the General Assembly.

DOCUMENT A/C.4/L.349

Voluntary transmission of information on political development

Burma, Egypt, Lebanon and the Philippines : draft resolution

[Original text : English]
[5 November 1954]

The General Assembly,

Conscious of the important functions it bears over peoples of Non-Self-Governing Territories under the lofty principles and objectives set forth in Article 73 of the Charter of the United Nations,

Recalling that by resolutions 144 (II), 327 (IV) and 637 (VII) it had expressed hopes that Members administering Non-Self-Governing Territories might submit voluntary information on the manner and extent to which peoples of Territories under their administration are being developed for self-government,

Noting with concern that little, if any, has been done in that regard by those entrusted with the administration of Non-Self-Governing Territories,

Realizing that the United Nations can attain its ideals and purposes only on the basis of co-operation and faithful observance by Member States of their obligations under the Charter,

1. *Reiterates* that voluntary submission of information on the political development of peoples in Non-Self-Governing Territories is fully in accord with the spirit of Article 73 of the Charter ;

2. *Invites* Administering Members concerned to give the United Nations their utmost co-operation in this regard ; and

3. *Calls* on the Committee on Information from Non-Self-Governing Territories to be guided accordingly.

DOCUMENT A/C.4/L.349/Rev.1

Voluntary transmission of information on political development

Burma, Egypt, Lebanon and the Philippines : revised draft resolution

[Original text : English]
[6 November 1954]

The General Assembly,

Conscious of the functions it bears over peoples of Non-Self-Governing Territories under the principles and objectives set forth in Article 73 of the Charter of the United Nations,

Considering that these principles and objectives relate to the political as well as the economic, social and educational advancement of the peoples concerned,

Recalling that by resolutions 144 (II), 327 (IV) and 637 (VII) it has sought to secure the transmission by Members administering Non-Self-Governing Territories of voluntary information on the manner and extent to which the peoples of Territories under their administration are being developed for self-government,

Noting that some Members responsible for the administration of Non-Self-Governing Territories already have voluntarily transmitted information on the development of self-governing institutions in the Non-Self-Governing Territories,

But noting further that other Members have not yet transmitted such information,

1. *Reiterates* the view that voluntary submission of information on the political development of peoples in Non-Self-Governing Territories is fully in accord with the spirit of Article 73 of the Charter ;

2. *Invites* the Administering Members concerned to give the United Nations their utmost co-operation in this regard.

DOCUMENT A/2794

Report of the Fourth Committee

[Original text : English]
[19 November 1954]

1. At its 478th plenary meeting, on 25 September 1954, the General Assembly allocated to the Fourth Committee item 31 of its agenda, entitled :

“Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter : reports of the Secretary-General and of the Committee on

Information from Non-Self-Governing Territories (A/2651, A/2652, A/2653, A/2654 and Add.1 to 3, A/2655, A/2656, A/2657 and Add.1 to 4, A/2658, A/2729) :

“(a) Information on economic conditions¹ ;

¹ See A/2729, part one, section VI, and part two.

"(b) Information on other conditions² ;

"(c) Transmission of information³ ;

"(d) Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories.⁴"

2. At the 410th meeting of the Fourth Committee, statements reserving the position of their Governments in regard to sovereignty over and the transmission of information on West New Guinea were made by the representatives of Indonesia and of the Netherlands. At the same meeting, reservations were made in regard to sovereignty over Aden by the representatives of Yemen and of the United Kingdom of Great Britain and Northern Ireland. At the 411th meeting, reservations were made in regard to sovereignty over the Falkland Islands (*Islas Malvinas*) by the representatives of Argentina and of the United Kingdom, and over British Honduras (*Territory of Belize*) by the representatives of Guatemala and of the United Kingdom. The representative of Mexico stated that if the status of British Honduras were changed, the rights of Mexico over a part of that Territory would have to be taken into account.

EDUCATIONAL ADVANCEMENT IN NON-SELF-GOVERNING TERRITORIES

3. The draft resolution on educational advancement in Non-Self-Governing Territories recommended by the Committee on Information from Non-Self-Governing Territories (A/2729, part one, annex II, A) proposed that the General Assembly should: (1) invite Member States to extend generously their offers of facilities not only for study and training of university standard but, in the first place, for study on the post-primary level as well as technical and vocational training of immediate practical value; (2) invite Member States offering facilities, in cases where the languages of instruction differed from the languages of the Non-Self-Governing Territories, to consider the possibility of extending the duration of the facilities offered by a preliminary period of language training and other adjustment to the country of study or training; (3) invite Member States to transmit the details of such offers to the Administering Members and to the United Nations Technical Assistance Administration and the appropriate specialized agencies; (4) recommend that the Administering Members make the greatest possible use of facilities in all levels of education and training, including the field of fundamental education, that might be offered by Member States of the United Nations; (5) invite the United Nations Technical Assistance Administration and the specialized agencies to incorporate such offers in the procedures evolved by them for the offer and award of educational facilities, in such a way as to comply with the wish of the offering State that offers made in response to the resolution should be taken up by inhabitants of Non-Self-Governing Territories; (6) invite the Administering Members to give appropriate publicity in Territories under their administration to offers of study and training facilities and take such other measures as would ensure that the greatest possible advantage was taken of the offers; (7) request the Secretary-General, in consultation with the United Nations Technical Assistance Administration and the appropriate specialized agencies, to include in the United Nations information material details of all such offers and of the procedures to be followed in submitting applications.

² See A/2729, part one, sections VII and VIII.

³ See A/2729, part one, section X.

⁴ See A/2729, part one, section XIII.

4. Burma, Egypt, Greece, Haiti, Pakistan, Philippines, Syria, Uruguay and Yugoslavia submitted joint amendments (A/C.4/L.343) to the draft resolution which would:

(1) Substitute, in operative paragraph 3, the words "Secretary-General" for the words "United Nations Technical Assistance Administration".

(2) Redraft operative paragraph 5 to read as follows:

"5. *Requests* the Secretary-General, in agreement with the specialized agencies concerned, to establish a simple procedure which would enable such offers and applications made through the United Nations or specialized agencies to be brought to the attention of the Administering Members and offering States concerned;"

(3) Redraft operative paragraph 7 to read as follows:

"7. *Requests* the Secretary-General to include in the United Nations information material details of all such offers and of the procedures to be followed in submitting applications, and further requests him to transmit such details to the United Nations Educational, Scientific and Cultural Organization, with a view to securing similar publicity in the appropriate publications of that organization."

5. The United Kingdom submitted amendments (A/C.4/L.344) to the draft resolution which would:

(1) In operative paragraph 3, add the words "for their information" after the words "Administering Members and"; replace "United Nations Technical Assistance Administration" by "Secretary-General".

(2) Delete the whole of operative paragraph 5.

(3) Delete operative paragraph 7 and replace by the following:

"7. *Requests* the Secretary-General after consultation with the Administering Members to prepare a report for the information of the General Assembly giving details of the offers made and the extent to which they have been taken up."

(4) Renumber operative paragraphs 6 and 7 as 5 and 6.

6. The United States of America submitted a sub-amendment (A/C.4/L.345) to the nine-Power amendments (A/C.4/L.343) whereby in the proposed redraft of operative paragraph 5, the words "agreement with" would be deleted and replaced by the words "consultation with the Administering Members and". The text of operative paragraph 5 would thus begin:

"5. *Requests* the Secretary-General, in consultation with the Administering Members and the specialized agencies concerned, to establish..."

7. At the 421st meeting, the representative of the Secretary-General stated that the amendments before the Committee appeared to remove certain administrative difficulties that had been foreseen in the application of the original draft resolution. He further stated that, with regard to the proposal to include in the United Nations information material details of fellowships and scholarships and of the procedures to be followed, this would be interpreted as involving no additional publications but merely the inclusion of the essential details in existing publications. Secondly, he referred to the proposal requesting the Secretary-General to prepare a report giving details of the offers made and the extent to which they had been taken up. That proposal was interpreted as meaning that the practice of providing annual reports on international collaboration in respect of Non-Self-Governing Territories and on educational advancement should be extended to cover the subjects referred to in the draft resolution.

8. At the 422nd meeting, Guatemala submitted sub-amendments (A/C.4/L.347) to the nine-Power amendments (A/C.4/L.343) which would :

(1) Delete, in the proposed re-draft of operative paragraph 5, the words "agreement with" and insert the words "consultation with the Administering Members and"; delete the words "and offering States concerned" at the end of the present text and substitute the following :

"and thereafter, in the case of applications, to the offering States concerned with any observations the Administering Members may submit."

The text of operative paragraph 5 of the draft resolution would thus read :

"5. *Requests* the Secretary-General, in consultation with the Administering Members and the specialized agencies concerned, to establish a simple procedure which would enable such offers and applications made through the United Nations or the specialized agencies to be brought to the attention of the Administering Members, and thereafter, in the case of applications, to the offering States concerned with any observations the Administering Members may submit."

(2) Delete, in the proposed re-draft of operative paragraph 7, the final words, beginning with "United Nations Educational, Scientific and Cultural Organization...", and insert the words, "specialized agencies, with a view to securing similar publicity in their appropriate publications".

(3) Add, as a new operative paragraph 8, the text proposed as operative paragraph 7 by the United Kingdom (A/C.4/L.344), which reads as follows :

"*Requests* the Secretary-General, after consultation with the Administering Members, to prepare a report for the information of the General Assembly, giving details of the offers made and the extent to which they have been taken up."

9. The representative of Yugoslavia, referring to the first Guatemalan sub-amendment, asked whether it would not be possible that a considerable time might elapse between the receipt of an application by the Secretary-General and his transmission of the application to the offering State if he had to await the observations of the Administering Members concerned. The representative of the Secretary-General pointed out that the amendment provided for consultation with the Administering Members and the specialized agencies concerned, but it might be presumed that the Secretary-General would bring any application received to the attention of the offering country without any delay of a substantial character. If observations from the Administering Members were not forthcoming within a reasonable time, the Secretary-General should inform the offering State of the application received and add that any observations of the Administering Members would be forwarded later. The representative of Guatemala, as author of the sub-amendment, supported the explanation given by the representative of the Secretary-General.

10. In the light of that statement the representative of Yugoslavia proposed an oral amendment to the Guatemalan sub-amendment which would change the words "may submit" at the end of operative paragraph 5 to "may have submitted".

11. In view of the sub-amendments submitted by Guatemala, the United Kingdom withdrew its amendments (A/C.4/L.344).

12. At the 422nd meeting, the Committee voted on the draft resolution and the amendments thereto.

13. The results of the voting were as follows :

(1) Operative paragraph 3: the substitution of the words "Secretary-General" for the words "United Nations Technical Assistance Administration" was approved unanimously.

(2) Operative paragraph 5: (a) the deletion of the words "agreement with" and the insertion of the words "consultation with the Administering Members and" was approved without objection; (b) the substitution of the words "may have submitted" for the words "may submit" was adopted by 36 votes to 6, with 9 abstentions; (c) the following text for paragraph 5 was adopted by 39 votes to 1, with 12 abstentions :

"5. *Requests* the Secretary-General, in consultation with the Administering Members and the specialized agencies concerned, to establish a simple procedure which would enable offers and applications made through the United Nations or the specialized agencies to be brought to the attention of the Administering Members, and thereafter, in the case of applications, to the offering States concerned together with any observations the Administering Members may have submitted ;"

(3) Operative paragraph 7: the deletion of the final words beginning "United Nations Educational..." and the insertion of the words "specialized agencies with a view to securing similar publicity in their appropriate publications" was approved unanimously. The paragraph would thus read as follows :

"7. *Requests* the Secretary-General to include in the United Nations information material details of all such offers and of the procedures to be followed in submitting applications, and further requests him to transmit such details to the specialized agencies, with a view to securing similar publicity in their appropriate publications ;"

(4) The insertion of the text proposed by Guatemala as a new operative paragraph 8 was approved unanimously.

14. The draft resolution as a whole, as amended, was approved by 43 votes to 3, with 7 abstentions.

15. The text, as approved, is annexed to the present report as draft resolution I.

WORK OF THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

16. The draft resolution on the work of the Committee on Information from Non-Self-Governing Territories recommended by that Committee (A/2729, part one, annex II, B) proposed that the General Assembly should: (1) take note of the report of the Committee on Information from Non-Self-Governing Territories on the work of its 1954 session; (2) approve the special report on economic conditions in the Non-Self-Governing Territories as a supplement to the report approved in 1951; (3) invite the Secretary-General to communicate this report to the Members of the United Nations responsible for the administration of Non-Self-Governing Territories, to the Economic and Social Council, to the Trusteeship Council and to the specialized agencies concerned for their consideration; (4) express its agreement with the suggestion that the Secretary-General should convene the sixth session of the Committee on Information from Non-Self-Governing Territories for the spring of 1955; (5) invite the Committee to submit a report to the tenth regular session of the General Assembly paying particular regard to social conditions in Non-Self-Governing Territories as indicated in particular in the information transmitted to the Secretary-General in 1954; (6) decide that, notwithstanding the provisions of paragraph 4 (a) of General

Assembly resolution 218 (III), the full summaries and analyses of the information transmitted during 1955 should be submitted to the General Assembly in 1956.

17. At its 422nd meeting, the Fourth Committee voted on the draft resolution with the following results:

(1) Operative paragraph 2 was adopted by 43 votes to none, with 8 abstentions.

(2) The draft resolution as a whole was approved unanimously.

18. The text, as approved, is annexed to the present report as draft resolution II.

INFORMATION ON PROBLEMS COMMON TO REGIONAL GROUPS OF NON-SELF-GOVERNING TERRITORIES

19. At the 422nd meeting, Pakistan, Saudi Arabia, Syria and Thailand submitted a joint draft resolution (A/C.4/L.346) whereby the General Assembly would: (1) request the Committee on Information from Non-Self-Governing Territories at its 1955 session to examine the manner in which the future reports prepared for the General Assembly may most appropriately be directed to the consideration of information or recommendations concerning particular regions or groups of Territories; (2) further request the Committee to examine whether any amplification or amendment of the Standard Form is necessary so as to assist the Members concerned in providing concrete information on the particular problems common to particular regions or groups of Territories; (3) suggest that the Committee give full consideration to the views expressed on these subjects during the discussions of the Fourth Committee at the ninth regular session of the General Assembly.

20. The representative of Venezuela proposed an oral amendment whereby the words "certain regional groups of Territories" would be substituted for "the separate Territories or regions" in the fourth paragraph of the preamble and for "particular regions or groups of Territories" in operative paragraphs 1 and 2.

21. The representative of Lebanon proposed an oral amendment whereby the words "the particular problems common to" would be inserted after the word "concerning" in operative paragraph 1.

22. Both amendments were accepted by the co-sponsors of the joint draft resolution.

23. At the 423rd meeting, the draft resolution, as amended, was approved by 37 votes to 7, with 3 abstentions.

24. The text, as approved, is annexed to the present report as draft resolution III.

VOLUNTARY TRANSMISSION OF INFORMATION ON POLITICAL DEVELOPMENT

25. At the 423rd meeting, Burma, Egypt, Lebanon and the Philippines submitted a joint draft resolution on the voluntary transmission of information on political development in the Non-Self-Governing Territories (A/C.4/L.349) according to which the General Assembly would: (1) reiterate that voluntary submission of information on the political development of peoples in Non-Self-Governing Territories was fully in accord with the spirit of Article 73 of the Charter; (2) invite the Administering Members concerned to give the United Nations their utmost co-operation in that regard; and (3) call on the Committee on Information from Non-Self-Governing Territories to be guided accordingly.

26. Subsequently, at the 424th meeting, the co-sponsors of the draft resolution submitted a revised text (A/C.4/

L.349/Rev.1) containing a number of changes in the preamble to the original draft and providing that the General Assembly would: (1) reiterate the view that voluntary submission of information on the political development of peoples in Non-Self-Governing Territories was fully in accord with the spirit of Article 73 of the Charter; and (2) invite the Administering Members concerned to give the United Nations their utmost co-operation in that regard.

27. The fourth paragraph of the preamble to the revised text read as follows:

"*Noting* that some Members responsible for the administration of Non-Self-Governing Territories already have voluntarily transmitted information on the development of self-governing institutions in the Non-Self-Governing Territories."

28. The representative of Peru proposed an oral amendment whereby the words "with satisfaction" would be inserted in the fourth paragraph of the preamble, after the word "*Noting*". The representative of Indonesia proposed an oral amendment to the effect that the word "some" should be inserted before the word "information" in the same paragraph.

29. The co-sponsors of the draft resolution accepted the latter amendment.

30. At its 424th meeting, the Committee voted on the revised draft resolution and the amendment thereto, with the following results:

(1) The oral amendment proposed by the representative of Peru was adopted by 34 votes to one, with 13 abstentions.

(2) Operative paragraph 1 of the draft resolution was adopted by 36 votes to 11, with one abstention.

(3) The draft resolution as a whole, as amended, was approved by a roll-call vote of 36 to 9, with 4 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Peru, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, France, Netherlands, New Zealand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Denmark, Norway, Sweden.

31. The text, as approved, is annexed to the present report as draft resolution IV.

Recommendations of the Fourth Committee

32. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

EDUCATIONAL ADVANCEMENT IN NON-SELF-GOVERNING TERRITORIES

[Text adopted without change by the General Assembly. See document A/RESOLUTION/219 below.]

Draft resolution II

WORK OF THE COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

[Text adopted without change by the General Assembly. See document A/RESOLUTION/220 below.]

Draft resolution III

INFORMATION ON PROBLEMS COMMON TO REGIONAL GROUPS OF
NON-SELF-GOVERNING TERRITORIES

[Text adopted without change by the General Assembly. See document A/RESOLUTION/221 below.]

Draft resolution IV

VOLUNTARY TRANSMISSION OF INFORMATION ON POLITICAL
DEVELOPMENT IN NON-SELF-GOVERNING TERRITORIES

[Text adopted without change by the General Assembly. See document A/RESOLUTION/222 below.]

DOCUMENT A/RESOLUTION/219

[Resolution 845 (IX)]

Resolution adopted by the General Assembly at its 498th plenary meeting, on 22 November 1954

EDUCATIONAL ADVANCEMENT IN NON-SELF-GOVERNING
TERRITORIES

The General Assembly,

Noting resolution 743 (VIII) of 27 November 1953, by which the Administering Members were recommended to make the greatest possible use of offers that might be made to them by other Member States through the Secretary-General or through the specialized agencies concerned or in other appropriate ways, for the purpose of facilitating the educational advancement of the inhabitants of Non-Self-Governing Territories by such means as making available fellowships, scholarships and internships to qualified students from these Territories,

Noting the view expressed by the Committee on Information from Non-Self-Governing Territories in 1953 that the attainment of self-government by Non-Self-Governing Territories is, *inter alia*, hindered by inadequacies in the education of their peoples (A/2465, part two, para. 10),

Considering that facilities for study and training at all levels of education, despite all the efforts made by the Administering Members in the direction of their improvement, are not yet adequate in most of the Non-Self-Governing Territories,

1. Invites Member States to extend generously their offers of facilities not only for study and training of university standard but, in the first place, for study at the post-primary level as well as technical and vocational training of immediate practical value;

2. Invites Member States offering facilities, in cases where the languages of instruction differ from the languages of the Non-Self-Governing Territories, to consider the possibility of extending the duration of the facilities offered by a preliminary period of language training and other adjustment to the country of study or training;

3. Invites Member States to transmit the details of such offers to the Administering Members, to the Secretary-General and the appropriate specialized agencies;

4. Recommends that the Administering Members make the greatest possible use of facilities at all levels of education and training, including the field of fundamental education, that may be offered by States Members of the United Nations;

5. Requests the Secretary-General, in consultation with the Administering Members and the specialized agencies concerned, to establish a simple procedure which would enable offers and applications made through the United Nations or the specialized agencies to be brought to the attention of the Administering Members, and thereafter, in the case of applications, to the attention of the offering States concerned together with any observations the Administering Members may have submitted;

6. Invites the Administering Members to give appropriate publicity in Territories under their administration to offers of study and training facilities and to take such other measures as will ensure that the greatest possible advantage is taken of the offers;

7. Requests the Secretary-General to include in the United Nations information material details of all such offers and of the procedures to be followed in submitting applications, and further requests him to transmit such details to the specialized agencies with a view to securing similar publicity in their appropriate publications;

8. Requests the Secretary-General, after consultation with the Administering Members, to prepare a report for the information of the General Assembly giving details of the offers made and the extent to which they have been taken up.

DOCUMENT A/RESOLUTION/220

[Resolution 846 (IX)]

Resolution adopted by the General Assembly at its 498th plenary meeting, on 22 November 1954

WORK OF THE COMMITTEE ON INFORMATION FROM NON-SELF-
GOVERNING TERRITORIES

The General Assembly,

1. Takes note of the report of the Committee on Information from Non-Self-Governing Territories on the work of its 1954 session (A/2729);

2. Approves the special report on economic conditions in the Non-Self-Governing Territories (A/2729, part two) as a supplement to the report approved in 1951 (A/1836 and Corr.1, part three);

3. Invites the Secretary-General to communicate the special report to the Members of the United Nations responsible for the administration of Non-Self-Governing Territories, to the Economic and Social Council, to the Trusteeship Council and to the specialized agencies concerned for their consideration;

4. Expresses its agreement with the suggestion in the report that the Secretary-General should convene the sixth session of the Committee on Information from Non-Self-Governing Territories for the spring of 1955;

5. *Invites* the Committee to submit a report to the General Assembly at its tenth session, paying particular regard to social conditions in Non-Self-Governing Territories as indicated, in particular, in the information transmitted to the Secretary-General in 1954;

6. *Decides* that, notwithstanding the provisions of paragraph 4 (a) of General Assembly resolution 218 (III) of 3 November 1948, the full summaries and analyses of the information transmitted during 1955 should be submitted to the General Assembly in 1956.

DOCUMENT A/RESOLUTION/221

[Resolution 847 (IX)]

Resolution adopted by the General Assembly at its 498th plenary meeting, on 22 November 1954

INFORMATION ON PROBLEMS COMMON TO REGIONAL GROUPS OF NON-SELF-GOVERNING TERRITORIES

The General Assembly,

Having since 1950 approved annually special reports on economic, social and educational conditions in Non-Self-Governing Territories,

Considering that these reports express general views and recommendations applicable to Non-Self-Governing Territories as a whole,

Recognizing that conditions in the various regions and in particular Territories may present special problems,

Believing that consideration of these special problems by the General Assembly should provide an opportunity for the expression of views and recommendations of concrete value to certain regional groups of Territories,

1. *Requests* the Committee on Information from Non-Self-Governing Territories at its 1955 session to study the manner in which the future reports prepared for the General Assembly may most appropriately be directed to the consideration of information or recommendations concerning the particular problems common to certain regional groups of Territories;

2. *Further requests* the Committee to examine whether any amplification or amendment of the Standard Form is necessary so as to assist the Administering Members in providing concrete information on the particular problems common to certain regional groups of Territories;

3. *Suggests* that the Committee give full consideration to the views expressed on these subjects during the discussions in the Fourth Committee at the ninth session of the General Assembly.

DOCUMENT A/RESOLUTION/222

[Resolution 848 (IX)]

Resolution adopted by the General Assembly at its 498th plenary meeting, on 22 November 1954

VOLUNTARY TRANSMISSION OF INFORMATION ON POLITICAL DEVELOPMENT IN NON-SELF-GOVERNING TERRITORIES

The General Assembly,

Conscious of the functions it bears over peoples of Non-Self-Governing Territories under the principles and objectives set forth in Article 73 of the Charter of the United Nations,

Considering that these principles and objectives relate to the political as well as the economic, social and educational advancement of the peoples concerned,

Recalling that by resolutions 144 (II), 327 (IV) and 637 B (VII) it has sought to secure the transmission by Members administering Non-Self-Governing Territories of voluntary information on the manner and extent to which

the peoples of Territories under their administration are being developed for self-government,

Noting with satisfaction that some Members responsible for the administration of Non-Self-Governing Territories already have voluntarily transmitted some information on the development of self-governing institutions in the Non-Self-Governing Territories,

But noting further that other Members have not yet transmitted such information,

1. *Reiterates* the view that voluntary submission of information on the political development of peoples in Non-Self-Governing Territories is fully in accord with the spirit of Article 73 of the Charter;

2. *Invites* the Administering Members concerned to give the United Nations their utmost co-operation in this regard.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 498th plenary meeting, on 22 November 1954, the General Assembly adopted draft resolutions I, II, III and IV submitted by the Fourth Committee. For the final texts, see documents A/RESOLUTION/219, A/RESOLUTION/220, A/RESOLUTION/221 and A/RESOLUTION/222, respectively, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/1303/Rev.1	Report of the Special Committee on Information transmitted under Article 73 e of the Charter		<i>Official Records of the General Assembly, Fifth Session, Supplement No. 17</i>
A/1836 and Corr.1	Report of the Special Committee on Information transmitted under Article 73 e of the Charter		<i>Ibid., Sixth Session, Supplement No. 14</i>
A/2219 and Corr.1	Report of the Committee on Information from Non-Self-Governing Territories		<i>Ibid., Seventh Session, Supplement No. 18</i>
A/2414 and Add.1 and 2	Summary of information transmitted by the Government of the United States of America		Reproduced basically in <i>Non-Self-Governing Territories, Summaries and analyses of information transmitted to the Secretary-General during 1953, Vol. II (ST/TRI/SER.A/8/Add.1)</i>
A/2465	Report of the Committee on Information from Non-Self-Governing Territories		<i>Official Records of the General Assembly, Eighth Session, Supplement No. 15</i>
A/2651	Summary of information transmitted by the Government of Australia		Reproduced basically in <i>Non-Self-Governing Territories, Summaries and analyses of information transmitted to the Secretary-General during 1954, Vol. II (ST/TRI/SER.A/9/Add.1)</i>
A/2652	Summary of information transmitted by the Government of Belgium		<i>Ibid.</i>
A/2653	Summary of information transmitted by the Government of Denmark		<i>Ibid.</i>
A/2654 and Add.1 to 3	Summary of information transmitted by the Government of France		<i>Ibid.</i>
A/2655	Summary of information transmitted by the Government of the Netherlands		<i>Ibid.</i>
A/2656	Summary of information transmitted by the Government of New Zealand		<i>Ibid.</i>
A/2657 and Add.1 to 4	Summary of information transmitted by the Government of the United Kingdom of Great Britain and Northern Ireland		<i>Ibid.</i>
A/2658	Summary of information transmitted by the Government of the United States of America		<i>Ibid.</i>
A/2663	Annual report of the Secretary-General on the work of the Organization, 1 July 1953 - 30 June 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 1</i>
A/2729	Report of the Committee on Information from Non-Self-Governing Territories		<i>Ibid., Supplement No. 18</i>
A/2794	Report of the Fourth Committee	2	
A/AC.35/L.50	General aspects of land distribution: note by the Secretariat		Mimeographed document only
A/AC.35/L.142	Communication from the Acting Permanent Representative of Belgium to the United Nations, addressed to the Chairman of the Committee on Information from Non-Self-Governing Territories		<i>Idem.</i>
A/AC.35/L.156/Add.4	Factors affecting the progress of development plans in the Non-Self-Governing Territories: report prepared by the Secretariat		<i>Idem.</i>
A/AC.35/L.158 and Add.1	Land distribution in Non-Self-Governing Territories: report prepared by the Secretariat		<i>Idem.</i>
A/AC.35/L.160	Soil conservation: report prepared by the Secretariat		<i>Idem.</i>
A/AC.35/L.165	Questions of representation on the Committee on Information from Non-Self-Governing Territories: note by the Secretariat		<i>Idem.</i>
A/AC.35/L.167	Standards of living in Non-Self-Governing Territories: report prepared by the Secretariat		<i>Idem.</i>
A/AC.35/L.168	Communication from the Government of Denmark concerning its membership of the Committee on Information from Non-Self-Governing Territories		<i>Idem.</i>
A/AC.35/L.169	The relative progress of production for local consumption and export in the Non-Self-Governing Territories: report prepared by the Food and Agriculture Organization		<i>Idem.</i>
A/AC.35/L.180	Guatemala: amendment to the revised draft resolution on educational advancement in Non-Self-Governing Territories submitted by Burma and India (A/2729, part one, para. 33)		<i>Idem.</i>

Document No.	Title	Page	Observations and references
A/AC.35/SR.90 to 106	Committee on Information from Non-Self-Governing Territories: summary records of the 90th to 106th meetings		Mimeographed document only
A/C.4/L.343	Burma, Egypt, Greece, Haiti, Pakistan, the Philippines, Syria, Uruguay and Yugoslavia: amendments to draft resolution A submitted by the Committee on Information from Non-Self-Governing Territories (A/2729, part one, annex II)		See A/2794, para. 4
A/C.4/L.344	United Kingdom of Great Britain and Northern Ireland: amendments to draft resolution A submitted by the Committee on Information from Non-Self-Governing Territories (A/2729, part one, annex II)		See A/2794, para. 5
A/C.4/L.345	United States of America: amendment to amendments A/C.4/L.343		See A/2794, para. 6
A/C.4/L.346	Pakistan, Saudi Arabia, Syria, Thailand: draft resolution . . .	1	
A/C.4/L.347	Guatemala: amendments to amendments A/C.4/L.343		See A/2794, para. 8
A/C.4/L.348	Educational advancement in Non-Self-Governing Territories: table of amendments to draft resolution A (A/2729, part I, annex II), prepared by the Secretariat		Mimeographed document only
A/C.4/L.349	Burma, Egypt, Lebanon and the Philippines: draft resolution . . .	2	
A/C.4/L.349/Rev.1	Burma, Egypt, Lebanon and the Philippines: revised draft resolution	2	
A/C.4/L.350	Draft resolution adopted by the Fourth Committee at its 422nd meeting, on 5 November 1954: Educational advancement in Non-Self-Governing Territories		See A/2794, draft resolution I
A/C.4/L.351	Draft resolution adopted by the Fourth Committee at its 422nd meeting, on 5 November 1954: Work of the Committee on Information from Non-Self-Governing Territories		See A/2794, draft resolution II
A/C.4/L.352	Draft resolution adopted by the Fourth Committee at its 423rd meeting, on 5 November 1954: Information on problems common to regional groups of Non-Self-Governing Territories		See A/2794, draft resolution III
A/C.4/L.353	Draft resolution adopted by the Fourth Committee at its 424th meeting, on 8 November 1954: Voluntary transmission of information on political development of the Non-Self-Governing Territories		See A/2794, draft resolution IV
A/C.4/L.357	Draft report of the Fourth Committee		Same text as A/2794
A/RESOLUTION/219	Resolution adopted by the General Assembly at its 498th plenary meeting, on 22 November 1954: Educational advancement in Non-Self-Governing Territories	6	
A/RESOLUTION/220	Resolution adopted by the General Assembly at its 498th plenary meeting, on 22 November 1954: Work of the Committee on Information from Non-Self-Governing Territories	6	
A/RESOLUTION/221	Resolution adopted by the General Assembly at its 498th plenary meeting, on 22 November 1954: Information on problems common to regional groups of Non-Self-Governing Territories	7	
A/RESOLUTION/222	Resolution adopted by the General Assembly at its 498th plenary meeting, on 22 November 1954: Voluntary transmission of information on political development in Non-Self-Governing Territories	7	
E/1986	Measures for the Economic Development of Under-developed Countries		United Nations publication, Sales No.: 1951.II.B.2
E/2557	Enlargement of the Exchange Economy in Tropical Africa		United Nations publication, Sales No.: 1954.II.C.4
E/2560	World Economic Report 1952-53		United Nations publication, Sales No.: 1954.II.C.1
E/CN.5/267/Rev.1	Preliminary Report on the World Social Situation		United Nations publication, Sales No.: 1952 IV.11
ST/TRI/SER.A/7/Add.1	Non-Self-Governing Territories: Summaries and analyses of information transmitted to the Secretary-General during 1952		United Nations publication, Sales No.: 1952.VI.B.1. Vol. II

GENERAL ASSEMBLY

Official Records



ANNEXES

NINTH SESSION

NEW YORK, 1954

Agenda item 32: Cessation of the transmission of information under Article 73 e of the Charter: report of the Committee on Information from Non-Self-Governing Territories:

(a) Communication from the Government of Denmark concerning Greenland;

(b) Other communications.

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DOCUMENT A/C.4/L.356

Consideration of communications relating to the cessation of the transmission of information under Article 73 e of the Charter

Greece, Indonesia, Lebanon, the Philippines, Saudi Arabia and Syria: draft resolution

[Original text: English]
[10 November 1954]

The General Assembly,

Considering that by resolutions 222 (III), 448 (V) and 742 (VIII) it has approved principles which should be followed in evaluating situations indicative of the attainment of a full measure of self-government by the peoples of Non-Self-Governing Territories and the consequent cessation of the transmission of information under Article 73 e of the Charter,

Having in 1953 and 1954 approved resolutions relating to the cessation of the transmission of information concerning Puerto Rico and Greenland respectively,

Considering that the experience gained should be used by the General Assembly to perfect the principles and procedures to be followed in such cases,

Considering further the necessity of laying down pro-

cedures enabling the Committee on Information from Non-Self-Governing Territories to discharge its functions under General Assembly resolution 742 (VIII),

1. Expresses the opinion that communications received from the Members concerned relating to the cessation of the transmission of information under Article 73 e of the Charter in respect of any Non-Self-Governing Territory should be examined, as indicated in resolution 742 (VIII), with particular emphasis on the manner in which the right of self-determination has been attained and freely exercised;

2. Considers that, as circumstances may make appropriate, it will be of value to ascertain in what form the opinion of the population has been expressed;

3. Notes the value of the association in the delegation of the Member concerned of duly qualified representatives able to inform the General Assembly of the opinions of the population;

4. Considers that in appropriate cases it might be of value to examine the advisability, on the attainment of a new status by a former Non-Self-Governing Territory,

of a visit from a delegation representing the United Nations;

5. Invites the Committee on Information from Non-Self-Governing Territories to examine this resolution and to include in its report to the tenth regular session of the General Assembly any proposals that it considers desirable concerning its further implementation.

DOCUMENT A/2795

Report of the Fourth Committee

[Original text: English]
[19 November 1954]

1. At its 478th plenary meeting, on 25 September 1954, the General Assembly allocated to the Fourth Committee item 32 on its agenda, entitled:

“Cessation of the transmission of information under Article 73 e of the Charter: report of the Committee on Information from Non-Self-Governing Territories:

“(a) Communication from the Government of Denmark concerning Greenland;¹

“(b) Other communications”.¹

CESSATION OF THE TRANSMISSION OF INFORMATION UNDER ARTICLE 73 e OF THE CHARTER IN RESPECT OF GREENLAND

2. At the 429th meeting of the Fourth Committee, Brazil, Guatemala, India and Peru submitted a joint draft resolution (A/C.4/L.354), the text of which was as follows:

“The General Assembly,

“Recalling that resolution 222 (III), adopted by the General Assembly on 3 November 1948, while welcoming any development of self-government in Non-Self-Governing Territories, considers that it is essential that the United Nations be informed of any change in the constitutional status of any such Territory as a result of which the responsible Government concerned thinks it unnecessary to transmit information in respect of that Territory under Article 73 e of the Charter,

“Having received from the Government of Denmark a communication, dated 3 September 1953, informing the Secretary-General that as a result of the constitutional amendment adopted on 5 June 1953 Greenland has become an integral part of the Danish Realm with a constitutional status equal to other parts of Denmark and that as a consequence of this constitutional change the Danish Government regarded their responsibilities under Chapter XI of the Charter in respect of Greenland as terminated and had, therefore, decided to bring to an end the transmission of information under Article 73 e of the Charter,

“Considering that resolution 742 (VIII) adopted by the General Assembly on 27 November 1953 instructs the Committee on Information from Non-Self-Governing Territories to study any documentation transmitted under resolution 222 (III) in the light of the list of factors approved by resolution 742 (VIII) and other relevant considerations that may arise from each concrete case,

“Having studied the report prepared by the Committee on Information from Non-Self-Governing Territories during its session of 1954 on the question of the cessation of the transmission of information on

Greenland and presented to the General Assembly in conformity with paragraph 2 of resolution 448 (V) of 12 December 1950,

“Having examined the communication of the Government of Denmark in the light of the basic principles embodied in Chapter XI of the Charter, the criteria established by the list of factors, and of all the other elements of judgment pertinent to the issue,

“1. Takes note of the conclusions set forth by the Committee on Information from Non-Self-Governing Territories in its resolution;

“2. Takes note of the opinion of the Government of Denmark that due to the new constitutional status of Greenland the Government of Denmark regards its ‘responsibilities according to Chapter XI of the Charter as terminated’ and consequently the transmission of information under Article 73 e of the Charter in respect of Greenland should be brought to an end;

“3. Commends the action of the Member State concerned in including in its delegation representatives elected by the Greenland Council for the purpose of furnishing information on constitutional changes in Greenland;

“4. Takes note that when deciding on their new constitutional status, through their duly elected representatives, the people of Greenland have freely exercised their right to self-determination;

“5. Expresses the opinion that, from the documentation and the explanations provided, Greenland freely decided on its integration within the Kingdom of Denmark, on an equal constitutional and administrative basis with the other parts of Denmark;

“6. Notes with satisfaction the political advancement achieved by the people of Greenland;

“7. Considers that due to these circumstances the Declaration regarding Non-Self-Governing Territories with the provisions established under it in Chapter XI of the Charter can no longer be applied to Greenland;

“8. Considers it appropriate that the transmission of information in respect of Greenland under Article 73 e of the Charter should now cease.”

3. The representative of the Philippines proposed the following oral amendments:

(1) Insert the word “further” between “transmit” and “information” in the first paragraph of the preamble.

(2) Insert the words “that of” between the words “status equal to” and “other parts of Denmark” in the second paragraph of the preamble.

(3) Insert the words “and objectives” between “principles” and “embodied” in the fifth paragraph of the preamble.

(4) Delete operative paragraph 2.

¹ See A/2729, part one, section IX.

(5) Replace the words "political advancement achieved" by the words "achievement of self-government" in operative paragraph 6.

(6) Redraft operative paragraph 7 to read:

"*Considers* that in the circumstances Chapter XI of the Charter regarding Non-Self-Governing Territories is no longer applicable to Greenland."

(7) Delete operative paragraph 8.

4. The sponsors of the draft resolution accepted the first three amendments.

5. The representative of Bolivia proposed an oral amendment to the effect that the word "National" should be inserted between "the" and "Greenland Council" in operative paragraph 3.

6. Uruguay submitted an amendment (A/C.4/L.358) which would add as the last paragraph of the preamble the following:

"*Bearing in mind* the competence of the General Assembly to decide whether a Non-Self-Governing Territory has or has not attained a full measure of self-government as referred to in Chapter XI of the Charter,"

7. At the 431st and 432nd meetings, the Committee voted on the draft resolution and amendments thereto, with the following results:

(1) The second paragraph of the preamble was adopted by 45 votes to none, with 4 abstentions.

(2) The amendment proposed by Uruguay was adopted by a roll-call vote of 33 to 12, with 5 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Burma, Byelorussian Soviet Socialist Republic, China, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Peru, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, France, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Chile, Colombia, Costa Rica, Israel.

(3) The Philippine amendment to the effect that operative paragraph 2 should be deleted was rejected by 18 votes to 9, with 16 abstentions.

(4) The Philippine amendment to the effect that the words "political advancement achieved" should be replaced by the words "achievement of self-government" in operative paragraph 6 was adopted by 21 votes to 7, with 18 abstentions.

(5) The Philippine amendment to the effect that operative paragraph 7 should be redrafted was rejected by 17 votes to 17, with 15 abstentions. The representative of the Philippines withdrew his amendment calling for the deletion of operative paragraph 8.

(6) Operative paragraph 2 was adopted by 42 votes to 1, with 9 abstentions.

(7) Operative paragraph 4 was adopted by 39 votes to 1, with 11 abstentions.

(8) Operative paragraph 7 was adopted by 37 votes to 1, with 13 abstentions.

(9) The draft resolution as a whole, as amended, was approved by 34 votes to 4, with 12 abstentions.

8. The text, as approved, is annexed to the present report as draft resolution I.

CESSATION OF THE TRANSMISSION OF INFORMATION UNDER ARTICLE 73 e OF THE CHARTER: OTHER COMMUNICATIONS

9. At the 430th meeting, with reference to General Assembly resolution 747 (VIII) of 27 November 1953, the representative of the Netherlands made a statement regarding the cessation of the transmission of information on the Netherlands Antilles and Surinam.

10. The representatives of India, Indonesia, Egypt, Iraq, Venezuela, Guatemala, Yugoslavia, Greece, Burma, Philippines and the Union of Soviet Socialist Republics expressed the views of their delegations with regard to the statement of the representative of the Netherlands.

11. At the 432nd meeting, Greece, Indonesia, Lebanon, the Philippines, Saudi Arabia and Syria submitted a joint draft resolution (A/C.4/L.356) whereby the General Assembly would: (1) express the opinion that communications received from the Members concerned relating to the cessation of the transmission of information under Article 73 e of the Charter in respect of any Non-Self-Governing Territory should be examined, as indicated in resolution 742 (VIII), with particular emphasis on the manner in which the right of self-determination had been attained and freely exercised; (2) consider that, as circumstances might make appropriate, it would be of value to ascertain in what form the opinion of the population had been expressed; (3) note the value of the association in the delegation of the Member concerned of duly qualified representatives able to inform the General Assembly of the opinions of the population; (4) consider that in appropriate cases it might be of value to examine the advisability, on the attainment of a new status by a former Non-Self-Governing Territory, of a visit from a delegation representing the United Nations; (5) invite the Committee on Information from Non-Self-Governing Territories to examine the resolution and to include in its report to the tenth regular session of the General Assembly any proposals that it considered desirable concerning its further implementation.

12. Yugoslavia proposed amendments (A/C.4/L.359) which would:

(1) Replace operative paragraphs 2 and 4 by the following single paragraph:

"2. *Considers it necessary* to ascertain the opinion of the population as to the status or change in status which they desire, and that, in order to evaluate such opinion as fully as possible a mission should visit the Non-Self-Governing Territory if the General Assembly deems it desirable before or during the time when the population is called upon to decide on its future status or change in status;"

(2) Add, as a new operative paragraph 4, the following:

"4. *Considers* that the Committee on Information from Non-Self-Governing Territories might study means by which it could, at the appropriate time, draw the attention of the General Assembly to the forthcoming changes in the status of the Territory concerned;"

13. The representative of Brazil proposed an oral amendment to the first Yugoslav amendment, to the effect that the two phrases "*Considers it necessary* to ascertain" and "and in order to evaluate such opinion as fully as possible" should be deleted and replaced by the following: "*Considers* that in order to evaluate as fully as possible".

14. The representative of Haiti proposed the following oral amendments:

(1) That that part of the first Yugoslav amendment beginning with the words "...a mission should visit..."

should be redrafted to read: "...a mission, if the General Assembly deems it desirable, should, in agreement with the Administering Member, visit the Non-Self-Governing Territory before or during the time when the population is called upon..."

(2) That operative paragraph 3 should be deleted.

15. An oral amendment proposed by the representative of Venezuela to the effect that the words "principles and" should be deleted from the third paragraph of the preamble was itself amended by the representative of Greece who proposed that the word "methods" should be substituted for "principles" in the original text of the third paragraph. This sub-amendment was accepted by the sponsors of the draft resolution and by the representative of Venezuela.

16. The representative of Mexico proposed an oral amendment to operative paragraph 5 to the effect that the words "to examine this resolution and" should be deleted. That amendment was accepted by the sponsors of the joint draft resolution.

17. The representative of Syria thereupon proposed an oral amendment to operative paragraph 5 whereby the words "its further implementation" would be replaced by the words "the implementation of the present resolution". That amendment was accepted by the sponsors of the joint draft resolution.

18. At the 433rd meeting, the Committee voted on the joint draft resolution and the amendments thereto with the following results:

(1) The Yugoslav amendment (A/C.4/L.359) to replace operative paragraphs 2 and 4 by a single operative paragraph 2, as sub-amended by the representatives of Brazil and Haiti, was adopted by a roll-call vote of 36 to 12, with 3 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, France, Netherlands, New Zealand, Norway, Sweden, Union of

South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Colombia, Honduras, India.

(2) The Haitian amendment to delete operative paragraph 3 was adopted by 27 votes to 4, with 8 abstentions.

(3) The Yugoslav amendment to add a new operative paragraph 4 was adopted by 35 votes to 10, with 7 abstentions.

(4) The joint draft resolution, as a whole, as amended, was approved by a roll-call vote of 37 to 11, with 4 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Peru, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, France, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Colombia, Denmark, Honduras, Israel.

19. The text, as approved, is annexed to the present report as draft resolution II.

Recommendations of the Fourth Committee

20. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

CESSATION OF THE TRANSMISSION OF INFORMATION UNDER ARTICLE 73 e OF THE CHARTER IN RESPECT OF GREENLAND

[Text adopted without change by the General Assembly. See document A/RESOLUTION/223/Rev.1, below.]

Draft resolution II

CONSIDERATION OF COMMUNICATIONS RELATING TO THE CESSATION OF THE TRANSMISSION OF INFORMATION UNDER ARTICLE 73 e OF THE CHARTER

[Text adopted without change by the General Assembly. See document A/RESOLUTION/224, below.]

DOCUMENT A/RESOLUTION/223/Rev.1

[Resolution 849 (IX)]

Resolution adopted by the General Assembly at its 499th plenary meeting, on 22 November 1954

CESSATION OF THE TRANSMISSION OF INFORMATION UNDER ARTICLE 73 e OF THE CHARTER IN RESPECT OF GREENLAND

The General Assembly,

Recalling that by resolution 222 (III) of 3 November 1948, the General Assembly, while welcoming any development of self-government in Non-Self-Governing Territories, considers it essential that the United Nations be informed of any change in the constitutional status of any such Territory as a result of which the responsible Government concerned thinks it unnecessary to transmit further information in respect of that Territory under Article 73 e of the Charter,

Having received from the Government of Denmark a communication (A/AC.35/L.155 and Corr.1) dated 3 September 1953 informing the Secretary-General that, as a result of the constitutional amendment adopted on 5 June 1953, Greenland has become an integral part of the Danish Realm with a constitutional status equal to that of other parts of Denmark and that, as a consequence of this constitutional change, the Danish Government regarded its responsibilities under Chapter XI of the Charter in respect of Greenland as terminated and had, therefore, decided to bring to an end the transmission of information under Article 73 e of the Charter,

Considering that resolution 742 (VIII) adopted by the

General Assembly on 27 November 1953 instructs the Committee on Information from Non-Self-Governing Territories to study any documentation transmitted under resolution 222 (III) in the light of the list of factors approved by resolution 742 (VIII) and other relevant considerations that may arise from each concrete case,

Having studied the report (A/2729, part one, section IX) prepared by the Committee on Information from Non-Self-Governing Territories during its session of 1954 on the question of the cessation of the transmission of information on Greenland and presented to the General Assembly in conformity with paragraph 2 of resolution 448 (V) of 12 December 1950,

Having examined the communication of the Government of Denmark in the light of the basic principles and objectives embodied in Chapter XI of the Charter, the criteria established by the list of factors, and of all the other elements of judgment pertinent to the issue,

Bearing in mind the competence of the General Assembly to decide whether a Non-Self-Governing Territory has or has not attained a full measure of self-government as referred to in Chapter XI of the Charter,

1. *Takes note* of the conclusions set forth by the Committee on Information from Non-Self-Governing Territories in its resolution (A/2729, part one, para. 61);

2. *Takes note* of the opinion of the Government of Denmark that due to the new constitutional status of Greenland the Government of Denmark regards its responsibilities according to Chapter XI of the Charter

as terminated" and that consequently the transmission of information under Article 73 e of the Charter in respect of Greenland should be brought to an end;

3. *Commends* the action of the Member State concerned in including in its delegation to the General Assembly representatives elected by the National Council of Greenland for the purpose of furnishing information on constitutional changes in Greenland;

4. *Takes note* that when deciding on their new constitutional status, through their duly elected representatives, the people of Greenland have freely exercised their right to self-determination;

5. *Expresses the opinion* that, from the documentation and the explanations provided, Greenland freely decided on its integration within the Kingdom of Denmark on an equal constitutional and administrative basis with the other parts of Denmark;

6. *Notes with satisfaction* the achievement of self-government by the people of Greenland;

7. *Considers* that due to these circumstances the Declaration regarding Non-Self-Governing Territories with the provisions established under it in Chapter XI of the Charter can no longer be applied to Greenland;

8. *Considers* it appropriate that the transmission of information in respect of Greenland under Article 73 e of the Charter should now cease.

DOCUMENT A/RESOLUTION/224

[Resolution 850 (IX)]

Resolution adopted by the General Assembly at its 499th plenary meeting, on 22 November 1954

CONSIDERATION OF COMMUNICATIONS RELATING TO THE CESSATION OF THE TRANSMISSION OF INFORMATION UNDER ARTICLE 73 e OF THE CHARTER

The General Assembly,

Considering that, by resolutions 222 (III), 448 (V) and 742 (VIII) it has approved principles which should be followed in evaluating situations indicative of the attainment of a full measure of self-government by the peoples of Non-Self-Governing Territories and the consequent cessation of the transmission of information under Article 73 e of the Charter,

Having approved in 1953 and 1954 resolutions² relating to the cessation of the transmission of information concerning Puerto Rico and Greenland respectively,

Considering that the experience gained should be used by the General Assembly to perfect the methods and procedures to be followed in such cases,

Considering further the necessity of laying down procedures enabling the Committee on Information from Non-Self-Governing Territories to discharge its functions under General Assembly resolution 742 (VIII),

1. *Expresses the opinion* that communications received from the Members concerned relating to the cessation

of the transmission of information under Article 73 e of the Charter in respect of any Non-Self-Governing Territory should be examined, as indicated in resolution 742 (VIII), with particular emphasis on the manner in which the right of self-determination has been attained and freely exercised;

2. *Considers* that, in order to evaluate as fully as possible the opinion of the population as to the status or change in status which they desire, a mission, if the General Assembly deems it desirable, should, in agreement with the Administering Member, visit the Non-Self-Governing Territory before or during the time when the population is called upon to decide on its future status or change in status;

3. *Considers* that the Committee on Information from Non-Self-Governing Territories might study means by which it could, at the appropriate time, draw the attention of the General Assembly to the forthcoming changes in the status of the Territory concerned;

4. *Invites* the Committee on Information from Non-Self-Governing Territories to include in its report to the General Assembly at its tenth session any proposals that it considers desirable concerning the implementation of the present resolution.

² See resolutions 748 (VIII) and 849 (IX).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 499th plenary meeting, on 22 November 1954, the General Assembly adopted draft resolutions I and II submitted by the Fourth Committee. For the final texts, see documents A/RESOLUTION/223/Rev.1 and A/RESOLUTION/224, respectively, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2729	Report of the Committee on Information from Non-Self-Governing Territories		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 18</i>
A/2795	Report of the Fourth Committee	2	
A/AC.35/L.155 and Corr.1	Communication dated 3 September 1953 from the Minister for Foreign Affairs of Denmark addressed to the Secretary-General		Mimeographed document only
A/AC.35/SR.101 to 103	Committee on Information from Non-Self-Governing Territories: summary records of the 101st to 103rd meetings		<i>Idem.</i>
A/C.4/L.302	Burma, Guatemala, Honduras, Indonesia and Mexico: amendments to the draft resolution submitted by Brazil, Chile, Colombia, Costa Rica, Ecuador, Panama and Peru (A/C.4/L.300)		See <i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 32, document A/2556 and Corr.1, para. 64.</i>
A/C.4/L.350	Draft resolution adopted by the Fourth Committee at its 422nd meeting, on 5 November 1954: Educational advancement in Non-Self-Governing Territories		<i>Ibid., Ninth Session, Annexes, agenda item 31, document A/2794, draft resolution I</i>
A/C.4/L.353	Draft resolution adopted by the Fourth Committee at its 424th meeting, on 8 November 1954: Voluntary transmission of information on political development of the Non-Self-Governing Territories		<i>Ibid., draft resolution IV</i>
A/C.4/L.354	Cessation of the transmission of information under Article 73 e of the Charter in respect of Greenland—Brazil, Guatemala, India and Peru: draft resolution		See A/2795, para. 2
A/C.4/L.356	Consideration of communications relating to the cessation of the transmission of information under Article 73 e of the Charter —Greece, Indonesia, Lebanon, the Philippines, Saudi Arabia and Syria: draft resolution	1	
A/C.4/L.358	Uruguay: amendment to draft resolution A/C.4/L.354		See A/2795, para. 6
A/C.4/L.359	Yugoslavia: amendments to draft resolution A/C.4/L.356		See A/2795, para. 12
A/C.4/L.360	Draft resolution adopted by the Fourth Committee at its 432nd meeting, on 12 November 1954: Cessation of the transmission of information under Article 73 e of the Charter in respect of Greenland		See A/2795, draft resolution I
A/C.4/L.361	Draft resolution adopted by the Fourth Committee at its 433rd meeting, on 15 November 1954: Consideration of communications relating to the cessation of the transmission of information under Article 73 e of the Charter		See A/2795, draft resolution II
A/C.4/L.362	Draft report of the Fourth Committee		For the text of this document, as amended at the 439th meeting of the Fourth Committee, see A/2795
A/RESOLUTION/223/Rev.1	Resolution adopted by the General Assembly at its 499th plenary meeting, on 22 November 1954: Cessation of the transmission of information under Article 73 e of the Charter in respect of Greenland	4	
A/RESOLUTION/224	Resolution adopted by the General Assembly at its 499th plenary meeting, on 22 November 1954: Consideration of communications relating to the cessation of the transmission of information under Article 73 e of the Charter	5	



Agenda item 33: Election to fill a vacancy in the membership of the Committee on Information from Non-Self-Governing Territories

DOCUMENT A/2796

Report of the Fourth Committee

[Original text: English]
[19 November 1954]

1. At its 478th plenary meeting, on 25 September 1954, the General Assembly allocated to the Fourth Committee item 33 of its agenda, entitled:

“Election to fill vacancies in the membership of the Committee on Information from Non-Self-Governing Territories.”

2. The terms of office of Ecuador and Indonesia, non-administering Members of the Committee on Information from Non-Self-Governing Territories, expired at the conclusion of the 1954 session of that Committee. In

view of its approval of the draft resolution concerning the cessation of the transmission of information under Article 73 e of the Charter in respect of Greenland (A/C.4/L.360) and the consequent reduction in the membership of the Committee of one Administering Member (Denmark), the Fourth Committee was required, under General Assembly resolution 646 (VII), to fill only one vacancy among the non-administering Members of the Committee. At its 433rd meeting the Fourth Committee, on behalf of the General Assembly, elected Peru to fill the vacancy.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 499th plenary meeting, on 22 November 1954, the General Assembly took note of the decision of the Fourth Committee.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2796	Report of the Fourth Committee	1	
A/C.4/L.360	Draft resolution adopted by the Fourth Committee at its 432nd meeting, on 12 November 1954: Cessation of the transmission of information under Article 73 e of the Charter in respect of Greenland		See <i>Official Records of the General Assembly, Ninth Session, Annexes</i> , agenda item 32, document A/2795, draft resolution I
A/C.4/L.363	Draft report of the Fourth Committee		Same text as A/2796



Agenda item 34: Question of South West Africa: report of the Committee on South West Africa

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DOCUMENT A/2666/Add.1

**Supplement to the report of the Committee on South West Africa to the General Assembly
(A/2666 and Corr.1)**

[Original text: English]
[17 September 1954]

1. Subsequent to the adoption of its report to the General Assembly (A/2666 and Corr.1) on 25 June 1954, the Committee on South West Africa has held three meetings (37th to 39th), on 9, 10 and 16 September 1954, to consider further questions relating to the information and documentation in respect of the Territory of South

West Africa prepared by the Secretary-General (A/AC.73/L.3 and Add. 1 to 3) and petitions and communications relating to the Territory.

2. At its 39th meeting, on 16 September, the Committee adopted the present supplement to its report to the General Assembly.

I. INFORMATION AND DOCUMENTATION CONCERNING
SOUTH WEST AFRICA

3. A reply from the International Telecommunication Union and further replies from the United Nations Educational, Scientific and Cultural Organization and the World Health Organization have been received to the Secretary-General's letter of 10 June 1954, which transmitted to the specialized agencies copies of the information and documentation in respect of the Territory of South West Africa and invited them to submit to the Committee such comments as they might wish to make (see A/2666 and Corr.1, paras. 30 to 35).

4. By a letter dated 23 August, ITU, after noting the statement in chapter C, section 5, of document A/AC.73/L.3 that no specific information had been secured regarding international treaties applying to the Territory, indicated that it should perhaps mention that the International Telecommunication Convention of Buenos Aires, 1952, was signed on behalf of the Union of South Africa and the Territory of South West Africa.

5. UNESCO, under cover of a letter dated 31 August, transmitted to the Committee supplemental information received from the Government of the Union of South Africa for publication by UNESCO, as well as an analysis of the main features of the South West African educational system. The comments of UNESCO are reproduced in document A/AC.73/L.4.

6. WHO, by a cable dated 8 September, informed the Committee that it had studied the relevant documentation relating to South West Africa and had no additional information available; it could therefore not offer any useful comment.

7. The above communications were considered by the Committee at its 38th meeting, on 10 September 1954. The Committee decided to take note of them and, in accordance with its earlier decision of 25 June 1954 (A/2666 and Corr.1, para. 36), to inform the General Assembly of the comments received from the specialized agencies since that date.

8. With reference to paragraphs 38 to 40 of annex V of its report, the Committee notes that the South West Africa Native Affairs Administration Act, 1954 (Act No. 56 of 1954) was passed by the Union Parliament on 15 June 1954, applied to South West Africa on 30 June 1954, and is to come into operation on 1 April 1955.

9. This Act provides for the transfer from the Administrator of South West Africa to the Minister of Native Affairs of the Union Government of the power to administer Native affairs or any matters specially affecting Natives, including the imposition of taxes on their persons, land, habitations or earnings. To finance the administration of Native affairs in South West Africa, the Territory is required under the Act to pay an annual sum equal to one-fortieth of its expenditure (other than for development purposes) from its revenue fund during the preceding year, plus an additional amount set at £50,000 annually for the first ten years. The Administrator of South West Africa is made a member of the Native Affairs Commission established by the Native Affairs Act, 1920, of the Union Government.

10. The Act reserves and sets apart for the sole use and occupation of Natives a further area of land, 32,000 hectares in extent, situated in the north-eastern Okavango area of South West Africa. This land and all other land earlier reserved or set apart for the sole use and occupation of Natives in South West Africa, as well as the Native Trust Funds and all other special funds established for Natives of South West Africa, are vested

by Act No. 56 of 1954 in the South African Native Trust established by the Union Native Trust and Land Act, 1936. The Act further provides, *inter alia*, that the Governor-General of the Union may rescind any reservation or setting apart of such land only with the approval of both Houses of Parliament and subject to the reservation or setting apart for the sole use and occupation of Natives of another area of land at least equivalent in pastoral or agricultural value.

11. The Committee has made reference to this Act because of its importance, but has as yet not examined the implication of it. The Committee will consider this question more fully when it examines the conditions within the Territory of South West Africa for the year 1954.

II. PETITIONS RELATING TO THE TERRITORY OF
SOUTH WEST AFRICA

A. *Communications from sources within the Territory of South West Africa*

12. Pursuant to its decision at its 36th meeting, on 25 June 1954, with respect to an undated communication received in 1952 from Messrs. Beukes, Diegaard and van Wyk (see A/2666 and Corr.1, paras. 55 to 57 and annex VIII), the Committee reconsidered this petition at its 37th meeting, on 9 September, and decided to accept it as a petition validly received, in conformity with rule XXVI (c) of its provisional rules of procedure.

13. At its 38th meeting, on 10 September 1954, the Committee decided to inform the Union Government of this decision and to request the Government to transmit such observations and comments which in its opinion would assist the Committee in examining the petition (see annex I of the present report). Reference is made to the summary records of the meetings at which this petition was reconsidered (A/AC.73/SR.37 and 38).

14. Since the adoption of its report to the General Assembly, the Committee has received a further communication from inhabitants of South West Africa (annex II (a)). This communication, dated 2 September 1954, and signed by Hosea Kutako, David Roos and Erastus Amgabeb, was considered by the Committee at its 37th and 38th meetings, on 9 and 10 September 1954. At the latter meeting the Committee decided to apply to this communication rule XXVI (a) and (b) of its provisional rules of procedure. Accordingly, the Committee invited the Secretary-General to send to the petitioners a copy of rule XXVI and to send to the Government of the Union of South Africa a copy of the petition and a copy of the Secretary-General's letter to the petitioners (annex II (b) and (c)).

B. *Communications from sources outside the Territory of South West Africa*

15. In addition to the above petitions, the Committee received the following communications from sources outside the Territory of South West Africa:

(a) A communication dated 5 August 1954 from Jariretundu Kozonguizi, a student at Fort Hare University, Cape Province, Union of South Africa, addressed to the Secretary-General (annex III (a)).

(b) A communication dated 31 August 1954 from the Anti-Slavery Society, London, addressed to the Secretary of the *Ad Hoc* Committee on South West Africa (annex IV (a)).

16. The communication from Mr. Kozonguizi was considered by the Committee at its 37th, 38th and 39th meetings, on 9, 10 and 16 September 1954 (A/AC.73/SR.37,

38 and 39). At its 38th meeting, the Committee decided, by 2 votes to 1, with 2 abstentions, to accept this communication as a petition from sources other than that of the inhabitants of South West Africa and, accordingly, to apply rule XXVII of its provisional rules of procedure. On 16 September, at its 39th meeting, the Committee approved the draft resolution reproduced as annex III (b), which it recommends to the favourable attention of the General Assembly.

17. By a letter dated 16 September (annex III (c)), the Committee transmitted a copy of the petition and of the draft resolution to the Union Government, in conformity with rule XXVII of its provisional rules of procedure.

18. The communication from the Anti-Slavery Society was considered by the Committee at its 38th and 39th meetings, on 10 and 16 September 1954 (A/AC.73/SR.38 and 39). The Committee expressed the opinion that the questions raised in this communication fall outside its terms of reference and decided, therefore, at its 39th meeting, to call the communication to the attention of the General Assembly and to inform the petitioner of this decision (annex IV (b)).

ANNEX I

PETITION RECEIVED FROM MESSRS. A. J. BEUKES, P. DIEGAARD AND A. VAN WYK¹

Letter dated 10 September 1954 from the Chairman of the Committee on South West Africa to the Minister for External Affairs of the Union of South Africa

Referring to the letter dated 28 June 1954 addressed to you by the Secretary-General of the United Nations submitting a communication, undated, from Messrs. J. Beukes, P. Diegaard and A. van Wyk, I have the honour to inform you that, at its 37th meeting, on 9 September 1954, the Committee on South West Africa decided to accept this communication as a validly received petition, in conformity with rule XXVI (c) of the Committee's provisional rules of procedure. The Committee further decided to request the Government of the Union of South Africa to transmit to the Committee such observations and comments which in the opinion of the Government of the Union of South Africa would assist the Committee in examining this petition.

(Signed) Thanat KHOMAN

ANNEX II

PETITION RECEIVED FROM HOSEA KUTAKO, DAVID ROOS AND ERASTUS AMGABEB

(a) *Letter dated 2 September 1954 from Hosea Kutako, David Roos and Erastus Amgabeb, to the Secretary-General of the United Nations*

On behalf of the Berg Damara, Nama and Herero tribes of South West Africa, in view of the fact that the Union Government have steadfastly refused to place South West Africa under the control of the United Nations, we ask the United Nations to take the question of South West Africa to the International Court of Justice for its compulsory jurisdiction.

As stated in our previous petitions to the United Nations, the African people of South West Africa are still not participating in the political development of the Territory. The Government of the country is reserved for people of European descent. The entire indigenous population is living in a state of poverty as a result of the loss of their lands and low wages.

¹ This petition is reproduced in A/2666 as annex VIII (a).

We are still living under the burden of Passlaws and other discriminatory and oppressive laws. We are confident that racial discrimination and oppression in South West Africa will not end until the country is placed under international control.

We should like to make it known that the Reverend Michael Scott is still our spokesman at the meetings of the United Nations and should be permitted to speak on our behalf.

(Signed) Hosea KUTAKO
(Herero Tribe)

David Roos
For Chief David Wittbooi (Nama Tribe)
Erastus AMGABEB
(Berg Damara Tribe)

(b) *Letter dated 13 September 1954 from the Secretary-General to Mr. Hosea Kutako*

Referring to your letter of 2 September 1954, I have to inform you that, in accordance with rule VIII of the rules of procedure of the Committee on South West Africa, the Committee, at its 38th meeting on 10 September 1954, invited the Secretary-General of the United Nations to send to you a copy of rule XXVI of the provisional rules of procedure of the Committee. Accordingly a copy of this rule is appended herewith.

For the Secretary-General
(Signed) Victor Hoo

(c) *Letter dated 13 September 1954 from the Secretary-General to the Minister for External Affairs of the Union of South Africa*

At its 38th meeting, on 10 September 1954, the Committee on South West Africa invited the Secretary-General of the United Nations to send to the Government of the Union of South Africa a copy of the petition of Mr. Hosea Kutako, Mr. David Roos and Mr. Erastus Amgabeb and of the Secretary-General's letter to them. Accordingly, I have the honour to submit herewith a copy of the communication, dated 2 September 1954, from Messrs. Hosea Kutako, David Roos and Erastus Amgabeb to the Secretary-General, as well as my letter, dated 13 September 1954, to these signatories.

For the Secretary-General
(Signed) Victor Hoo

ANNEX III

PETITION RECEIVED FROM JARIRETUNDU KOZONGUIZI

(a) *Letter dated 5 August 1954 from Jariretundu Kozonguizi, Fort Hare University, Cape Province, Union of South Africa, to the Secretary-General of the United Nations*

I hereby, on behalf of the non-European (indigenous) students of the Territory of South West Africa, sons and daughters of the oppressed and voteless section of the community, would like you to convey to the ninth session of the General Assembly of the United Nations this message in support of the objection raised by our parents against any further connexion, incorporation, direct or indirect rule with, in, by or under the Government of the Union of South Africa.

1. In spite of the fact that the Government of South Africa has administered the Territory for more than thirty years, there is no development whatsoever in any sphere on the part of the indigenous people.

2. For the indigenous people of South West Africa the last thirty years under the rule of the Union Government have been a period of suffering under oppressive legislations in ignorance;

3. In spite of their repeated objections to incorporation under the Union Government, the Minister of Native Affairs has taken upon himself to pass a bill by which the Africans of South West Africa were placed under the direct administration of the Minister of Native Affairs in the Union Government.

4. The members of the Union Parliament are even contemplating to enforce the Bantu Education Act in South West Africa. Believe me this will mean a "final straw" to the already "dead" African education in that territory. There are at the moment not more than six (6) non-Europeans who have gone beyond high school standard in education (matriculation).

5. The Administrator of South West Africa would not allow or give sanction to the establishment of a proposed student body (purely concerned with the education of the people). He did not give any reasons; apparently his reason [was] he would not give sanction to the establishment of a body concerned with African welfare; a field in which his Government has failed.

6. I whole-heartedly agree with resolutions passed and adopted by the Committee on South West Africa and which have been submitted to the Assembly.

For the last few years I have been watching with interest the deliberations on the South West Africa issue in the United Nations Assembly but I regret to say that the Organization seems not in the least concerned about the welfare of these oppressed, peaceful, freedom-loving people. For the United Nations violence must be used before the Members will realize that a people is really suffering.

Take my word: I know that this letter may mean the end of my university career even at its beginning—this is the last time we are giving this matter over to the United Nations Organization—we do not want to be administered by the Union Government any more; nor under any circumstances. If we find ourselves under the rule of the Union Government after this session of the Assembly, we shall have to choose between freedom and death at once rather than continue suffering. We are human beings; our fathers have suffered enough; we are not prepared to bow. Oppression must go his way. We shall submit to suffering only when we enter hell (if ever there is a place like that). The exploiters have brought the Bible (they call it the teaching of God) but they violate the laws set forward in that so-called Bible.

(Signed) J. KOZONGUIZI
(Printed) Jariretundu KOZONGUIZI

(b) *Draft resolution on the petition from Jariretundu Kozonguizi*

The General Assembly,

Having accepted the advisory opinion of the International Court of Justice on the question of South West Africa,² including the opinion that petitions concerning the Territory of South West Africa are to be transmitted by the Government of the Union of South Africa "to the General Assembly of the United Nations, which is legally qualified to deal with them",

Having authorized the Committee on South West Africa, by resolution 749 A (VIII), to examine petitions in accordance with the Mandates procedure of the League of Nations,

Having received a report from the Committee on South West Africa dealing with a petition dated 5 August 1954 from Jariretundu Kozonguizi,

Noting that the Government of the Union of South Africa, by letter dated 25 March 1954, has informed the Committee that it has "never recognized any obligation to submit... petitions to any international body since the demise of the League of Nations" (A/2666 and Corr.1, annex I (c)),

Noting the petitioner's allegations that:

(a) Since the Government of the Union of South Africa assumed the administration of the Territory, the indigenous people have suffered under oppressive legislation and have not developed in any sphere,

(b) In spite of their repeated objections to incorporation under the Union Government, the Africans of South West Africa were placed under the direct administration of the Minister of Native Affairs in the Union Government,

(c) The enforcement of the Bantu Education Act in South West Africa, as contemplated by members of the Union

Parliament, would virtually eliminate African education in the Territory, where at present there are no more than six non-Europeans who have gone beyond high school standard,

(d) The Administrator of South West Africa, without giving any reasons, would not allow or sanction the establishment of a proposed student body purely concerned with the education of the people,

Noting the observations of the Committee on South West Africa with respect to education in the Territory and with respect to a bill proposing the transfer of control over Native affairs from the Administrator of South West Africa to the Minister of Native Affairs of the Union,

Noting that the South West Africa Native Affairs Administration Act, 1954 (Act No. 56 of 1954) was applied to the Territory on 30 June 1954 and is to come into operation on 1 April 1955,

Decides to transmit to the petitioner those sections of the report and observations of the Committee dealing with education and the transfer of control over Native affairs, where the Committee expresses its apprehensions concerning these matters.

(c) *Letter dated 16 September 1954 from the Chairman of the Committee on South West Africa to the Minister for External Affairs of the Union of South Africa*

In accordance with rule XXVII of the provisional rules of procedure of the Committee on South West Africa, I have the honour to transmit to your Government a copy of a petition, dated 5 August 1954, from Mr. Jariretundu Kozonguizi to the Secretary-General of the United Nations. I am also transmitting a copy of the draft resolution adopted by the Committee on South West Africa at its 39th meeting, on 16 September 1954, concerning this petition. This draft resolution will be included in the Committee's report to the General Assembly.

(Signed) Thanat KHOMAN

ANNEX IV

COMMUNICATION RECEIVED FROM THE ANTI-SLAVERY SOCIETY

(a) *Letter dated 31 August 1954 from members of the Anti-Slavery Society, London, to the Secretary of the Ad Hoc Committee on South West Africa*

We, the undersigned members of the Anti-Slavery and Aborigines Society of the United Kingdom, address the following petition on South West Africa to the Ad Hoc Committee on South West Africa of the United Nations in accordance with the rules of procedure of the Permanent Mandates Commission adopted on 31 January 1923, and ask you to lay it before the Ad Hoc Committee on South West Africa and to ask their favourable consideration of it.

2. On 12 November 1951, we addressed a petition (A/1901/Add.2, annex III) to you the terms of which we reiterate.

3. Since then the Government of the Union of South Africa has expressed its willingness to negotiate a new instrument with the three remaining members of the Principal Allied and Associated Powers of the First World War (Great Britain, France and the United States of America) to reassume the fundamental obligations inherent in the sacred trust under which the original Mandate was negotiated. This is the only constructive step offered by the Union in these protracted negotiations on South West Africa. We venture to suggest that the United Nations should ask those three principal Allied Powers if they would be willing to negotiate the instrument proposed by the Union and, if they would, to suggest to them that they should negotiate on the basis of partition of the Territory between the Principal Allied Powers and the Union of South Africa. In accordance with paragraph 10 of our petition of 12 November 1951, we suggest that the Principal Allied Powers should recognize the sovereignty of the Union of South Africa over the part of South West Africa south of a line to be negotiated and that the Union should surrender to the Principal Allied Powers all of South West Africa north of that line, and that they should be free to place it under the trusteeship of the United

² See *International status of South West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 128.*

Nations if they wish to do so. A line between the two parts would have to be negotiated. Tentatively, we suggest a line drawn from the point where the frontiers of Bechuanaland and South West Africa meet east of Windhoek at right angles, running in a westerly direction north of Windhoek to the Swakop River and following that river towards the sea, but dipping south so as to leave Walvis Bay in the northern part.

4. The Government of the Union of South Africa claims that "The European section of the population of South West Africa has repeatedly given expression to its wish that the mandate over the Territory be terminated and that the Territory be incorporated in the Union of South Africa. This desire has been expressed in the Press, in public utterances by representative leaders and in two resolutions unanimously adopted by the Legislative Assembly of South West Africa"³, one on 14 May 1943 and the other on 8 May 1946. There have been no conflicting resolutions since then, so the claim is warranted. There is a substantial European population in the southern part of the Territory, who are now citizens of the Union. The census of 1946 showed that they were almost 38,000. The African population of the Territory at that census was 303,848, of which 174,167 were in the northern (un-policed) zone and 129,681 were in the southern (policed) zone. The Government of the Union held a referendum, on 1 February 1946, of the African population in regard to the incorporation of the Territory in the Union. They claim that two-thirds of the African population voted for incorporation in the Union and that of these the Africans in the un-policed zone, numbering nearly 175,000, voted unanimously for it. The comment of the Bishop of Damaraland (SWA) on that is, "The large number that expressed themselves in favour of annexation by the Union represents the Natives north of the policed zone... These people have little idea of what is meant by the Union of South Africa and no idea of what is meant by trusteeship under the United Nations. They really voted for the *status quo*. These people are quite incapable of expressing any opinion on the questions submitted to them".

Some writers claim that the Africans were offered the choice between rule by King George VI of England, exercised by the Union, or rule by fifty or more nations of the United Nations and that they chose being ruled by King George VI but that if the Union of South Africa became a republic, which is the declared aim of the Nationalist Party of the Union, that they would cease to be ruled by the Sovereign of England. Nearly half of those in the policed zone who were consulted voted against incorporation in the Union. About 60,000 in the policed zone were not consulted. A description of the referendum is given in chapter IX of *In Face of Fear* by Freda Troup (Faber) which would repay study.

5. We believe that the divergence of policy between the United Nations and the Union of South Africa on the administration of South West Africa is so deep that there is no hope of the Union of South Africa administering the country in accordance with the wishes of the United Nations and that it must be realized that if a solution of this problem is to be found, short of war, it must be based on partition of the Territory so that each party to the dispute may be able to enforce in part of the Territory the policy which it believes to be right. The United Nations and the Principal Allied Powers concerned believe that the welfare of the majority of the inhabitants of the Territory, who happen to be Africans, should be the aim of the administration. The Union of South Africa believes that maintenance of the predominance of the European minority over the African majority should be the aim of its administration.

6. We submit that the Union is not fulfilling the terms of the Mandate. It has little interest in the northern (un-policed) zone in which the majority of the African inhabitants live. It employs only a few officials in that area. It has

done little or nothing to advance the people in that area. In the whole Territory the basic condition of the Mandate (advancement of the people to self-government) remains not merely unfulfilled after more than thirty years of mandatory administration but has never been begun to be fulfilled. Africans are discriminated against in various ways.

The Union has moreover granted a prospecting licence to the Bethlehem Steel Company over an area in the northern part without safeguarding the interest of the African population if minerals are found and mined.

7. It may be that if the Union gave up the northern part to the Principal Allied Powers and they placed it under international trusteeship that the Union would expect to be appointed as the Administering Authority. We would not approve of the choice of the Union as the administering authority but, if it was done, we urge strongly that in the first instance the trusteeship agreement should be concluded for a limited period, say, three years, so that if its terms were not complied with, it could be easily terminated and a new agreement be made with another Administering Authority.

8. Critics of partition of South West Africa urge against cession of the southern part to the Union in absolute sovereignty that it would deprive the Nama tribe and some of the Berg Damaras of South West Africa of their tribal lands for ever without hope of recovery of them. We feel that the prospect of bringing any of South West Africa under international trusteeship by any other means is so remote that it would be better for those tribes if they accepted this solution and accepted lands in the northern part in substitution for their traditional lands in the southern part. We are reliably informed that there is a considerable area of good land to the west of the Caprivi strip belonging to nobody, which would be available and suitable for occupation by them. If the Ethosha Pan was drained, it would provide another large area suitable for occupation.

9. Partition of South West Africa is put forward again as a compromise from which both parties might gain something without losing everything, and it is hoped that it may be adopted. If it is not, the only other possible alternative would be for one or more Member States of the United Nations to move the International Court of Justice to exercise its compulsory jurisdiction in this issue. That judgment could be enforced by the application of sanctions and might result in the expulsion of the Union of South Africa from the United Nations. To avoid that we hope that a compromise may be effected.

(Signed) WINSTER
President

Henry J. TAPSCOTT
Chairman of the Committee

C. W. W. GREENIDGE
Secretary

(Illegible)
E. Y. BRODY
Joint Treasurers
R. O. WILBERFORCE
D. A. J. BUXTON
Vice-Chairmen of the Committee

(b) Letter dated 16 September 1954 from the Chairman of the Committee on South West Africa to the President of the Anti-Slavery Society

On behalf of the Committee on South West Africa I should like to acknowledge receipt of your letter of 31 August 1954 and to inform you that the Committee considered your communication at its 38th and 39th meetings, on 10 and 16 September 1954. The Committee expressed the opinion that the questions raised in this communication fall outside its terms of reference and decided therefore to call this communication to the attention of the General Assembly.

(Signed) Thanat KHOMAN

³ See *Official Records of the General Assembly, Second part of the first session, Fourth Committee, Part I*, pp. 231-232.

DOCUMENT A/C.4/L.334

India, Mexico, Norway, Syria and the United States of America : draft resolution

[Original text : English]
[6 October 1954]

The General Assembly

Submits to the International Court of Justice for an advisory opinion the following questions :

“(a) Having regard to the advisory opinion of the International Court of Justice on the question of South West Africa, and having particular regard to the Court’s opinion on question (a), namely ; ‘that the Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa as well as the obligation to transmit petitions from the inhabitants of that Territory, the supervisory functions to be exercised by the United Nations, to which the annual reports and petitions are to be submitted, and the reference to the Permanent Court of

International Justice to be replaced by a reference to the International Court of Justice, in accordance with Article 7 of the Mandate and Article 37 of the Statute of the Court’ ; is the General Assembly correctly interpreting the opinion of the International Court of Justice by adopting a rule on voting procedure for the General Assembly which would read :

‘Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations’ ? ;

“(b) If this interpretation of the Court’s opinion should not be correct, will the Court indicate what voting procedure should be applied?”

DOCUMENT A/C.4/L.338

Mexico : amendments to draft resolution A/C.4/L.334

[Original text : Spanish]
[7 October 1954]

1. After the words : “*The General Assembly*”, add the following :

“*Considering* that resolution . . . contains the following provision :

‘*Adopts*, subject to the acceptance by the Union of South Africa, as the Mandatory for the Territory of South West Africa, the following special rule F :

‘Voting procedure

‘*Special rule F* : Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations.’.

“*Considering* also that the Union of South Africa, as the Mandatory for the Territory of South West Africa, did not accept the special rule F referred to in the preceding paragraph,”.

2. Insert the figure “1” before the word “*Submits*”.

3. Add at the end of the draft resolution the following new paragraph :

“2. *Declares* that if the International Court of Justice replies in the affirmative to the first question submitted to it, the provision reproduced in the first paragraph of the preamble to this resolution, under which the adoption of special rule F is subject to the acceptance of that rule by the Union of South Africa, will cease to have effect.”

DOCUMENT A/2747

Report of the Fourth Committee (Part I)

[Original text : English]
[8 October 1954]

1. In accordance with General Assembly resolution 749 (VIII) of 28 November 1953 the question of South West Africa was included in the agenda of the ninth session by the General Assembly at its 478th plenary meeting, on 25 September 1954. At the same meeting, the General Assembly referred the item to the Fourth Committee.

2. At its 399th meeting, on 4 October 1954, the Committee began its consideration of the report of the Committee on South West Africa (A/2666 and Corr.1 and Add.1). It decided at that meeting to consider first the question of the procedure to be followed by the General Assembly in the examination of reports and petitions relating to the Territory of South West Africa.

3. During its 399th to 402nd meetings, held from 4 to 7 October 1954, the Committee accordingly considered draft special rules of procedure for the General Assembly.

4. It had before it, and considered concurrently, two proposals by the Committee on South West Africa (A/2666 and Corr.1, annex IV) :

(a) A draft resolution for adoption by the General Assembly whereby the Assembly would adopt six special rules for the examination of reports and petitions relating to the Territory of South West Africa. According to the preamble to the draft resolution, these rules would be adopted in a desire “to apply, as far as possible, the procedure followed in that respect by the Council of the

League of Nations." The draft resolution incorporated in its operative paragraph 1 two special rules, A and B, with regard to reports; two special rules, C and D, with regard to petitions; and a special rule E concerning private meetings. Operative paragraph 2 would have the General Assembly adopt, "subject to the concurring vote of the Union of South Africa as the State most directly concerned," the following special rule on voting procedure:

"*Special rule F*: Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations."

(b) A recommendation, contained in a resolution of the Committee on South West Africa, that if special rule F should be approved by the required majority of the General Assembly but without the concurring vote of the Union of South Africa the General Assembly should submit to the International Court of Justice for an advisory opinion the two questions proposed by the Committee: the first, to ascertain whether the General Assembly, in adopting the voting procedure as worded in special rule F, was correctly interpreting the advisory opinion of the Court on the question of South West Africa; the second, to ask the Court to indicate, in the event of a negative answer to the first question, what voting procedure should be applied.

5. The following amendments to the draft General Assembly resolution were introduced:

(a) A joint amendment (A/C.4/L.335) proposed at the 401st meeting by Peru and the Philippines, according to which the words "and pending the conclusion of an agreement between the United Nations and the Union of South Africa" would be inserted in the third paragraph of the preamble, after the words "as far as possible".

(b) An amendment (A/C.4/L.337) proposed at the same meeting by Colombia, to the effect that the words "should that Government decide to follow the General Assembly's recommendation and appoint such a representative" should be inserted at the end of special rule A.

(c) An amendment introduced at the 400th meeting by India whereby the wording of operative paragraph 2 of the draft resolution would be changed so that the paragraph would begin: "Adopts, subject to the acceptance as may be necessary by the Union of South Africa, as the Mandatory for the Territory of South West Africa, the following special rule 7" (A/C.4/L.333/Rev.1, section I, later presented as A/C.4/L.333/Rev.2). At the following meeting, Colombia proposed the substitution of the word "possible" for the word "necessary" (A/C.4/L.336). At the 402nd meeting the representative of India altered his text by deleting the words "as may be necessary", whereupon the representative of Colombia withdrew his sub-amendment (A/C.4/L.336) and orally introduced a proposal to insert the words "as far as possible" in place of the words deleted by the representative of India.

6. With regard to the resolution of the Committee on South West Africa recommending the referral of the voting procedure to the International Court of Justice, India, at the 400th meeting, introduced amendments (A/C.4/L.333/Rev.1, section II) designed to alter the Committee's resolution into a draft General Assembly resolution by replacing the words "*The Committee on South West Africa*" in the first line, by the words "*The General Assembly*"; by deleting the entire second paragraph of the resolution; and by deleting the first part of the third paragraph, up to and including the words "the General Assembly should" and replacing the word "submit" by "*Submits*". In addition, the amendments

would add, at the end of the preamble to the first question to be addressed to the Court, after the words "Article 37 of the Statute of the Court", the following text: "having regard also to the Court's observation that the degree of supervision to be exercised by the General Assembly over South West Africa 'should not therefore exceed that which applied under the Mandates System and should conform as far as possible to the procedure followed in this respect by the Council of the League of Nations'".

7. As a result of the ensuing discussion, the representative of India agreed to withdraw his proposal to amend the resolution of the Committee on South West Africa.

8. At the 401st meeting, India, Mexico, Norway, Syria and the United States of America introduced a joint draft resolution (A/C.4/L.334) proposing that the General Assembly should submit to the International Court of Justice for an advisory opinion two questions on voting procedure worded as originally recommended by the Committee on South West Africa.

9. At the 402nd meeting, Mexico introduced an amendment (A/C.4/L.338) whereby a preamble and a second substantive paragraph would be inserted in the joint draft resolution. Under the suggested preamble, the General Assembly would take into consideration (a) the resolution by which the special rule F was adopted subject to the acceptance by the Union of South Africa; and (b) the fact that the Union of South Africa as the Mandatory Power did not accept special rule F. By the additional substantive paragraph the General Assembly would declare that, if the International Court of Justice replied in the affirmative to the first question submitted to it, the provision reproduced in the first paragraph of the preamble of the resolution, and under which the adoption of special rule F was made conditional on the acceptance of that rule by the Union of South Africa, would cease to be in force.

10. At its 402nd meeting, the Committee voted on the draft General Assembly resolution recommended by the Committee on South West Africa (A/2666, annex IV, draft resolution A) together with the amendments submitted by Peru and the Philippines (A/C.4/L.335), by Colombia (A/C.4/L.337), and by India (A/C.4/L.333/Rev.2) as orally revised by its author, and the sub-amendment orally proposed by the representative of Colombia to the revised Indian amendment.

11. The amendment proposed by Peru and the Philippines to the third paragraph of the preamble of the draft resolution was approved by 31 votes to 4, with 14 abstentions.

12. The amendment proposed by Colombia to special rule A was approved by 15 votes to 5, with 29 abstentions.

13. The sub-amendment proposed by the representative of Colombia to the revised Indian amendment, to the effect that in operative paragraph 2 the words "as far as possible" should be inserted, after "subject", was rejected by 13 votes to 3, with 27 abstentions.

14. The amendment proposed by India to operative paragraph 2 of the draft resolution, as orally amended by the author, was then put to the vote in two parts. On the request of the representative of Yugoslavia, the words "subject to the acceptance by the Union of South Africa" were approved by 15 votes to 7, with 28 abstentions. The remainder of the amendment was approved by 23 votes to 1, with 25 abstentions. The amendment as a whole was then adopted by 23 votes to 4, with 20 abstentions. That portion of operative paragraph 2 of the original draft resolution preceding special rule F was thus rejected.

15. Special rule F was approved by 34 votes to 2, with 13 abstentions.

16. The draft resolution, as amended, was approved by a roll-call vote of 32 to 4, with 15 abstentions. The voting was as follows :

In favour : Afghanistan, Argentina, Brazil, Burma, Canada, Costa Rica, Cuba, Denmark, Dominican Republic, Egypt, El Salvador, Ethiopia, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Norway, Pakistan, Panama, Peru, Philippines, Saudi Arabia, Sweden, Syria, Thailand, United States of America, Venezuela and Yemen.

Against : Colombia, Union of South Africa, United Kingdom of Great Britain and Northern Ireland and Uruguay.

Abstaining : Australia, Belgium, Byelorussian Soviet Socialist Republic, Chile, China, Czechoslovakia, France, Greece, Haiti, Netherlands, New Zealand, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Yugoslavia.

17. The draft resolution adopted by the Committee is reproduced at the end of this report as draft resolution A.

18. Following the adoption of this draft resolution, the draft resolution presented by India, Mexico, Norway, Syria and the United States whereby two questions on voting procedure would be submitted to the International Court of Justice (A/C.4/L.334) was put to the vote, together with the amendment submitted by Mexico (A/C.4/L.338).

19. The amendment proposed by Mexico was approved by 33 votes to 1, with 13 abstentions.

20. The draft resolution, as thus amended, was adopted by 35 votes to 1, with 11 abstentions, and is reproduced below as draft resolution B.

Recommendations of the Fourth Committee

21. The Committee therefore recommends to the General Assembly the adoption of draft resolution A, below ; and, if paragraph 2 of the operative part of that draft resolution fails to obtain the acceptance of the Union of South Africa, as the Mandatory for the Territory of South West Africa, the Committee recommends to the General Assembly the adoption of draft resolution B, below.

DRAFT RESOLUTION A

The General Assembly,

Having received a report of the Committee on South West Africa concerning the procedure for the examination by the Assembly of reports and petitions relating to the Territory of South West Africa,

Having in mind the advisory opinion of the International Court of Justice on South West Africa,

Desiring to apply, as far as possible, and pending the conclusion of an agreement between the United Nations and the Union of South Africa, the procedure followed in that respect by the Council of the League of Nations,

1. *Adopts* the following special rules :

Procedure with regard to reports

Special rule A : The General Assembly shall receive annually from the Committee on South West Africa the report on South West Africa submitted to the Committee by the Union of South Africa [or a report on conditions in the Territory of South West Africa prepared by the Committee in accordance with paragraph 12 (c) of General

Assembly resolution 749 A (VIII)] together with the observations of the Committee on the report as well as the comments of the duly authorized representative of the Union of South Africa, should that Government decide to follow the General Assembly's recommendation and appoint such a representative.

Special rule B : The General Assembly shall, as a rule, be guided by the observations of the Committee and shall base its conclusions, as far as possible, on the Committee's observations.

Procedure with regard to petitions

Special rule C : The General Assembly shall receive annually from the Committee on South West Africa a report with regard to petitions submitted to it. The summary records of the meetings at which the petitions were discussed shall be attached.

Special rule D : The General Assembly shall, as a rule, be guided by the conclusions of the Committee and shall base its own conclusions, as far as possible, on the conclusions of the Committee.

Private meetings

Special rule E : Having regard to rule 62 of the rules of procedure of the General Assembly, meetings at which decisions concerning persons are considered shall be held in private.

2. *Adopts*, subject to the acceptance by the Union of South Africa, as the Mandatory for the Territory of South West Africa, the following special rule F :

Voting procedure

Special rule F : Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations.

DRAFT RESOLUTION B

The General Assembly,

Considering that resolution . . . (IX) contains the following provision :

“Adopts, subject to the acceptance by the Union of South Africa, as the Mandatory for the Territory of South West Africa, the following special rule F :

“Voting procedure

“Special rule F : Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations”,

Considering also that the Union of South Africa, as Mandatory Power of the Territory of South West Africa, did not accept the special rule F referred to in the preceding paragraph,

1. *Submits* to the International Court of Justice for an advisory opinion the following questions :

(a) Having regard to the advisory opinion of the International Court of Justice on the question of South West Africa, and having particular regard to the Court's opinion on question (a), namely, “that the Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa as well as the obligation to transmit petitions from the inhabitants of

that Territory, the supervisory functions to be exercised by the United Nations, to which the annual reports and the petitions are to be submitted, and the reference to the Permanent Court of International Justice to be replaced by a reference to the International Court of Justice, in accordance with article 7 of the Mandate and Article 37 of the Statute of the Court"; is the General Assembly correctly interpreting the opinion of the International Court of Justice by adopting a rule on voting procedure for the General Assembly which would read:

"Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important

questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations" ? ;

(b) If this interpretation of the Court's opinion should not be correct, will the Court indicate what voting procedure should be applied? ;

2. *Declares* that, if the International Court of Justice replies in the affirmative to the first question submitted to it, the provision which is reproduced in the first paragraph of the preamble of the present resolution, and under which the adoption of special rule F is made conditional on the acceptance of that rule by the Union of South Africa, will cease to be in force.

DOCUMENT A/C.4/274

Report of the Sub-Committee on South West Africa to the Fourth Committee

[Original text: English]
[2 November 1954]

1. At its 409th meeting, on 19 October 1954, the Fourth Committee established a Sub-Committee composed of the representatives of Brazil, Denmark, Iraq, Pakistan and the United States of America, "to review the situation arising in the 409th meeting of the Fourth Committee, on 19 October 1954, and report back to the Committee on what to do".

2. The Sub-Committee held three closed meetings, on 20, 25 and 29 October 1954.

3. At the first meeting, Mr. Awni Khalidy (Iraq) was unanimously elected Chairman of the Sub-Committee.

I. NEED FOR REFERENCE OF THE VOTING PROCEDURE FOR REPORTS AND PETITIONS RELATING TO THE TERRITORY OF SOUTH WEST AFRICA TO THE INTERNATIONAL COURT OF JUSTICE FOR AN ADVISORY OPINION

4. The Sub-Committee, in reviewing the situation arising in the meeting of the Fourth Committee on 19 October 1954, had of necessity to review the factors which had led to that situation. The Sub-Committee came to certain conclusions which it decided to bring to the attention of the Fourth Committee.

5. The Sub-Committee recalls that by General Assembly resolution 449 A (V) of 13 December 1950, the United Nations accepted the advisory opinion of the International Court of Justice⁴ and subsequently adopted procedures according to which South West Africa was, for the present, to be regarded as a Mandated Territory in accordance with the concepts of the League of Nations and in conformity with the advisory opinion of the International Court.

6. It further recalls that by resolution 749 A (VIII) of 28 November 1953, the General Assembly specifically instructed the Committee on South West Africa to prepare for the consideration of the General Assembly a procedure for the examination of reports and petitions relating to South West Africa conforming as far as possible to the procedure of the League of Nations in this respect. The Sub-Committee notes in this connexion that the words "as far as possible" appear to have been interpreted by the Committee on South West Africa to mean as close as possible to the League of Nations procedure.

7. The Sub-Committee notes that there exists among some Members of the United Nations no doubt that the International Court of Justice could not have rendered an advisory opinion recognizing the supervisory authority of the United Nations over the Territory of South West Africa if it had intended the United Nations to apply a voting procedure differing from that specifically laid down in Article 18 of the Charter.

8. The Sub-Committee further notes, however, that several Members who accept the view that the voting procedure based on Article 18, paragraph 2, of the Charter is probably in conformity with the International Court's opinion believe, in order to remove any legal doubt, that it is necessary to have this voting procedure referred for a specific advisory opinion to the International Court. Some of these States now feel that without such an advisory opinion they cannot participate in any discussions or decisions concerning reports and petitions relating to the Territory of South West Africa.

9. It will be recalled that although many Member States had serious doubts concerning the propriety of giving to any Member of the United Nations, in this case to the Union of South Africa, any special voting privilege even for the purpose of adopting one resolution, the two draft resolutions recommended by the Fourth Committee to the General Assembly (A/2747) were approved by the Fourth Committee by the following votes:

(a) Draft resolution A: by 32 votes to 4, with 15 abstentions;

(b) Draft resolution B: by 35 votes to 1, with 11 abstentions.

10. It will be further recalled that at the 494th plenary meeting of the General Assembly, the clause⁵ giving to the Union of South Africa what was regarded by some Members as a special voting privilege was defeated by 8 negative votes; 13 Members voted for the clause, and 29 Members abstained from voting. The latter thereby indicated that they had some doubts concerning the propriety of giving to the Union a special voting privilege, but recognized, on the other hand, the special circumstances which had led the Committee on South West Africa to recommend this procedure.

⁴ See *International status of South West Africa, Advisory Opinion: I.C.J. Reports, 1950*, p. 128.

⁵ "...subject to the acceptance by the Union of South Africa, as the Mandatory for the Territory of South West Africa."

11. The Sub-Committee recalls that draft resolution A, without the clause in question, was adopted by the General Assembly (494th plenary meeting) by 33 votes to 3, with 15 abstentions. It should be noted, however, that a number of delegations have stated informally that they voted for this resolution because they believed that draft resolution B, to refer the voting procedure to the International Court of Justice for an advisory opinion, would also be put to a vote. These delegations have stated that if they had known that the latter resolution would not be put to a vote they would in fact have opposed special rule F by voting against draft resolution A. Therefore there exists some doubt whether draft resolution A may not in that event have failed to secure the necessary two-thirds vote.

12. The Sub-Committee concludes therefore that in the circumstances Members of the General Assembly did not have a complete opportunity to vote on the two resolutions which many regarded as substantively forming a whole.

13. The Sub-Committee considers that, under the then existing circumstances, it was correct to consider that, on procedural grounds, there was no need to put draft resolution B to a vote. The Sub-Committee is now forcefully of the opinion that in view of the new situation which was created when several Members expressed their inability to participate in the consideration of substantive resolutions relating to the Territory of South West Africa it will be necessary to discuss anew the advisability of submitting the voting procedure, and in particular special rule F, for an advisory opinion to the International Court of Justice.

14. Therefore the Sub-Committee recommends to the Fourth Committee that it recommend to the General Assembly that the question of submitting special rule F to an advisory opinion by the International Court of Justice be reopened, in accordance with rule 83 of the rules of procedure.

15. Consequently, the Sub-Committee also recommends that the application of special rule F be suspended until the advisory opinion of the International Court of Justice has been given.

16. In this connexion the Sub-Committee wishes, however, to state that if the Fourth Committee were to agree to such a procedure it is of the opinion that two draft resolutions (A/C.4/L.341 and A/C.4/L.342) now before the Committee could, in principle, be voted on because they do not contain specific recommendations calling for action by the Mandatory.

17. In accordance with the reasons enumerated above, the Sub-Committee recommends to the Fourth Committee, that it give, at the appropriate time, consideration to the following draft resolution :

"The General Assembly,

"Having regard to the advisory opinion of the International Court of Justice on the question of South West Africa, and

"Having particular regard to the Court's opinion on question (a), namely, 'that the Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa as well as the obligation to transmit petitions from the inhabitants

of that Territory, the supervisory functions to be exercised by the United Nations, to which the annual reports and petitions are to be submitted, and the reference to the Permanent Court of International Justice to be replaced by a reference to the International Court of Justice, in accordance with article 7 of the Mandate and Article 37 of the Statute of the Court',

"Having adopted, by resolution . . . (IX) of 11 October 1954, special rules of procedure for the examination by the General Assembly of reports and petitions relating to the Territory of South West Africa,

"Considering that, with regard to special rule F dealing with voting procedure, some Members of the United Nations have expressed reservations deriving from the advisory opinion of the International Court of Justice on the question of South West Africa,

"Desirous to establish whether this rule is in conformity with the advisory opinion of the International Court of Justice ;

"Submits to the International Court of Justice for an advisory opinion the following questions :

"(a) Is the General Assembly correctly interpreting the opinion of the International Court of Justice by applying a rule on voting procedure for the General Assembly which reads :

'Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations' ;

"(b) If this interpretation of the Court's opinion should not be correct, will the Court indicate what voting procedure should be applied?"

II. OTHER PROPOSALS RELATING TO THE QUESTION OF SOUTH WEST AFRICA

18. The Sub-Committee, having in mind the necessity of improving the geographic composition of the Committee on South West Africa and considering the need for keeping the situation relating to the question of South West Africa under review, recommends to the Fourth Committee the following draft resolution :

"The General Assembly,

"Having adopted resolution 749 A (VIII) of 28 November 1953 concerning the question of South West Africa,

"Having established, 'until such time as an agreement is reached between the United Nations and the Union of South Africa, a Committee on South West Africa',

"1. Decides to enlarge the Committee on South West Africa to ten (10) members as follows : Brazil, Colombia, Iraq, Mexico, Pakistan, Sweden, Syria, Thailand, Uruguay and one member from North America,

"2. Authorizes the Committee on South West Africa, in addition to the terms of reference entrusted to it by paragraph 13 of resolution 749 A (VIII), and with a view to reaching an agreement between the United Nations and the Union of South Africa, to undertake consultations with the Government of the Union of South Africa and suggest to the General Assembly possibilities for solving the question of South West Africa."

DOCUMENT A/C.4/L.341

Burma, Egypt, India, Lebanon, Liberia and the Philippines : draft resolution

[Original text : English]
[19 October 1954]

The General Assembly,

Having established by its resolution 749 A (VIII) of 28 November 1953 "until such time as an agreement is reached between the United Nations and the Union of South Africa, a Committee on South West Africa,"

Having requested that Committee to "examine, within the scope of the Questionnaire adopted by the Permanent Mandates Commission of the League of Nations in 1926, such information and documentation as may be available in respect of the Territory of South West Africa" and to "transmit to the General Assembly a report concerning conditions in the Territory taking into account, as far as possible, the scope of the reports of the Permanent Mandates Commission of the League of Nations",

Having considered the report of the Committee on South West Africa (A/2666 and Corr.1 and Add.1),

1. Expresses its appreciation of the work of the Committee;

2. Notes the report and observations regarding conditions in the Territory of South West Africa, contained in annex V of the report of the Committee;

3. Notes with concern that, in the opinion of the Committee, the administration of South West Africa is in several aspects not in conformity with the obligations

of the Government of the Union of South Africa under the Mandate;

4. Notes with satisfaction that the representative of the Union of South Africa participated in the substantive discussion of this report on conditions in the Territory of South West Africa;

5. Invites therefore the Government of the Union of South Africa to co-operate with the Committee on South West Africa and, in particular, to submit to the Committee reports on its administration of the Territory of South West Africa and to assist the Committee on South West Africa in the examination of such reports or such information and documentation as may be available to that Committee;

6. Requests the Committee on South West Africa to analyse and summarize the substantive discussion of the South West African question in the Fourth Committee of the General Assembly and to transmit this analysis and summary to the Government of the Union of South Africa for its information;

7. Requests further the Committee on South West Africa to examine the extent and the manner in which the specialized agencies and extra-budgetary organs of the United Nations might contribute to the social, economic and educational advancement of the inhabitants of the Territory.

DOCUMENT A/C.4/L.342

Burma, Egypt, India, Lebanon, Liberia, Pakistan and Syria : draft resolution

[Original text : English]
[19 October 1954]

The General Assembly,

Having recommended, by its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948, 337 (IV) of 6 December 1949, 449 B (V) of 13 December 1950, 570 B (VI) of 19 January 1952 and 749 B (VIII) of 28 November 1953, that the Mandated Territory of South West Africa be placed under the International Trusteeship System, and having repeatedly invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a Trusteeship Agreement for South West Africa,

Having accepted, by its resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950 of the International Court of Justice concerning South West Africa, *inter alia*, to the effect that :

(a) While "the provisions of Chapter XII of the Charter do not impose on the Union of South Africa a legal obligation to place the Territory under the Trusteeship System", they "are applicable to the Territory of South West Africa in the sense that they provide a means by which the Territory may be brought under the Trusteeship System",

(b) "... the Union of South Africa acting alone has not the competence to modify the international status of the Territory of South West Africa," and "... the competence to determine and modify the international status of the Territory rests with the Union of South Africa acting with the consent of the United Nations",

Considering that, in accordance with Chapter XII of the Charter, all Mandated Territories which have not achieved independence have been brought under the Trusteeship System with the sole exception of the Territory of South West Africa,

1. Reiterates its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948, 337 (IV) of 6 December 1949, 449 B (V) of 13 December 1950, 570 B (VI) of 19 January 1952 and 749 B (VIII) of 28 November 1953 to the effect that the Territory of South West Africa be placed under the International Trusteeship System;

2. Reasserts that the normal way of modifying the international status of the Territory would be to place it under the Trusteeship System by means of a Trusteeship Agreement in accordance with the provisions of Chapter XII of the Charter.

DOCUMENT A/2747/Add.1

Report of the Fourth Committee (Part II⁶)

[Original text : English]
[15 November 1954]

1. Following the adoption, at its 403rd meeting on 8 October 1954, of part I of its report to the General Assembly on the question of South West Africa, the Fourth Committee, at its 404th meeting on 12 October 1954, resumed its consideration of the report of the Committee on South West Africa (A/2666 and Corr.1 and Add.1).

2. From its 404th to 408th meetings, the Committee held a general debate on conditions in the Territory. It continued its consideration of the question of South West Africa at its 409th meeting and from its 424th to 427th meetings.

3. At the 407th meeting, Brazil, Chile, Denmark, Mexico, Peru and the United States of America introduced the following joint proposal (A/C.4/L.340) :

"The Fourth Committee,

"For the purpose of keeping open the item on the question of South West Africa,

"Decides to defer its approval of the report of the Rapporteur on this item until toward the end of the Committee's agenda."

4. The Committee considered the joint proposal at its 408th meeting.

5. At that meeting, the representative of the Philippines orally suggested an alternative proposal which would reserve the right of any delegation, until 10 December 1954, to place the item before the Committee for final action.

6. At the same meeting, the Committee accepted without objection a suggestion of the Chairman to take no action on the joint proposal (A/C.4/L.340) at that stage of the consideration of the item.

7. At the 409th meeting, on 19 October, the representatives of Norway, Thailand and the United States of America made statements indicating that, in the absence of a request for an advisory opinion of the International Court of Justice on the voting procedure to be applied in reaching decisions on reports and petitions relating to the Territory of South West Africa, their delegations would not participate in the consideration of resolutions based on the substance of the report of the Committee on South West Africa.

8. At the same meeting, the representative of Norway also informed the Committee that as a consequence of the amendment of draft resolution A (A/2747) by the deletion in operative paragraph 2 of the phrase "subject to the acceptance by the Union of South Africa, as the Mandatory for the Territory of South West Africa" resulting from the negative vote of eight Member States at the 494th meeting of the General Assembly, on 11 October 1954, his delegation could not be associated with the future work of the Committee on South West Africa.

9. At its 409th meeting, the Committee decided, without objection, to reproduce in the present report the texts of the letters notifying the withdrawals of Norway and Thailand from membership in the Committee on South West Africa. The letter dated 13 October 1954 from the Permanent Representative of Norway to the United Nations, addressed to the President of the General Assembly (A/2754) read as follows :

"I have the honour to inform you on behalf of my Government that Norway does not wish to continue its membership in the Committee on South West Africa, established by General Assembly resolution 749 (VIII) of 28 November 1953. It will be recalled that on 3 December 1953 Norway was appointed by the General Assembly, on the recommendation of the Fourth Committee, to serve as member of that Committee, and that previously Norway had served for two years on the *Ad Hoc* Committee on South West Africa. The Norwegian Government considers that this would be the appropriate time for the Fourth Committee and the General Assembly to invite another Member State to assume the responsibilities of membership in the Committee on South West Africa. You are, therefore, respectfully requested to take the necessary steps to replace Norway on that Committee.

*"(Signed) Hans ENGEN
"Permanent Representative of
Norway to the United Nations"*

The letter dated 12 October 1954 from the Permanent Representative of Thailand to the United Nations, addressed to the President of the General Assembly (A/2753) read as follows :

"On behalf of the Government of Thailand, I should like to inform you that my Government wishes to relinquish its membership of the Committee on South West Africa to which it was appointed at the 467th plenary meeting on 3 December 1953. It will be realized that the delegation of Thailand has been associated with the work of the *Ad Hoc* Committee and the Committee on South West Africa for the last few years ; it is therefore desirable that opportunity be given to some other delegation to take its place on this important Committee.

"In notifying you of this decision of my Government, I wish to express through you to the General Assembly my Government's appreciation for the trust the General Assembly has placed in it.

*"(Signed) Thanat KHOMAN
"For the Permanent Representative
of Thailand to the
United Nations"*

10. Following the statements referred to above in paragraphs 7 and 8, the representative of Iraq, at the 409th meeting, orally proposed the establishment of a sub-committee, consisting of the representatives of Brazil, Denmark, Iraq, Pakistan and the United States of America, "to review the whole situation and report back to the Committee on what to do".

11. The representative of Iraq accepted an amendment proposed orally by the representative of Colombia according to which the terms of reference of the sub-

⁶ Part I of the report (A/2747) of the Fourth Committee on the question of South West Africa, containing two draft resolutions, was considered by the General Assembly at its 494th plenary meeting, on 11 October 1954. Draft resolution A, as amended by the General Assembly, was adopted (A/RESOLUTION/201) ; draft resolution B was not put to the vote.

committee would be altered to read: "to review the situation arising in the 409th meeting of the Fourth Committee, on 19 October 1954, and report back to the Committee on what to do."

12. The proposal by the representative of Iraq, as thus amended, was adopted by the Fourth Committee at its 409th meeting, by a roll-call vote of 25 to 11, with 17 abstentions, as follows:

In favour: Afghanistan, Canada, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Guatemala, Honduras, India, Iran, Iraq, Lebanon, Netherlands, New Zealand, Norway, Pakistan, Peru, Saudi Arabia, Sweden, Syria, Thailand and Yemen.

Against: Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, France, Haiti, Indonesia, Poland, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics and Yugoslavia.

Abstaining: Argentina, Australia, Belgium, Bolivia, Brazil, Chile, China, Cuba, Ethiopia, Greece, Israel, Mexico, Philippines, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela.

13. A further proposal by the representative of Iraq to adjourn the discussion of the question of South West Africa was then adopted by 32 votes to 8, with 11 abstentions.

14. The Sub-Committee on South West Africa held three meetings, on 20, 25 and 29 October 1954. Its report (A/C.4/274) was considered by the Fourth Committee at the 424th to 426th meetings.

15. The report of the Sub-Committee contained:

(a) Recommendations concerning the reference to the International Court of Justice for an advisory opinion of the voting procedure for reports and petitions relating to the Territory of South West Africa; and

(b) A draft resolution proposing that the Committee on South West Africa should be enlarged, for the purpose of improving its geographical composition, to ten members—Brazil, Colombia, Iraq, Mexico, Pakistan, Sweden, Syria, Thailand, Uruguay and one member from North America—and be authorized "in addition to the terms of reference entrusted to it by paragraph 13 of resolution 749 A (VIII), and with a view to reaching an agreement between the United Nations and the Union of South Africa, to undertake consultations with the Government of the Union of South Africa and suggest to the General Assembly possibilities for solving the question of South West Africa".

16. At its 424th meeting, the Fourth Committee decided to consider, prior to any other proposals before it, a recommendation contained in paragraph 14 of the report of its Sub-Committee to the effect that the Fourth Committee should "recommend to the General Assembly that the question of submitting special rule F to an advisory opinion by the International Court of Justice be reopened, in accordance with rule 83 of the rules of procedure".

17. This recommendation of the Sub-Committee was rejected at the 425th meeting, by a roll-call vote of 18 to 18, with 16 abstentions, as follows:

In favour: Brazil, Canada, Denmark, Egypt, Guatemala, Iceland, India, Iraq, Lebanon, Netherlands, New Zealand, Norway, Pakistan, Saudi Arabia, Sweden, Syria, Thailand and the United States of America.

Against: Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Colombia, Cuba, Czechoslovakia, Ethiopia, Greece, Haiti, Indonesia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela and Yugoslavia.

Abstaining: Afghanistan, Australia, Belgium, China, Costa Rica, Ecuador, El Salvador, France, Iran, Israel, Liberia, Mexico, Peru, Philippines, Union of South Africa and the United Kingdom of Great Britain and Northern Ireland.

18. The Chairman of the Fourth Committee stated that the recommendation of the Sub-Committee for referral of the voting procedure to the International Court of Justice for an advisory opinion fell away as a result of this decision. It was so agreed.

19. At the 426th meeting, the representatives of Iraq, Sweden and the United States of America stated that, as a consequence of the decision taken by the Fourth Committee, their delegations would be unable to accept an invitation to serve on the Committee on South West Africa.

20. At the same meeting, the representatives of Brazil, Mexico and Pakistan, and at the 427th meeting the representatives of Syria and Thailand, reserved the positions of their Governments with respect to their future participation in the Committee on South West Africa.

21. At the 426th meeting, the representative of Iraq stated that it had been the understanding in the Sub-Committee on South West Africa, of which he was Chairman, that the Sub-Committee's proposal concerning the Committee on South West Africa (see para. 15 (b), above) had been contingent on the approval by the Fourth Committee of the Sub-Committee's recommendations relating to the referral of the voting procedure to the International Court of Justice for an advisory opinion.

22. The Committee agreed, at its 426th meeting, that in the circumstances it would not be necessary to discuss the proposal made by the Sub-Committee concerning the Committee on South West Africa.

23. The Fourth Committee, at its 409th, 425th and 426th meetings, considered draft resolutions relating to the following matters:

A. A petition from Miss Margery F. Perham concerning South West Africa;

B. A petition from Jariretundu Kozonguizi concerning South West Africa;

C. The report of the Committee on South West Africa;

D. The status of the Territory of South West Africa.

24. A detailed account of the consideration by the Fourth Committee of these draft resolutions, and of any amendments proposed thereto, is given below in sections A to D.

25. The Committee approved and recommends to the General Assembly the adoption of the four draft resolutions annexed to the present report.

A. PETITION FROM MISS MARGERY F. PERHAM CONCERNING SOUTH WEST AFRICA

26. At its 425th meeting, the Fourth Committee considered a draft resolution proposed by the Committee on South West Africa with respect to the above petition (A/2666 and Corr.1, annex VI (c)). The draft resolution would, *inter alia*, have the General Assembly (1) note the petitioner's statement that a Native school principal of South West Africa had been unable to avail himself of a scholarship at Oxford University because the Union Government had refused to grant him a passport; (2) state its opinion that the withholding of a passport from a qualified student for study abroad was not only a direct interference in the advancement of an individual

but a hindrance to the educational development of the Territory; (3) express regret that the Union Government had not responded to the appeal addressed to it by representatives of such an eminent educational institution as Oxford University; and (4) invite the President of the General Assembly to use his good offices with the Union Government to assist the student to obtain a passport and all other administrative facilities so that he might avail himself of the scholarship.

27. The representative of Mexico orally proposed the following amendments in view of the fact that the petition did not emanate from an inhabitant of South West Africa:

(1) The deletion, at the end of the first paragraph of the preamble, of the following words: "including the opinion that petitions concerning the Territory of South West Africa are to be transmitted by the Government of the Union of South Africa 'to the General Assembly of the United Nations, which is legally qualified to deal with them'".

(2) The deletion of the fourth paragraph of the preamble, which read:

"Noting that the Government of the Union of South Africa, by letter dated 25 March 1954, has informed the Committee that it has 'never recognized any obligation to submit... petitions to any international body since the demise of the League of Nations'".

28. The voting on the draft resolution and the amendments thereto was as follows:

The amendment to the first paragraph of the preamble was approved by 21 votes to none, with 20 abstentions.

The deletion of the fourth paragraph of the preamble was approved by 21 votes to none, with 23 abstentions.

The draft resolution as a whole, as amended, was approved by 34 votes to 5, with 8 abstentions.

29. The text approved by the Committee is reproduced as draft resolution A below.

B. PETITION FROM JARIRETUNDU KOZONGUIZI CONCERNING SOUTH WEST AFRICA

30. At its 425th meeting, the Fourth Committee considered a draft resolution proposed by the Committee on South West Africa concerning the above petition (A/2666/Add.1, annex III (b)). By this draft resolution, the Assembly would note, *inter alia*, several allegations made by the petitioner, and would decide to transmit to the petitioner those sections of the report and observations of the Committee on South West Africa "dealing with education and the transfer of control over Native affairs, where the Committee expresses its apprehensions concerning these matters".

31. The representative of Mexico orally introduced amendments to the preamble of this draft resolution identical to those which he had proposed to the draft resolution on the petition from Miss Margery F. Perham (see para. 27, above).

32. The voting on the draft resolution and the amendments thereto was as follows:

The amendment to the first paragraph of the preamble was approved by 24 votes to 1, with 16 abstentions.

The deletion of the fourth paragraph of the preamble was approved by 22 votes to none, with 22 abstentions.

The draft resolutions as a whole, as amended, was approved by 31 votes to 4, with 10 abstentions.

33. The text approved by the Committee is reproduced as draft resolution B below.

C. REPORT OF THE COMMITTEE ON SOUTH WEST AFRICA

34. At the 409th meeting, Burma, Egypt, India, Lebanon, Liberia and the Philippines introduced a draft resolution (A/C.4/L.341) on the report of the Committee on South West Africa (A/2666 and Corr.1 and Add.1). Under the terms of this draft resolution, the General Assembly would, *inter alia*: (1) express its appreciation of the work of the Committee; (2) note the report and observations of the Committee regarding conditions in South West Africa; (3) note with concern that, in the opinion of the Committee, the administration of South West Africa was in several aspects not in conformity with the Union Government's obligations under the Mandate; (4) note with satisfaction that the Union Government had participated in the substantive discussion of the report in the Fourth Committee; (5) invite that Government to co-operate with the Committee and in particular to submit reports on its administration of the Territory and to assist the Committee to examine such reports or such information and documentation as might be available to the Committee; (6) request the Committee to analyse and summarize the substantive discussion of the question of South West Africa in the Fourth Committee and to transmit its analysis and summary to the Union Government; and (7) request the Committee to examine the extent and manner in which specialized agencies and extra-budgetary organs of the United Nations might contribute to the social, economic and educational advancement of the inhabitants of the Territory.

35. The joint draft resolution was considered at the 409th and 426th meetings of the Fourth Committee, and was voted upon at the 426th meeting.

36. At the request of the representative of Argentina, separate votes were taken on the words "Notes with concern" in operative paragraph 3 of the draft resolution and on the words "Notes with satisfaction" in operative paragraph 4.

37. The voting was as follows:

The words "Notes with concern" were approved by 27 votes to 4, with 17 abstentions.

The words "Notes with satisfaction" were approved by 24 votes to 1, with 22 abstentions.

The draft resolution as a whole was approved by 29 votes to 7, with 12 abstentions.

38. The text approved by the Committee is reproduced as draft resolution C below.

D. STATUS OF THE TERRITORY OF SOUTH WEST AFRICA

39. At the 409th meeting, Burma, Egypt, India, Lebanon, Liberia, Pakistan and Syria submitted a draft resolution (A/C.4/L.342) proposing, *inter alia*, that the General Assembly should reiterate its earlier resolutions to the effect that the Territory of South West Africa be placed under the International Trusteeship System and reassert that the normal way of modifying the international status of the Territory would be to place it under trusteeship by means of a Trusteeship Agreement in accordance with the provisions of Chapter XII of the Charter.

40. The joint draft resolution was considered at the 409th and 426th meetings of the Fourth Committee, and voted upon at the 426th meeting.

41. The draft resolution was approved by 36 votes to 2, with 12 abstentions.

42. The text approved by the Committee is reproduced as draft resolution D below.

*Recommendations of the Fourth Committee**Draft resolution A*

PETITION FROM MISS MARGERY F. PERHAM CONCERNING
SOUTH WEST AFRICA

The General Assembly,

Having accepted the advisory opinion of the International Court of Justice on the question of South West Africa,

Having authorized the Committee on South West Africa, by resolution 749 A (VIII) of 28 November 1953, to examine petitions in accordance with the Mandates procedure of the League of Nations,

Having received a report from the Committee on South West Africa (A/2666 and Corr.1, annex VI) dealing with a petition dated November 1953 from Miss M. F. Perham,

Noting the petitioner's statement that a Native school principal of South West Africa has been unable to avail himself of a scholarship at Oxford University because the Government of the Union of South Africa has refused to grant him a passport and has given no reason for its action.

Noting that education forms the foundation of all development in the Territory and that educational facilities for Natives are still inadequate,

1. *Is of the opinion* that the withholding of a passport from a qualified student for the purpose of studying abroad is not only a direct interference in the educational and general advancement of an individual but a hindrance to the educational development of the Territory of South West Africa which was entrusted under the Covenant of the League of Nations to the administration of the Union of South Africa ;

2. *Regrets* that the Union Government did not respond to the appeal addressed to it by the representatives of such an eminent educational institution as Oxford University ;

3. *Invites* the President of the General Assembly to use his good offices with the Government of the Union of South Africa in order to assist Mr. Himumuine to obtain a passport and all other administrative facilities so that he may avail himself of the scholarship granted to him by Oxford University.

Draft resolution B

PETITION FROM JARIRETUNDU KOZONGUIZI CONCERNING SOUTH
WEST AFRICA

The General Assembly,

Having accepted the advisory opinion of the International Court of Justice on the question of South West Africa,

Having authorized the Committee on South West Africa, by resolution 749 A (VIII) of 28 November 1953, to examine petitions in accordance with the Mandates procedure of the League of Nations,

Having received a report from the Committee on South West Africa (A/2666/Add.1, annex III) dealing with a petition dated 5 August 1954 from Jariretundu Kozonguizi.

Noting the petitioner's allegations that :

(a) Since the Government of the Union of South Africa assumed the administration of the Territory, the indigenous people have suffered under oppressive legislation and have not developed in any sphere,

(b) In spite of their repeated objections to incorporation under the Government of the Union of South Africa, the Africans of South West Africa were placed under the direct administration of the Minister of Native Affairs in the Union Government,

(c) The enforcement of the Bantu Education Act in South West Africa, as contemplated by members of the Union Parliament, would virtually eliminate African education in the Territory, where at present there are no more than six non-Europeans who have gone beyond high school standard,

(d) The Administrator of South West Africa, without giving any reasons, would not allow or sanction the establishment of a proposed student body purely concerned with the education of the people,

Noting the observations of the Committee on South West Africa with respect to education in the Territory and with respect to a bill proposing the transfer of control over Native affairs from the Administrator of South West Africa to the Minister of Native Affairs of the Union,

Noting that the South West Africa Native Affairs Administration Act, 1954 (Act No. 56 of 1954) was applied to the Territory on 30 June 1954 and is to come into operation on 1 April 1955,

Decides to transmit to the petitioner those sections of the report and observations of the Committee on South West Africa dealing with education and the transfer of control over Native affairs, where the Committee expresses its apprehensions concerning these matters.

Draft resolution C

REPORT OF THE COMMITTEE ON SOUTH WEST AFRICA

[Text adopted without change by the General Assembly. See document A/RESOLUTION/226, below.]

Draft resolution D

STATUS OF THE TERRITORY OF SOUTH WEST AFRICA

[Text adopted without change by the General Assembly. See document A/RESOLUTION/227, below.]

DOCUMENT A/RESOLUTION/201

[Resolution 844 (IX)]

Resolution adopted by the General Assembly at its 494th plenary meeting, on 11 October 1954

PROCEDURE FOR THE EXAMINATION OF REPORTS AND PETITIONS
RELATING TO THE TERRITORY OF SOUTH WEST AFRICA

The General Assembly,

Having received a report of the Committee on South West Africa (A/2666 and Corr.1 and Add.1) concerning the procedure for the examination by the Assembly of

reports and petitions relating to the Territory of South West Africa,

Having in mind the advisory opinion of the International Court of Justice on South West Africa,⁷

⁷ See *International Status of South West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 128.*

Desiring to apply, as far as possible, and pending the conclusion of an agreement between the United Nations and the Union of South Africa, the procedure followed in that respect by the Council of the League of Nations,

1. *Adopts* the following special rules :

Procedure with regard to reports

Special rule A : The General Assembly shall receive annually from the Committee on South West Africa the report on South West Africa submitted to the Committee by the Union of South Africa (or a report on conditions in the Territory of South West Africa prepared by the Committee in accordance with paragraph 12 (c) of General Assembly resolution 749 A (VIII)) together with the observations of the Committee on the report as well as the comments of the duly authorized representative of the Union of South Africa, should that Government decide to follow the General Assembly's recommendation and appoint such a representative.

Special rule B : The General Assembly shall, as a rule, be guided by the observations of the Committee on South West Africa and shall base its conclusions, as far as possible, on the Committee's observations.

Procedure with regard to petitions

Special rule C : The General Assembly shall receive annually from the Committee on South West Africa a report with regard to petitions submitted to it. The summary records of the meetings at which the petitions were discussed shall be attached.

Special rule D : The General Assembly shall, as a rule, be guided by the conclusions of the Committee on South West Africa and shall base its own conclusions, as far as possible, on the conclusions of the Committee.

Private meetings

Special rule E : Having regard to rule 62 of the rules of procedure of the General Assembly, meetings at which decisions concerning persons are considered shall be held in private ;

Voting procedure

Special rule F : Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations.

DOCUMENT A/RESOLUTION/225

[*Resolution 904 (IX)*]

Resolution adopted by the General Assembly at its 501st plenary meeting, on 23 November 1954

VOTING PROCEDURE ON QUESTIONS RELATING TO REPORTS AND PETITIONS CONCERNING THE TERRITORY OF SOUTH WEST AFRICA : REQUEST FOR AN ADVISORY OPINION FROM THE INTERNATIONAL COURT OF JUSTICE

The General Assembly,

Having accepted, by resolution 449 A (V) of 13 December 1950, the advisory opinion of the International Court of Justice of 11 July 1950 with respect to South West Africa,⁸

Having regard, in particular, to the Court's opinion on the general question, namely, "that South West Africa is a territory under the international Mandate assumed by the Union of South Africa on December 17th 1920", and to the Court's opinion on question (a), namely, "that the Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa as well as the obligation to transmit petitions from the inhabitants of that Territory, the supervisory functions to be exercised by the United Nations, to which the annual reports and the petitions are to be submitted, and the reference to the Permanent Court of International Justice to be replaced by a reference to the International Court of Justice, in accordance with Article 7 of the Mandate and Article 37 of the Statute of the Court ;",

Having expressed, in resolution 749 A (VIII) of 28 November 1953, its opinion "that without United Nations supervision the inhabitants of the Territory are deprived of the international supervision envisaged by the Covenant of the League of Nations" and its belief "that it would not fulfil its obligation towards the inhabitants of South Africa if it were not to assume the supervisory responsibilities with regard to the Territory of South West Africa which were formerly exercised by the League of Nations",

Having regard to the opinion of the International Court of Justice that "the degree of supervision to be exercised by the General Assembly should not...exceed that which applied under the Mandates System, and should conform as far as possible to the procedure followed in this respect by the Council of the League of Nations" and that "these observations are particularly applicable to annual reports and petitions",

Having adopted, by resolution 844 (IX) of 11 October 1954, a special rule F on the voting procedure to be followed by the General Assembly in taking decisions on questions relating to reports and petitions concerning the Territory of South West Africa,

Having adopted this rule in a desire "to apply, as far as possible, and pending the conclusion of an agreement between the United Nations and the Union of South Africa, the procedure followed in that respect by the Council of the League of Nations",

Considering that some elucidation of the advisory opinion is desirable,

Requests the International Court of Justice to give an advisory opinion on the following questions :

(a) Is the following rule on the voting procedure to be followed by the General Assembly a correct interpretation of the advisory opinion of the International Court of Justice of 11 July 1950 :

"Decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations."?

(b) If this interpretation of the advisory opinion of the Court is not correct, what voting procedure should be followed by the General Assembly in taking decisions on questions relating to reports and petitions concerning the Territory of South West Africa?

⁸ See *International Status of South West Africa, Advisory Opinion* : I.C.J. Reports 1950, p. 128.

DOCUMENT A/RESOLUTION/226[*Resolution 851 (IX)*]**Resolution adopted by the General Assembly at its 501st plenary meeting, on 23 November 1954****REPORT OF THE COMMITTEE ON SOUTH WEST AFRICA***The General Assembly,*

Having established by resolution 749 A (VIII) of 28 November 1953, "until such time as an agreement is reached between the United Nations and the Union of South Africa, a Committee on South West Africa",

Having requested that Committee to "examine, within the scope of the Questionnaire adopted by the Permanent Mandates Commission of the League of Nations in 1926, such information and documentation as may be available in respect of the Territory of South West Africa" and to "transmit to the General Assembly a report concerning conditions in the Territory taking into account, as far as possible, the scope of the reports of the Permanent Mandates Commission of the League of Nations",

Having considered the report of the Committee on South West Africa (A/2666 and Corr.1 and Add.1),

1. *Expresses its appreciation* of the work of the Committee;

2. *Notes* the report and observations regarding conditions in the Territory of South West Africa, contained in annex V of the report of the Committee;

3. *Notes with concern* that, in the opinion of the Committee, the administration of South West Africa is in several aspects not in conformity with the obligations

of the Government of the Union of South Africa under the Mandate;

4. *Notes with satisfaction* that the representative of the Union of South Africa participated in the substantive discussion in the Fourth Committee of the report on conditions in the Territory of South West Africa;

5. *Invites therefore* the Government of the Union of South Africa to co-operate with the Committee on South West Africa and, in particular, to submit to the Committee reports on its administration of the Territory of South West Africa and to assist the Committee on South West Africa in the examination of such reports or such information and documentation as may be available to that Committee;

6. *Requests* the Committee on South West Africa to analyse and summarize the substantive discussion of the South West African question in the Fourth Committee of the General Assembly and to transmit this analysis and summary to the Government of the Union of South Africa for its information;

7. *Requests further* the Committee on South West Africa to examine the extent to which and the manner in which the specialized agencies and extra-budgetary organs of the United Nations might contribute to the social, economic and educational advancement of the inhabitants of the Territory.

DOCUMENT A/RESOLUTION/227[*Resolution 852 (IX)*]**Resolution adopted by the General Assembly at its 501st plenary meeting, on 23 November 1954****STATUS OF THE TERRITORY OF SOUTH WEST AFRICA***The General Assembly,*

Having recommended, by its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948, 337 (IV) of 6 December 1949, 449 B (V) of 13 December 1950, 570 B (VI) of 19 January 1952 and 749 B (VIII) of 28 November 1953, that the Mandated Territory of South West Africa be placed under the International Trusteeship System, and having repeatedly invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a Trusteeship Agreement for South West Africa,

Having accepted, by its resolution 449 A (V) of 13 December 1950, the advisory opinion of 11 July 1950 of the International Court of Justice concerning South West Africa, *inter alia*, to the effect that:

(a) While "the provisions of Chapter XII of the Charter do not impose on the Union of South Africa a legal obligation to place the Territory under the Trusteeship System", they "are applicable to the Territory of South West Africa in the sense that they provide a means by which the Territory may be brought under the Trusteeship System",

(b) "...the Union of South Africa acting alone has not the competence to modify the international status of the Territory of South West Africa", and "...the competence to determine and modify the international status of the Territory rests with the Union of South Africa acting with the consent of the United Nations",

Considering that, in accordance with Chapter XII of the Charter, all Mandated Territories which have not achieved independence have been brought under the Trusteeship System with the sole exception of the Territory of South West Africa,

1. *Reiterates* its resolutions 65 (I) of 14 December 1946, 141 (II) of 1 November 1947, 227 (III) of 26 November 1948, 337 (IV) of 6 December 1949, 449 B (V) of 13 December 1950, 570 B (VI) of 19 January 1952 and 749 B (VIII) of 28 November 1953, to the effect that the Territory of South West Africa be placed under the International Trusteeship System;

2. *Reasserts* that the normal way of modifying the international status of the Territory would be to place it under the Trusteeship System by means of a Trusteeship Agreement in accordance with the provisions of Chapter XII of the Charter.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 494th plenary meeting, on 11 October 1954, the General Assembly adopted draft resolution A submitted by the Fourth Committee (A/2747, para. 21), as amended at that meeting. For the final text, see document A/RESOLUTION/201, above. Draft resolution B submitted by the Fourth Committee (A/2747, para. 21) was not put to the vote.

At its 501st plenary meeting, on 23 November 1954, the General Assembly adopted the draft resolution submitted by Guatemala and Lebanon (A/L.178). For the final text, see document A/RESOLUTION/225, above.

At the same meeting, the General Assembly decided not to put to the vote draft resolutions A and B submitted by the Fourth Committee (A/2747/Add.1, para. 23). It then adopted draft resolutions C and D submitted by the Fourth Committee (A/2747/Add.1, para. 23). For the final texts, see documents A/RESOLUTION/226 and A/RESOLUTION/227, respectively, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/603	Report of the Trusteeship Council covering its second and third sessions, 29 April 1947-5 August 1948		<i>Official Records of the General Assembly, Third Session, Supplement No. 4</i>
A/1901 and Add.1 to 3	Report of the <i>Ad Hoc</i> Committee on South West Africa to the General Assembly		<i>Ibid.</i> , Sixth Session, Annexes, agenda item 38
A/2402	Report of the Special Committee on measures to limit the duration of regular sessions of the General Assembly		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 54
A/2475	Report of the <i>Ad Hoc</i> Committee on South West Africa		<i>Ibid.</i> , Eighth Session, Annexes, agenda item 36
A/2666 and Corr.1	Report of the Committee on South West Africa to the General Assembly		<i>Ibid.</i> , Ninth Session, Supplement No. 14
A/2666/Add.1	Supplement to the report of the Committee on South West Africa to the General Assembly (A/2666 and Corr.1)	1	
A/2747	Report of the Fourth Committee (Part I)	6	
A/2747/Add.1	Report of the Fourth Committee (Part II)	12	
A/2753	Letter dated 12 October 1954 from the Permanent Representative of Thailand to the United Nations addressed to the President of the General Assembly		See A/2747/Add.1, para. 9
A/2754	Letter dated 13 October 1954 from the Permanent Representative of Norway to the United Nations addressed to the President of the General Assembly		Ditto
A/AC.73/L.3 and Corr.1 and Add.1, Add.1/Corr.1, Add.2 and Add.3	Committee on South West Africa: information and documentation in respect of the Territory of South West Africa		Mimeographed document only
A/AC.73/L.4	Comments by the United Nations Educational, Scientific and Cultural Organization on document A/AC.73/L.3 and Add.1		Ditto
A/AC.73/L.5	Comments by the Food and Agriculture Organization of the United Nations on the chapters concerning land tenure and forest law in document A/AC.73/L.3 and Add.1		Ditto
A/AC.73/SR.37 to 39	Committee on South West Africa: summary records of the 37th, 38th and 39th meetings		Ditto
A/C.4/274	Report of the Sub-Committee on South West Africa to the Fourth Committee	9	
A/C.4/L.333	India: amendments to the draft procedure proposed by the Committee on South West Africa for the examination by the General Assembly of reports and petitions relating to the Territory of South West Africa (A/2666, annex IV)		Replaced by A/C.4/L.333/Rev.1
A/C.4/L.333/Rev.1	India: revised amendments to the draft procedure proposed by the Committee on South West Africa for the examination by the General Assembly of reports and petitions relating to the Territory of South West Africa (A/2666, annex IV)		See A/2747, paras. 5 (c) and 6

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/C.4/L.333/Rev.2	India: revised amendment to the draft procedure proposed by the Committee on South West Africa for the examination by the General Assembly of reports and petitions relating to the Territory of South West Africa (A/2666, annex IV)		See A/2747, para. 5 (c)
A/C.4/L.334	India, Mexico, Norway, Syria and the United States of America: draft resolution	6	
A/C.4/L.335	Peru and the Philippines: amendment to the draft procedure proposed by the Committee on South West Africa for the examination by the General Assembly of reports and petitions relating to the Territory of South West Africa (A/2666, annex IV)		See A/2747, para. 5 (a)
A/C.4/L.336	Colombia: amendment to amendment A/C.4/L.333/Rev.2		See A/2747, para. 5 (c)
A/C.4/L.337	Colombia: amendment to the draft procedure proposed by the Committee on South West Africa for the examination by the General Assembly of reports and petitions relating to the Territory of South West Africa (A/2666, annex IV)		See A/2747, para. 5 (b)
A/C.4/L.338	Mexico: amendments to draft resolution A/C.4/L.334	6	
A/C.4/L.339	Draft report of the Fourth Committee (Part I)		For this text, as amended at the 403rd meeting of the Fourth Committee, see A/2747
A/C.4/L.340	Brazil, Chile, Denmark, Mexico, Peru and the United States of America: draft resolution		See A/2747/Add.1, para. 3
A/C.4/L.341	Burma, Egypt, India, Lebanon, Liberia and the Philippines: draft resolution	11	
A/C.4/L.342	Burma, Egypt, India, Lebanon, Liberia, Pakistan and Syria: draft resolution	11	
A/C.4/L.355	Draft report of the Fourth Committee (Part II)		For the text of this document, as amended at the 433rd meeting of the Fourth Committee, see A/2747/Add.1
A/L.178	Guatemala and Lebanon: draft resolution		Same text as A/RESOLUTION/225
A/RESOLUTION/201	Resolution adopted by the General Assembly at its 494th plenary meeting, on 11 October 1954: Procedure for the examination of reports and petitions relating to the Territory of South West Africa	15	
A/RESOLUTION/225	Resolution adopted by the General Assembly at its 501st plenary meeting, on 23 November 1954: Voting procedure on questions relating to reports and petitions concerning the Territory of South West Africa: request for an advisory opinion from the International Court of Justice	16	
A/RESOLUTION/226	Resolution adopted by the General Assembly at its 501st plenary meeting, on 23 November 1954: Report of the Committee on South West Africa	17	
A/RESOLUTION/227	Resolution adopted by the General Assembly at its 501st plenary meeting, on 23 November 1954: Status of the Territory of South West Africa	17	
T/Pet.5/294	Petition from officers of the Regional Branch of the Union des populations du Cameroun of Mungo		Mimeographed document only

GENERAL ASSEMBLY

Official Records



ANNEXES

NINTH SESSION

NEW YORK, 1954

Agenda item 35: The Togoland unification problem: special report of the Trusteeship Council

Agenda item 52: The future of the Trust Territory of Togoland under United Kingdom trusteeship

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A/C.4/L.370	India: draft resolution	11
A/C.4/L.370/Rev.2	India: second revised text of draft resolution	11
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A/C.5/621	Financial implications of the draft resolution adopted by the Fourth Committee (A/C.4/L.388): estimate submitted by the Secretary-General	12
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DOCUMENT A/2660

The future of the Trust Territory of Togoland under United Kingdom trusteeship

Letter dated 21 June 1954 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General, and explanatory memorandum

[Original text: English]
[23 June 1954]

I am directed by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to propose the inclusion of the following item in the agenda for the ninth session of the United Nations General Assembly:

"The future of the Trust Territory of Togoland under United Kingdom Trusteeship."

2. In pursuance of rules 12 and 13 of the rules of procedure of the General Assembly, I therefore request your Excellency to include this item in the provisional agenda for the ninth session. The explanatory memorandum required under rule 20 of the rules of procedure is attached.

3. Since the matters dealt with in the enclosed memorandum have an important bearing in the study enjoined upon the Trusteeship Council in paragraph 3 of General Assembly resolution 750 (VIII), part C, a copy of this letter and its enclosure is being sent to the President of the Trusteeship Council, for the consideration of the Council at its fourteenth session and in discharge of the undertaking given by the permanent United Kingdom representative on the Council on 1 March 1954.¹

(Signed) Pierson DIXON

¹ See *Official Records of the Trusteeship Council, Thirteenth Session*, 505th meeting.

EXPLANATORY MEMORANDUM

This memorandum summarizes the matters which Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland consider should be brought to the attention of the General Assembly at its ninth session in regard to the future of Togoland under United Kingdom Trusteeship. Part I is a summary of the succeeding parts of the memorandum.

Part I: Summary of memorandum

1. Her Majesty's Government invite the attention of the General Assembly to certain matters affecting the Trust Territory of Togoland under United Kingdom Trusteeship. In the opinion of Her Majesty's Government, these matters make necessary a review of the arrangements under which the Territory is at present administered.

(a) The United Kingdom Government, as provided for in articles 2 and 5(a) of the Trusteeship Agreement, administer the Trust Territory as an integral part of the adjoining Territory of the Gold Coast. This is possible under the present constitutional relationship between the Governments of the United Kingdom and of the Gold Coast. The Gold Coast is now, however, in the last stage of constitutional development before independence. When, as will happen within a measurable period, the Gold Coast assumes full responsibility for its own affairs, it will no longer be constitutionally possible for the United Kingdom Government to administer the Trust Territory as an integral part of the Gold Coast;

(b) The Trusteeship Agreement does not expressly provide for the administration of the Territory in the situation which will arise when the Gold Coast assumes full responsibility for its own affairs. Although, under the Trusteeship Agreement, it would probably be legally possible for the United Kingdom Government thereafter to administer the Trust Territory either direct (i.e. as an entity distinct from the Gold Coast) or as an integral part of some other territory under United Kingdom administration, the United Kingdom Government are satisfied that neither arrangement would be politically practicable or desirable in the interests of the inhabitants of the Trust Territory.

2. To resolve the resultant difficulty it would be possible:

(a) To amend or replace the present Trusteeship Agreement; or

(b) To terminate the Agreement without replacement on the grounds that the objectives of the International Trusteeship System have been substantially achieved in the Territory.

3. For the numerous reasons set out in parts V and VI below, the United Kingdom Government favour the second of these alternatives, namely, termination of the Trusteeship Agreement.

4. The United Kingdom Government invite the General Assembly, as a principal party to the Trusteeship Agreement, to:

(a) Take note that, in the view of the Administering Authority, the time is approaching when it will no longer be possible for the Administering Authority to administer the Trust Territory in accordance with articles 2, 4 and 5 of the present Trusteeship Agreement;

(b) Take note that, in the view of the Administering Authority, the progress of the inhabitants of the Trust Territory has been and will be such that, at that time, the objectives of the International Trusteeship System

will have been substantially achieved and that, therefore, the Trusteeship Agreement should be terminated;

(c) Decide that, without prejudice to its final views as to the nature of the future administration of the Trust Territory, it is desirable for the United Nations to ascertain, in pursuance of Article 76 b of the Charter, the views of the inhabitants of the Trust Territory on the future status of the Territory;

(d) Resolve that, to this end, the Trusteeship Council be instructed to consider at its fifteenth and sixteenth sessions, and to report to the tenth session of the General Assembly on, practicable arrangements for ascertaining the wishes of the inhabitants of the Trust Territory;

(e) Decide that, in the light of the Trusteeship Council's report, it will formulate at its tenth session a procedure for ascertaining the wishes of the inhabitants of the Trust Territory, so that definitive arrangements for the future administration of the Trust Territory may be decided upon in the course of the eleventh session of the General Assembly.

Part II: Origins and history of the Trust Territory

5. Togoland under United Kingdom Trusteeship is a strip of territory on the eastern frontier of the Gold Coast, about forty miles wide and without outlet to the sea. Of its area of 13,041 square miles, 7,196 square miles form the Northern Section, which is administered with the Northern Territories of the Gold Coast, and 5,845 square miles form the Southern Section. The population of the Northern Section was estimated in mid-1953 at 188,830 and of the Southern Section at 227,430.

6. The frontier between the Gold Coast and Togoland under United Kingdom Trusteeship was settled by the United Kingdom and Germany by a series of agreements terminating in the Anglo-German Convention of 1900. In the north, it cuts across the areas occupied by the dominant tribes—Mamprusi, Dagomba and Gonja—and in the south across those occupied by the Ewe-speaking tribes. This division was felt particularly in the north, where each of the three main tribes recognized a paramount chief over the whole tribe, whose area of authority was interrupted by the frontier. One of these chiefs, Ya-Na of the Dagombas, had his headquarters at Yendi in German Togoland, and was only with difficulty able to maintain contact with the greater part of the tribe in the British Northern Territories.

7. During the First World War, German Togoland was occupied by Anglo-French forces and, in 1922, the United Kingdom Government assumed a mandate from the League of Nations over the western part of the territory, which has since then been administered, in accordance with the terms of the mandate and of the Trusteeship Agreement which replaced it in December 1946, as an integral part of the Gold Coast.

8. In the north, the occupation of German Togoland in 1914 reunited the Mamprusi, Dagomba and Gonja tribes. A genuine ethnic boundary between the French- and British-administered parts of Togoland was established. Since its establishment, the northern tribes have consistently made it clear beyond doubt that they are wholly satisfied with this reunion and are unalterably opposed to any proposals made in the south for the unification of the two Togolands, outside the Gold Coast, which would again cut them off from their kin in the Northern Territories. It was not possible to persuade the Dagombas, the Nanumbas or the Mamprusis to send representatives to the meeting of the Joint Council for Togoland Affairs to consider problems common to the two Togolands. The attitude of the northern peoples has

simply been that they have no interests or problems in common with Togoland under French Trusteeship. The United Kingdom Government are bound to recognize the validity and strength of this northern opinion and, subject to its final confirmation by plebiscite or similar means, the United Kingdom Government would not feel justified in entering into any new agreement for administering the Trust Territory which separated the Northern Section from the Gold Coast.

9. In the south the largest tribe, numerically, is the Ewe. Of the Ewes, some 400,000 live in the Gold Coast and about 150,000 in the southern part of British-administered Togoland, and there are also about 175,000 in the southern part of Togoland under French Trusteeship. The division of German Togoland into two parts therefore reunited the Ewes in southern Togoland with those in the Gold Coast. This reunion of the bulk of the Ewes had a less immediately apparent effect than the reunion of the northern tribes, since the Ewes have no tribal unity under a particular chief.

10. Because of this looser tribal structure in the south (which is demonstrated by the fact that it has taken the Administering Authority a number of years to build up, by a voluntary amalgamation of the many smaller divisions, a few sizable Native Authorities, now replaced by local government councils) there was for many years no Ewe demand for political unification. But the Territory is economically dependent on either Accra in the Gold Coast or Lomé in French-administered Togoland for an outlet for its produce and communication with the outside world. During the Second World War, it became necessary to strengthen control of the frontier between the two Togolands. This did not affect the north, but in the south it created some economic and social difficulties among the industrious Ewe peoples and was a germ of the later demand among some Ewe groups for the unification of the two Togolands.

11. It is evident from this very fact that this thin strip of Territory, with its small population, poor except for a small area in the centre, landlocked and with economic, social and cultural affiliations stretching not up and down its length, but to the west, and to a lesser extent the east, can never be a viable independent political unit. After cocoa, the Territory's only export is foodstuffs, for which the natural market lies in the urban centres of the Gold Coast.

12. Some of the particular political and economic difficulties of the Southern Section are on the road to solution. The reorganization of local government in the Gold Coast which took place in 1952 and 1953 has brought many benefits, not the least of which is the knitting together of the local administration of half the Ewes living in the Gold Coast and the Southern Section in the new Trans-Volta/Togoland Region, with its headquarters at Ho in the Southern Section. On the national level, Togoland has played its full part in the rapid and successful development of African responsibility for central government, the latest phase of which is described in document T/C.1/L.36. Economically, the Southern Section will gain direct benefit from the building, at Tema, of the Gold Coast's second deep-sea port to serve the eastern part of the country. This port will be easily accessible from the Southern Section through the improved communications, including the bridge over the Volta River at Senchi, on which the Gold Coast Government is to spend most of the £2 million earmarked for special development in connexion with the Trust Territory. Later, it is hoped that the vast Volta River Hydro-Electric Scheme would broaden the economy of the entire country.

Part III: Existing arrangements for the administration of the Trust Territory

13. Under article 2 of the Trusteeship Agreement, Her Majesty is designated as Administering Authority for the Trust Territory, and responsibility for its administration is vested in Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland. This article places the responsibility for the administration of the Territory squarely on Her Majesty's Government in the United Kingdom and not upon any other national or international authority.

14. As explained above, and in accordance with the provisions of article 5 (a) of the Trusteeship Agreement, the Territory has been administered as an integral part of the adjoining territory of the Gold Coast.² In effect, this has meant that the day-to-day government of the Trust Territory has been conducted by the United Kingdom Government through the Gold Coast Government. But to preserve the special characteristics of the Territory as a Territory under the International Trusteeship System, the Governor of the Gold Coast, as the personal representative of the Administering Authority, is vested with certain powers in respect of the Trust Territory additional to those vested in him generally as Governor of the Gold Coast. The Constitution provides that the Governor is responsible in his discretion (i.e. without having to act in accordance with the advice of his elected Ministers) for Togoland affairs and can give directions to Ministers as to the manner in which they are to perform functions relating to Togoland, and that Gold Coast legislation repugnant to the Trusteeship Agreement shall, to the extent of that repugnancy, be void. Thus, despite the fact that the Gold Coast enjoys, in general, self-government in internal affairs, and despite the fact that, in the exercise of this autonomy, the Gold Coast Government administers the day-to-day affairs of the Trust Territory, the status of the Trust Territory as such is adequately safeguarded by the provisions of the Gold Coast Constitution.

Part IV: Situation arising in the foreseeable future

15. It is necessary to recognize, however, that the present Gold Coast Constitution, as well as the relationship between the United Kingdom Government and the Gold Coast Government which derives from it, represents the last stage of constitutional development before independence. Under it, the representatives of the people of the Gold Coast (including Togoland) elected in secret ballot by universal adult suffrage are responsible for the internal government of the territory. The Governor's reserved powers, exercisable when the interests of good government so require, have not in practice had to be

² *Author's note*—Article 5 (a) of the Trusteeship Agreement states, in part, that the Administering Authority "...shall administer it [i.e. the Trust Territory] in accordance with his own laws and as an integral part of his territory". This provision has in practice meant, and was intended by the Administering Authority to mean, that the Territory would be administered as an integral part of the Gold Coast. Speaking in Sub-Committee 1 of the Fourth Committee in December 1946, i.e. before the wording of article 5 (a) was approved by the General Assembly, the United Kingdom representative said:

"Secondly, when the Mandate and the Trusteeship Agreement speak of administration as an integral part of the Administering Authority's territory, we do not mean by that that the Cameroons and Togoland are to be administered as integral parts of the United Kingdom. What we mean is that the Cameroons is administered as an integral part of Nigeria and that Togoland is administered as an integral part of the Gold Coast. A single glance at the map will show why this is necessary."

exercised and do not impinge upon the day-to-day life of the people of the Gold Coast or Togoland. Internal government is, in general, in the hands of elected Ministers and an elected legislature deriving their authority direct from the people of the joint territory of the Gold Coast and Togoland.

16. When the Gold Coast attains full self-government, the United Kingdom Government will no longer be in a position to administer the Trust Territory as an integral part of the Gold Coast, since it will have relinquished its powers of administration in the Gold Coast itself. It is therefore necessary to prepare other arrangements for the administration of the Territory, to come into immediate operation when the present arrangements are no longer practicable.

17. Assuming that the Trusteeship Agreement were to subsist after the date of the attainment of full self-government by the Gold Coast, it would probably be legally possible, under articles 2 and 5 (a) of the Agreement, for the United Kingdom Government to administer the Territory either as an integral part of the United Kingdom itself or of some other territory under United Kingdom administration, or direct from London as a distinct political entity. But the United Kingdom Government are satisfied, both by their assessment of the interests of the inhabitants of the Territory and by reason of their experience in administering it, that such expedients would not be either politically or administratively practicable or in the general interests of the people of the Territory. They could only bring serious harm to the full development of the Territory. The United Kingdom Government have therefore decided that, when the existing arrangements for the administration of the Territory as an integral part of the Gold Coast cease to be practicable, the United Kingdom Government will in fact be unable to administer the Territory on the basis of the Trusteeship Agreement, and must therefore seek the consent of the United Nations to relinquish the trust assumed under that Agreement.

18. As a consequence of this decision, the United Kingdom Government invite the General Assembly, as the other principal party to the Trusteeship Agreement, to consider what alternative arrangements for the future administration of the Territory can or should be made. The United Kingdom Government assume that the United Nations will wish to give careful thought to this matter, involving as it does the destinies of the inhabitants of the Trust Territory, and will wish to ascertain, by appropriate means, the facts of the situation and, in particular, the views of the inhabitants themselves. These processes cannot be hurried, since adequate time must be allowed to the people of the Trust Territory to discuss among themselves and form an opinion on the issues at stake for them. Thus, although it is not possible to forecast the precise date when any new arrangements arrived at should come into operation, the United Kingdom Government consider that they would be failing in their duty to the inhabitants of the Trust Territory, and in consideration for the General Assembly, were they not to state their view that these processes should be put in hand at an early date.

Part V : Courses available to meet this situation

19. The provisions of the existing Trusteeship Agreement will become inoperable when the Gold Coast attains full self-government. Two possibilities suggest themselves to meet the resultant situation :

(a) Amendment or replacement of the existing Trusteeship Agreement so as to bring it into accord with the new situation ; or

(b) The termination of the Agreement, so that Togoland under United Kingdom Trusteeship would cease to be a Trust Territory.

20. The amendment or replacement of the Trusteeship Agreement—that is, the continuation of the trust status of the Territory—would be justified only if it were clear beyond reasonable doubt that the condition of the Territory and its peoples is, and will be at the material time, such that they have a continuing need for the guidance and assistance of the United Nations and an Administering Authority. If, on the other hand, the parties to the Trusteeship Agreement (namely, the General Assembly and the Administering Authority) are satisfied that the progress of the Territory and its peoples has been such that the objectives of the International Trusteeship System have been or will have been at the material time substantially achieved, then the right and proper course would be for those parties to terminate the Trusteeship Agreement, and to recognize that the Territory and its peoples should pass beyond the ambit of the International Trusteeship System.

21. Clearly, before considering course (a) (amendment or replacement of the Trusteeship Agreement) the parties to the Agreement should consider the propriety of course (b) (termination). In doing so, it is necessary for them to assess the extent to which the objectives of the International Trusteeship System, set out in Article 76 a to d of the Charter, have been, or will be in the situation described in part IV above, attained in respect of the Trust Territory. The United Kingdom Government, for their part, consider the position to be as follows :

Article 76 a : "To further international peace and security"

22. On a reasonable view of the situation of the Trust Territory, it may be accepted that there is nothing in that situation which can be held to endanger, either actually or potentially, international peace and security. On the contrary, the political, economic, social and educational progress made by the people of the Territory during the period of mandate and trusteeship, and the advantages they have gained from their association with the International Trusteeship System, have confirmed their understanding and acceptance of this objective.

Article 76 b : "To promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each Trusteeship Agreement"

23. Despite the importance of the objectives of the International Trusteeship System set forth in Article 76 a, c, and d, that in Article 76 b is, in the view of the United Kingdom Government, the critical test of whether or not the inhabitants of a Trust Territory have outgrown their trusteeship status. Neither the Charter nor the Trusteeship Agreement lays down any procedure for determining the circumstances in which the objectives of the International Trusteeship System can be regarded as attained, so that the trusteeship status of a particular Territory may be brought to an end. But it is implicit in Article 76 b of the Charter, and in the whole concept of the International Trusteeship System, that once the inhabitants of a Trust Territory have attained "self-government or independence, as may be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by each Trusteeship

Agreement" then the basic reason for their continuance under trusteeship disappears. In applying this criterion to the case of Togoland under United Kingdom Trusteeship, it is necessary to take into account the fact that the Territory is, and has been since 1920, administered as an integral part of the Gold Coast and that, therefore, the political, economic, social and educational advancement of the inhabitants, and their progress towards self-government or independence has matched that of the Gold Coast itself. If, therefore, the Gold Coast attains full self-government in which the inhabitants of the Trust Territory can share equally with the inhabitants of the Gold Coast, it is necessary to decide whether, in these circumstances, the objective set forth in Article 76 b has been substantially attained in the Trust Territory. To pose the question in concrete terms, if the Territory becomes an integral part of a fully self-governing Gold Coast, can that be regarded as attainment of the objective in Article 76 b? The United Kingdom Government consider, for the reasons explained in part VI below, that the answer is "Yes".

Article 76 c: "To encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world"

24. There is in the Territory complete respect for the fundamental freedoms and a total absence of any legislative, administrative or practical discrimination between persons based on race, sex, language, or religion. The Territory (in association with the Gold Coast) is a party to the European Convention on Human Rights, an internationally binding instrument providing for the safeguard of human rights. The realization by the inhabitants of the Territory of the interdependence of the peoples of the world is exemplified by the full use they have made of the petitions procedure of the Trusteeship Council, and the keen interest they have taken in visiting missions, whose tours in the Territory have drawn large and interested public gatherings. The Administering Authority has helped to build up this awareness by disseminating, in conjunction with the Department of Public Information and the Trusteeship Division of the United Nations Secretariat, information about the general as well as the trusteeship activities of the United Nations.

Article 76 d: "To ensure equal treatment in social, economic and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80"

25. The requirements of this Article have always been, and are, a characteristic of law and practice in the Territory.

26. In the view of the United Kingdom Government, therefore, the objectives of the International Trusteeship System set out in Article 76 a to d of the Charter will have been substantially attained at the time when the Gold Coast attains full self-government. This view has led the United Kingdom Government to conclude that, at that time, Togoland will have passed beyond the ambit of the International Trusteeship System, and that the Trusteeship Agreement should be terminated.

27. The United Kingdom Government wish, however, to emphasize that this assessment represents only their opinion, which they express as a party to the Trusteeship Agreement, and which they put forward at this stage in order to assist the General Assembly, as the other principal party to the Agreement, to reach its own view.

The United Kingdom Government recognize that the particular form of self-government which the inhabitants of the Trust Territory may enjoy through their association with a self-governing Gold Coast may be only one of several possible forms and that, in addition, a choice between self-government and independence has also to be made as provided for in Article 76 b of the Charter. The circumstances in which this basic choice is to be made between the various available alternatives are indicated in Article 76 b itself. The choice is to be made in the light of the particular circumstances of the Territory and its peoples, the freely expressed wishes of the peoples concerned, and the terms of the Trusteeship Agreement. The particular circumstances of the Territory are presumably to be weighed by the United Nations and the Administering Authority in the light of their own knowledge of the Territory. The freely expressed wishes of the peoples concerned must be made clear in whatever manner the United Nations and the Administering Authority jointly consider to be desirable and appropriate. There is no particular provision in the Trusteeship Agreement which indicates clearly what constitutional status the Territory should enjoy when trusteeship comes to an end.

Part VI: Argument in favour of the view that integration with a fully self-governing Gold Coast represents the attainment by the Trust Territory of the objective in Article 76 b of the Charter.

28. It was stated in paragraph 23 above that the United Kingdom Government consider that the attainment by the Trust Territory of full self-government as an integral part of a self-governing Gold Coast would fulfil the objective set forth in Article 76 b of the Charter. This part of the memorandum explains the reasons for this opinion.

29. The political destinies of a Territory or its peoples cannot be determined solely by reference to legal texts or the proceedings of the General Assembly. From the standpoint of reason and of practical politics, if a majority of the inhabitants of Togoland under United Kingdom Trusteeship are convinced that their interests are best served by the integration of the Territory with the Gold Coast, that fact must be given the greatest weight in determining their future. Any other course would inevitably cause grave practical difficulties in the Territory.

30. It has been argued that the words "self-government" and "independence" in Article 76 b are synonymous, and also that, even if "self-government" is regarded as a status different from "independence", the latter status should nevertheless first be attained so that the people concerned, being independent and therefore completely free to resolve their own destinies, are then also free to assume whatever limitations on their complete sovereignty are implied in the difference between "self-government" and "independence". No doubt there is much to be said in favour of this argument, although as regards the latter part of the argument, in the view of Her Majesty's Government the important point is that a people who are self-governing are as free to express their views on their future status as a people who are independent. But it is clear from the provisions of the Charter, and also from the proceedings at San Francisco and the practice of the United Nations, both that the terms "self-government" and "independence" are not synonymous and also that they describe equally valid ends to be attained by the inhabitants of a Trust Territory:

(a) The terms "self-government" and "independence" are set in opposition in the text of Article 76 b of the Charter. That they are recognized as alternatives is

clear from the fact that the text of Article 76 b leaves it to be determined in the light of the "particular circumstances of each Territory and its peoples", "the freely expressed wishes of the peoples concerned" and "the terms of each Trusteeship Agreement" whether self-government or independence is appropriate to the circumstances of a particular Territory.

(b) That this opposition of the terms and their establishment as alternative goals in Article 76 b is not fortuitous or ambiguous is shown by the fact that the word "independence" was deliberately inserted in Article 76 b at San Francisco at the insistence of certain delegations, notably those of China and Egypt, who considered that the term "self-government" implied a less fully sovereign status for the peoples of the Trust Territories than the term "independence" (see especially *United Nations Conference on International Organization*, II/4/35, p. 2; and II/4/17, p. 2).

(c) The General Assembly has given prolonged consideration to the establishment of factors "to be taken into account in deciding whether a territory is or is not a territory whose peoples have not yet attained a full measure of self-government". The Assembly's conclusions are contained in the resolution on this subject adopted on 27 November 1953.³ Essentially this study involved an attempt to define the term "full measure of self-government". While the United Kingdom Government do not wholly subscribe to the terms and implications of the General Assembly's resolution, it is the case that a majority of the Assembly approved its adoption, and the resolution makes clear that "a full measure of self-government" may be attained not only by independence, but also, as acceptable alternatives, by "other separate systems of self-government" including "the free association of a territory on an equal basis with the metropolitan or other country as an integral part of that country or in any other form". (The constitutional status of a Trust Territory should not necessarily be assessed in relation to the considerations set forth in the factors resolution. The United Nations has responsibilities in respect of Trust Territories which it does not possess in respect of Non-Self-Governing Territories. The intention here is merely to show that the General Assembly has clearly indicated that in its view the terms "self-government" and "independence" are not synonymous as descriptions of the eventual constitutional status of a particular territory and that self-government can come about through free association with another country as an integral part of that country.)

(d) It may also be remarked, so far as the particular case of Togoland under United Kingdom Trusteeship is concerned, that if the Charter is interpreted as meaning that to lose its trust status a Territory must become independent of all other territories, then it would be equally impossible for British-administered Togoland either to be integrated with the Gold Coast or to be unified with any other territory. From such a standpoint any other territory would be as much a separate territory as the Gold Coast, and union with it would not be compatible with "independence". As has been shown in part II, British Togoland is too small and poor to stand alone. It must join one or other of its larger neighbours.

31. If it is accepted that "self-government" and "independence" are equally legitimate goals for the inhabitants of a Trust Territory, the attainment of either of which suffices to remove them from the International Trusteeship System, then the point to be examined is whether or not the integration of Togoland under United

Kingdom Trusteeship with a self-governing or independent Gold Coast can be regarded as the attainment by the inhabitants of a Trust Territory of "self-government" (since it is clear that if the Trust Territory is, in fact, integrated with the Gold Coast it cannot be "independent").

32. A necessary preliminary to the consideration of this point is recognition of the fact that the objective of "self-government or independence" for the inhabitants of the Trust Territory cannot be attained in integration with the Gold Coast until the Gold Coast itself has achieved a full measure of self-government or independence. If, however, the peoples of the Gold Coast are fully self-governing (and this memorandum is only concerned with a situation in which they will be) and the peoples of the Trust Territory are comprised on a basis of equal citizenship in the peoples of the Gold Coast, as they would be if the Territory were integrated with the Gold Coast, then it is clear that the peoples of the Trust Territory will also be self-governing.

Part VII: Résumé of the situation of the Trust Territory in relation to articles of the Trusteeship Agreement

Article 1

33. The boundaries of the Trust Territory described in this article have been maintained unchanged during the period of trusteeship.

Article 3

34. As indicated in paragraphs 22 to 25 above, the Administering Authority has striven to achieve, in relation to the Trust Territory, the objectives of Article 76 of the Charter, and is of the opinion that those objectives have been in fact substantially achieved. The obligations incurred by the Administering Authority in relation to the General Assembly and the Trusteeship Council in this article have been punctiliously observed.

Article 4

35. The Administering Authority has discharged its obligations in the Trust Territory to the best of its ability and the reports upon its activities made by the Trusteeship Council indicate that its efforts have been substantially successful.

Article 5

36. (a) This instruction as to the arrangements for the administration of the Trust Territory has been carried out as indicated in parts II and III above.

(b) This permissive article has not been applied in Togoland since the powers it conveys to the Administering Authority have in practice, and to the extent that it has been necessary to use them, been embraced in those inherent in article 5 (a).

(c) This is a permissive article involving no specific obligations on the Administering Authority.

Article 6

37. In pursuance of the injunction in this article to have special regard to the provisions of article 5 (a) of the Trusteeship Agreement, the Administering Authority has assured to the inhabitants of the Trust Territory an increasing share in the administration and other services which the Territory shares with the Gold Coast. The Territory fully shares in the institutions of self-government, based on universal suffrage and responsible govern-

³ General Assembly resolution 742 (VIII).

ment, which have been set up to provide for the administration of the Gold Coast, including Togoland, both at the central and local levels.⁴

Articles 7 to 10

38. In so far as the provisions of these articles are mandatory, they have been punctiliously observed by the Administering Authority: in so far as they are permissive, the Administering Authority has, in taking advantage of the discretion given it, carefully observed the provisos contained in these articles.

Article 12

39. Having regard to the magnitude of the task imposed upon it by this article, the Administering Authority has made substantial progress to the attainment of the obligation contained in it. It has not, however, proved possible either to abolish illiteracy or to establish educational facilities on a scale necessary to ensure to the inhabitants of the Trust Territory comprehensive provision for their vocational and cultural advancement. Nevertheless, the Administering Authority is confident that it has laid foundations for these processes which are capable of rapid development to the stage envisaged in this article and, although not complacent about its efforts, it is satisfied that they have reached a stage at which it could not be held that the Administering Authority has failed to meet its obligations under the Trusteeship Agreement.

Articles 13 and 14

40. It is a characteristic of the life of the Territory that full freedom of speech, of the Press, of assembly, of petition, of religious teaching and the free exercise of all forms of worship, and of conscience, have been preserved and entrenched, and indeed in some cases established for the first time, during the period of trusteeship and mandate, subject only to the normal requirements of law and order.

Article 15

41. In association with the Gold Coast, the Territory has, during the period of trusteeship, co-operated in the following regional and international bodies: The West African Inter-Territorial Council and the conferences sponsored by it; the series of scientific and technical conferences arranged in Africa by the Commission for Technical Co-operation in Africa South of the Sahara, and the Bureaux under the aegis of that Commission; the Regional Committee of the World Health Organization; the Anglo-French Joint West African Sub-Committee of the International Civil Aviation Organization; and the research institutes for West Africa organized on a regional basis—the Cocoa, Trypanosomiasis, Oil Palm and Fisheries Research Institutes.

Article 16

42. The Administering Authority has submitted annual reports in their proper form and at the times stipulated by the Trusteeship Council.

Articles 17 and 18

43. No amendments to the Trusteeship Agreement have been proposed.

⁴ *Author's note*—A full account of the central and local government organization affecting the Trust Territory, and of the participation of the inhabitants in this organization is given in the annual report for the Trust Territory for 1953. An account of the situation of the Trust Territory under the 1954 Constitution is given in document T/C.1/L.36.

Article 19

44. No dispute of a kind within the scope of article 19 has arisen between the Administering Authority and any Member of the United Nations.

Part VIII: The Togoland unification problem

45. In considering the future of the Trust Territory the General Assembly will undoubtedly wish to have regard to the existence of the "Togoland unification problem" which, at the instance of petitioners from the Trust Territories of Togoland under French and under United Kingdom Trusteeship, has exercised it at previous sessions. Put shortly, the demand for Togoland unification is that the two Trust Territories should become one independent State having the frontiers of the former German Colony of Togo. To this end, the supporters of Togoland unification have suggested an interim arrangement whereby the Trust Territories should be united and administered by the United Nations under direct trusteeship for a period of five years, during which the services of the two Territories (at present disparate because of their reflection of French and British language, institutions and methods of administration) would be synthesized. At the end of this period the unified territory would become independent, and there have been suggestions that the independent territory would probably thereafter contemplate the establishment of links with other territories in West Africa.

46. For reasons which are sufficiently apparent from part II of this memorandum, the United Kingdom Government are not satisfied that unification would best solve the ethnic, social and economic problems of the peoples of the Trust Territory, or that more than a small minority of them wish it. On the other hand, as the Governments of France and the United Kingdom have consistently recognized, there is a need in the southern parts of the two Trust Territories, where the Ewe people extends over the international frontier, for effective and continuing liaison between the Governments of the two Trust Territories, in order to mitigate the social barriers which the frontier has brought about. The two Administering Authorities have established arrangements which have virtually eliminated these difficulties.

47. The jurisdiction of the United Kingdom Government, and its competence as Administering Authority to make recommendations, extends only to Togoland under United Kingdom Trusteeship. Any change in the status of the Trust Territory under French administration would be a matter for the Government of France. The United Kingdom Government are concerned only with the future of Togoland under United Kingdom Trusteeship and it is neither possible nor appropriate to introduce the status of the Trust Territory under French administration into consideration of the future of the British Territory.

48. The determining factors in the situation are these:

(a) The present arrangements for the administration of the British Trust Territory will shortly become inapplicable. It is therefore necessary to provide other arrangements for the administration of the Territory;

(b) Owing to its situation and resources, the Territory cannot be administered separately from the Gold Coast without great hardship to its inhabitants or with any prospect of realizing the aims of the Trusteeship System, and in these circumstances the United Kingdom Government are seeking the consent of the United Nations to terminate the Trusteeship Agreement;

(c) If the Trust Territory is integrated with a fully self-governing Gold Coast, there is a *prima facie* case for

regarding the inhabitants as having attained a full measure of self-government sufficient to remove them from the Trusteeship System.

49. In considering "Togoland unification" in conjunction with the proposals outlined in this memorandum, the General Assembly must consider whether it is prepared to insist upon a delay in the attainment by the inhabitants of the Trust Territory of a full measure of self-government in order to experiment with arrangements which may or may not prove to be workable. In arriving at its decision the Assembly will doubtless have regard to the freely expressed wishes of the inhabitants of the Trust Territory which it may wish to consult specifically on this point.

Part IX: Suggestions by the Administering Authority for future action

50. Any decision about the future administration of the Trust Territory involving a change in the Trusteeship Agreement must be arrived at by agreement between the General Assembly and the Administering Authority. The present views of the Administering Authority on the issues involved are set forth in this memorandum, though they are given without prejudice to any developments which may occur before the problem here posed is finally resolved. The Assembly will wish to formulate its own view, and in doing so it will doubtless take into account the views expressed by the Administering Authority and the opinions of inhabitants of the Trust Territory. An essential preliminary to the formulation of the Assembly's

view is, therefore, the establishment of the freely expressed wishes of the inhabitants of the Trust Territory. To this end, the Administering Authority wishes to suggest that the United Nations should arrange to ascertain, by whatever means it considers desirable and appropriate, the wishes of the inhabitants of the Trust Territory as to the status to be enjoyed by them when the present arrangements for administering the Territory become inoperable, that is, when the Gold Coast attains a full measure of self-government. The United Kingdom Government are prepared to accept whatever practicable means of ascertaining the wishes of the inhabitants the General Assembly may decide upon and they suggest that the Assembly, at its ninth session, might authorize the Trusteeship Council, at its fifteenth and sixteenth sessions, to formulate recommendations to be considered by the Assembly at its tenth session, on the methods and procedures whereby the wishes of the inhabitants may be ascertained. In the light of the Trusteeship Council's report the Assembly would be able, at its tenth session, to set in motion the approved machinery in the course of 1956.

51. The United Kingdom Government express no opinion on which method of ascertaining the wishes of the inhabitants would be most desirable or appropriate, but the 1955 visiting mission will give the Assembly an opportunity of reviewing the general state of opinion in the Territory. If, after this mission has reported, the United Nations wishes to make further inquiry, the United Kingdom would be prepared to agree to a plebiscite.

DOCUMENT A/2669

Special report of the Trusteeship Council on the Togoland unification problem

[Original text: English]
[23 July 1954]

I. INTRODUCTION

1. At its eighth session the General Assembly, having examined the special report of the Trusteeship Council on the Ewe and Togoland unification problem (A/2424), having taken into account the special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on this question (T/1034), having heard the declarations of the representatives of the All-Ewe Conference, the Joint Togoland Congress and the Parti togolais du progrès and having heard also the declarations of the representatives of the Administering Authorities concerned, adopted resolutions 750 A, B and C (VIII) concerning respectively the re-establishment of the Joint Council for Togoland Affairs, the revision of the electoral qualifications in force in Togoland under British administration and Togoland under French administration, and the constitutional and political situation in the Gold Coast as it affected both Togoland under British administration and Togoland under French administration.

2. By resolutions A and C the Trusteeship Council was requested to prepare special reports on the matters raised for submission to the General Assembly at its ninth session. As a matter of convenience, the implementation of these two resolutions, as well as of resolution B, has been dealt with in the present special report.

3. The Trusteeship Council began consideration of the resolutions during its thirteenth session, when introductory statements were made (505th meeting) by the representatives of the United Kingdom and France as the

Administering Authorities concerned. During the session, the French Government also submitted to the Council a report (T/1096) on the consultations conducted during 1953 in Togoland under French administration with a view to the reconstitution of the Joint Council for Togoland Affairs.

4. The Council continued its consideration of the resolutions at its fourteenth session when further statements were made (558th meeting) by the Administering Authorities concerned. In the course of that session, the United Kingdom Government proposed, by a letter dated 21 June 1954 addressed to the Secretary-General, accompanied by an explanatory memorandum (A/2660), that the question of "The future of the Trust Territory of Togoland under United Kingdom Trusteeship" should be placed on the agenda of the ninth session of the General Assembly. Since the matters dealt with in the explanatory memorandum had a bearing on the study enjoined upon the Trusteeship Council in General Assembly resolution 750 C (VIII), the memorandum was also submitted (T/1130) to the President of the Trusteeship Council for consideration by the Council.

5. Sixty-eight petitions and communications⁵ were placed on the agenda of the thirteenth and fourteenth sessions of the Council concerning the matters raised in the General Assembly resolution and were taken into account

⁵ T/PET.6/L.6 to 41 and 44 to 48; T/PET.6 and 7/L.7 to 11, 13 to 19 and 20 to 32; T/COM.6/L.27; T/COM.6 and 7/L.16.

during the Council's consideration of that resolution. At its thirteenth session, the Council also granted the requests for oral hearings of three petitioners from Togoland under British administration. These petitioners were: Mr. S. Togbe Fleku, representative of the Convention People's Party, Togoland Region, and the Ewes of Southern Togoland; Mr. Jacob Kwadwo Mensah from the Buem-Krachi District of Southern Togoland; and Mr. J. H. Allassani of the Dagomba District Council, Northern Togoland.⁶

II. IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 750 A (VIII)

6. In resolution 750 A (VIII), the General Assembly expressed regret that the Joint Council for Togoland Affairs had not been re-established, reaffirmed the principles and aims of its resolutions 555 (VI) and 652 (VII), and made recommendations to the effect that the members of the Joint Council should be elected on the basis of universal adult suffrage and secret ballot; that the rules concerning the structure of the Joint Council should be established in consultation with the representatives of the different political parties; and that the re-established Joint Council should be given the power to consider and make recommendations on the question of unification as well as on all political, economic, social and educational matters affecting the two Trust Territories and that it should serve as a means of ascertaining the opinions of the inhabitants of the Territories concerning any proposed changes in the terms of the Trusteeship Agreement for either of the Territories. The Assembly also recommended that the Administering Authorities should assist the representatives of the different political parties to explain freely throughout Togoland their views on the problem of unification and, to this effect, that they should take all the necessary measures to ensure freedom of speech, movement and assembly in all parts of the Territories and that they should disseminate throughout the two Trust Territories the complete texts of the pertinent resolutions of the General Assembly and of the Trusteeship Council in the main vernacular languages as well as in French or in English. The Assembly further emphasized that through the Joint Council the Administering Authorities should adopt measures to promote common policies on political, economic and social matters of mutual concern to the two Trust Territories and expressed the opinion that the implementation of its recommendation required that the Administering Authorities should accord to each Territory simultaneously a large measure of progress towards the objectives of Article 76 of the Charter and harmonize in all major respects the political, economic, social and educational policies and systems applying in the two Trust Territories. The Assembly also expressed the hope that the different political parties of both Territories would co-operate to achieve a formula acceptable to all which would facilitate the unification of the two Trust Territories.

7. In his statements at the thirteenth and fourteenth sessions of the Council, the representative of the United Kingdom stated that his Government had always made it clear that it was ready to assist in the re-establishment of a body such as the Joint Council, provided that a sufficient measure of agreement could be found among the people of the Trust Territory on the methods to be followed in electing members to the Council, on its general composition and on its functions and terms of reference. In the wide series of consultations held in 1953 in Togoland under British administration, which

had been reported upon at the eighth session of the General Assembly, the Administering Authority had sought the opinion of the population on these matters. The results of these consultations had indicated that the re-establishment of the Joint Council would raise considerable practical difficulties, and the United Kingdom Government considered that it would not serve any useful purpose to pursue the matter any further until the Assembly should have considered, at its ninth session, the memorandum submitted by the United Kingdom Government on the future of the Trust Territory of Togoland under United Kingdom trusteeship.

8. In its report of 20 February 1953, the French Government informed the Trusteeship Council of the results of the consultations on the re-establishment of the Joint Council which it had held in Togoland under French administration during 1953 in response to General Assembly resolution 652 (VII), these results not having been available during the Assembly's discussion of the matter at its eighth session when it had adopted resolution 750 (VIII). The public announcement of 12 June 1953, on the Joint Council, it was stated, which had been communicated by the Administering Authorities to the Trusteeship Council (A/2424, para. 10) had been disseminated as widely as possible in Togoland under French administration so as to enable the elected representatives of the people, the leaders of the political parties in the Territory and all elements of the population to make known their views on matters relating to the reconstitution of the Joint Council. The results of these consultations had been that the leaders of the Comité de l'Unité togolaise and of the Juvento had declared themselves in favour of the reconstitution of the Joint Council, whereas the leaders of the Parti togolais du progrès and the Union des chefs des populations du Nord had opposed its reconstitution. The four elected representatives of the Territory in the French parliament, twenty-two out of the thirty members of the Territorial Assembly, nine *conseils de circonscription* and thirteen out of the fifteen former members of the Joint Council also opposed its re-establishment; only two members of the Territorial Assembly were in favour.

9. In his statement at the fourteenth session of the Council, the representative of France stated that the results of these consultations had shown that the great majority of the population, and those elected by the population, had taken a very firm stand against the restoration of the Joint Council. His Government could in no way undertake to go counter to a view and opinion so clearly expressed by the population of the Territory and those elected by it, and it was impossible to restore the Joint Council simply to meet the wishes of two groups which were clearly minority groups in the Territory.

10. Four petitions (T/PET.6 and 7/L.20, 30, 32 and 48) were received by the Trusteeship Council during its fourteenth session protesting against the fact that the Joint Council for Togoland Affairs had not been re-established. One of these petitions (T/PET.6 and 7/L.32), received from the Comité de l'Unité togolaise, challenged the results of the consultations held by the Administering Authority of Togoland under French administration on the reconstitution of the Joint Council. The Comité de l'Unité togolaise stated that the great majority of the inhabitants of Togoland under French administration favoured the unification of the two Togolands and the reconstitution of the Joint Council and that there was only one means of ascertaining their true wishes—a free election under United Nations supervision. Seven petitions (T/PET.6 and 7/L.21 to 27) were received by the Council protesting against General Assembly resolution 750 A (VIII), and declaring opposition to the reconstitution of the Joint Council.

⁶ For the statements of the three petitioners, see *Official Records of the Trusteeship Council, Thirteenth Session, 505th and 506th meetings.*

III. IMPLEMENTATION OF GENERAL ASSEMBLY
RESOLUTION 750 B (VIII)

11. In resolution 750 B (VIII), the General Assembly urgently invited the Administering Authorities to revise the system of electoral qualifications in force in the Territories and to put into effect a method of electoral registration based on personal identification which should permit all adult persons to qualify for the right to vote and should ensure that electoral consultations be carried out in accordance with the democratic principles of universal, direct and secret suffrage so as to reflect the opinion of the population as a whole. It further recommended that the political parties in the two Territories should collaborate closely with the respective Administering Authorities with a view to carrying out the identification of adult persons for electoral purposes.

12. Under the new Constitution which came into effect on 18 June 1954 in the Gold Coast and Togoland under British administration, direct and adult secret suffrage was introduced throughout all parts of the Trust Territory for the election of members to the Gold Coast-Togoland legislature. Similar electoral methods were already in use for the return of the representative members of the local councils.

13. In Togoland under French administration, the right to vote continued to be based on categories of voters. Under the 1952 electoral law, the categories of persons entitled to vote was extended to the heads of households, and the representative of France informed the Council at its fourteenth session that, from 50,865 registered voters in March 1952, the number had increased to 113,879 in March 1953 and to 152,099 in March 1954. He further stated that the establishment of universal suffrage in the Trust Territory was an objective which his Government was pursuing firmly and methodically as indicated by the figures above, but that material obstacles, which, however, were becoming less every year, still made it as yet impossible to proclaim universal suffrage in the Territory.

IV. IMPLEMENTATION OF GENERAL ASSEMBLY
RESOLUTION 750 C (VIII)

14. In resolution 750 C (VIII), the General Assembly expressed the opinion that further changes in the Constitution of the Gold Coast, with which Togoland under British administration is administered as an integral part, might, to the extent that they provided for an increased measure of self-government, necessitate revision of the existing Trusteeship Agreement in respect of the Trust Territory in so far as concerned the existing administrative union; considered that, in view of the manifest aspiration of the majority of the population of both the Trust Territories of Togoland for the unification of those Territories, any change in the Trusteeship Agreement for Togoland under British administration would necessarily affect the interests of the inhabitants of Togoland under French administration; and requested the Trusteeship Council to re-examine in all aspects the problem of

achieving in the two Trust Territories the basic objectives of the International Trusteeship System as set forth in Article 76 of the Charter and, in particular, the progressive development of the inhabitants towards self-government or independence as might be appropriate to the particular circumstances of the Territories and their peoples and their freely expressed wishes, having particular regard to the special circumstances created by the constitutional and political situation in the Gold Coast as it affected both Togoland under British administration and Togoland under French administration.

15. As noted above, the United Kingdom Government proposed, by a letter dated 21 June 1954, that the question of the future of the Trust Territory of Togoland under United Kingdom trusteeship should be placed on the agenda of the ninth session of the General Assembly. In doing so, the United Kingdom Government informed the General Assembly in the accompanying memorandum that the Gold Coast was then in the last stage of constitutional development before independence and that when, as would happen within a measurable period, the Gold Coast assumed full responsibility for its own affairs, it would no longer be constitutionally possible for the United Kingdom Government to administer the Trust Territory as an integral part of the Gold Coast. The United Kingdom Government set forth the alternative courses which might be taken in this event and, after having discussed these alternatives, concluded that, in its view, the Trusteeship Agreement should be terminated without replacement on the grounds that the objectives of the International Trusteeship System had been substantially achieved in the Territory.

16. The memorandum was considered by the Council at its fourteenth session. The representative of the United Kingdom, commenting on the memorandum, stated that it was the proposal of his Government that, when the Gold Coast was granted full self-government, Togoland under British administration should remain integrated with the Gold Coast and that the Trusteeship Agreement should be terminated. If that suggestion were acceptable to the General Assembly, that body and the Government of the United Kingdom as the Administering Authority would negotiate the termination.

17. At its 558th meeting, the Trusteeship Council adopted resolution 1002 (XIV) in which, having been informed by the United Kingdom Government of the constitutional developments in the Gold Coast along with which the Trust Territory of Togoland under United Kingdom trusteeship is administered, and having noted the request of the United Kingdom Government that the question of the future of the Trust Territory of Togoland under United Kingdom trusteeship should be placed on the provisional agenda of the ninth session of the General Assembly, decided to defer further consideration of General Assembly resolution 750 C (VIII) pending consideration by the General Assembly of the problem and of the proposal of the United Kingdom Government; and recommended that the General Assembly should place the proposal of the United Kingdom Government early on the agenda of its ninth session along with the item "The Togoland unification problem".

DOCUMENT A/C.4/L.370**India : draft resolution**

[Original text : English]
[22 November 1954]

The General Assembly,

Recalling its opinion, expressed in resolution 750 C (VIII) of 8 December 1953, that constitutional changes in the Gold Coast might necessitate revision of the Trusteeship Agreement for the Territory of Togoland under British administration,

Noting the statement of the United Kingdom Government to the effect that the Gold Coast will assume full responsibility for its own affairs within a measurable period, and that it will thereafter be no longer possible for the Administering Authority to administer the Trust Territory in accordance with articles 2, 4 and 5 of the present Trusteeship Agreement,

Noting also the view of the Administering Authority that the progress of the inhabitants of the Trust Territory has been such that, at the same time as the Gold Coast assumes full responsibility for its own affairs, the people of Togoland under British administration will have reached a stage of development when the objectives of the International Trusteeship System will have been sub-

stantially achieved and that the Trusteeship Agreement should therefore be terminated,

Considering that, in accordance with Article 76 b of the Charter, the future status of the Territory should be determined in the light of its particular circumstances and of the freely expressed wishes of its peoples,

1. *Decides* that steps should be taken, in the light of the particular circumstances of the Territory, to ascertain the wishes of the inhabitants as to their future ;

2. *Requests* the Trusteeship Council to take into account the views expressed in the Fourth Committee at the ninth session of the General Assembly, to consider what arrangements should be made in pursuance of the above decision and to report thereon to the General Assembly at its tenth session ;

3. *Further requests* the Trusteeship Council to ask its next visiting mission to Trust Territories in West Africa to make a special study of this problem and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session.

DOCUMENT A/C.4/L.370/Rev.2**India : second revised text of draft resolution**

[Original text : English]
[11 December 1954]

The General Assembly,

Bearing in mind its resolution 750 (VIII) of 8 December 1953,

Noting the special report of the Trusteeship Council in document A/2669 of 23 July 1954,

Noting the new situation described in the statement of the United Kingdom Government to the effect that the Gold Coast will assume full responsibility for its own affairs within a measurable period, and that it will thereafter be no longer possible for the Administering Authority to administer the Trust Territory in accordance with articles 4 and 5 of the present Trusteeship Agreement,

Noting also the view of the Administering Authority that the progress of the inhabitants of the Trust Territory has been such that, at the same time as the Gold Coast assumes full responsibility for its own affairs, the people of Togoland under British administration will have reached a stage of development when the objectives of the International Trusteeship System will have been substantially achieved and that the Trusteeship Agreement should therefore be terminated.

Considering that in accordance with Article 76 b of the Charter the future status of the Territory should be determined in the light of its particular circumstances and of the freely expressed wishes of its peoples,

1. *Decides* in view of the eventual revision or termination of the Trusteeship Agreement that steps should be taken, in the light of the particular circumstances of the Territory, to ascertain the wishes of the inhabitants as to their future, without prejudice to the eventual solution they may choose whether it be independence, unification of an independent Togoland under British administration with an independent Togoland under French administration, unification with an independent Gold Coast, or some other self-governing or independent status ;

2. *Requests* the Trusteeship Council to take into account the views expressed in the Fourth Committee at the ninth session of the General Assembly, to consider what arrangements should be made in pursuance of the above decision and to report thereon to the General Assembly at its tenth session ;

3. *Further requests* the Trusteeship Council to ask its next visiting mission to Trust Territories in West Africa, or preferably dispatch a special mission to the Trust Territories of Togoland under British administration and Togoland under French administration to make a special study of these problems and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session.

DOCUMENT A/C.4/L.384/Rev.1

Philippines: revised amendments to draft resolution (A/C.4/L.370/Rev.1)

[Original text: English]
[11 December 1954]

1. In the first paragraph of the preamble, replace the word "Recalling" by the words "Bearing in mind".

2. After operative paragraph 1, insert a new paragraph 2 reading as follows:

"2. *Decides* likewise to make a thorough special study, in all their varied aspects—legal, moral, and international, and in particular their conformity with the principles and basic objectives of the International Trusteeship System—of the questions concerning the present and future status of the Trust Territory of Togoland under British administration, with respect particularly to its possible unification with Togoland under French administration, its integration with an independent Gold Coast or otherwise, including procedures to be followed in ascertaining the real wishes freely expressed of the peoples concerned.";

and renumber the following operative paragraphs accordingly.

3. In the original operative paragraph 2:

(a) Replace the words "to take into account" by the following: "to undertake, as a matter of urgency, the study contemplated in paragraph 1 hereof, taking into account";

(b) Replace the words "ninth session" by the words "ninth and previous sessions";

(c) Delete all the words from "to consider..." to the end of the paragraph, and replace with the following: "and to submit its report thereon to the General Assembly at its tenth session".

4. Replace the original operative paragraph 3 by the following:

"*Further requests* the Trusteeship Council to constitute and empower a special visiting mission to the two Trust Territories of Togoland under British administration and Togoland under French administration in order to make a special study of these questions of unification, integration, federation or otherwise in all their varied aspects—legal, moral, international and in particular their conformity with the principles and purposes of international trusteeship—and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session."

5. Add at the end of the operative part a new paragraph reading as follows:

"*Urges in the meanwhile* that in the greater interests of the United Nations those directly concerned will lend their utmost co-operation in the full and early implementation of its recommendations contained in resolution 750 B (VIII) of 8 December 1953."

DOCUMENT A/C.5/621

Financial implications of the draft resolution adopted by the Fourth Committee (A/C.4/L.388): estimate submitted by the Secretary-General

[Original text: English]
[13 December 1954]

1. The Fourth Committee, at its 468th meeting, held on 13 December 1954, adopted a draft resolution requiring the Trusteeship Council, *inter alia*, to dispatch a special mission to the Trust Territories of Togoland under British administration and Togoland under French administration to make a special study of the Togoland unification problem and the future of the Trust Territory of Togoland under United Kingdom trusteeship and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session.

2. Should the draft resolution be adopted by the General Assembly, budgetary provision for the special mission will have to be included in a new chapter of section 4 of the 1955 budget estimates.

3. Pending final action by the Trusteeship Council on the implementation of this request, the Secretary-General is unable to submit detailed estimates on the costs involved. It would appear, however, that the cost of the

special mission would be comparable to the cost of previous visiting missions.

4. Assuming that the membership, staff and duration of the special mission would be similar to those of the United Nations Visiting Mission to Trust Territories in West Africa, 1952 (for which expenses were \$53,208), the Secretary-General proposes that a token amount of \$50,000 be provided under a new chapter III (Special visiting mission to the Trust Territories of Togoland) of section 4 of the 1955 budget estimates.

5. Subject to the action on the part of the Trusteeship Council referred to in the previous paragraph, the Advisory Committee on Administrative and Budgetary Questions concurs in this proposal. It trusts, however, that the Council may find it possible to make such arrangements for the two visiting missions under section 4 of the 1955 budget as will lead to a curtailment of the aggregate expenses of \$100,000 for these missions.

DOCUMENT A/2873
Report of the Fourth Committee

[Original text: English]
[13 December 1954]

1. The General Assembly, at its 478th plenary meeting, on 25 September 1954, referred to the Fourth Committee the following items of its agenda :

Item 35: The Togoland unification problem: special report of the Trusteeship Council (A/2669).

Item 52: The future of the Trust Territory of Togoland under United Kingdom trusteeship (A/2660).

2. The Committee received thirteen requests from groups and political parties in Togoland under British administration and Togoland under French administration that their representatives should be allowed to make oral representations to the Committee. Four of these requests emanated from Togoland under French administration, as follows: the Mouvement de la jeunesse togolaise (A/C.4/262), the Mouvement populaire togolais (A/C.4/270), the Parti togolais du progrès (A/C.4/271) and the Union des chefs et des populations du Nord (A/C.4/271). Nine of the requests were from Togoland under British administration, as follows: the Togoland Congress (A/C.4/266), the All-Ewe Conference (A/C.4/268), the Togoland Convention People's Party (A/C.4/269), the Togoland Congress, Buem-Krachi Region (A/C.4/272), the Togoland Northern People's Party (A/C.4/273), the Buem-Krachi District Council (A/C.4/275), the Dagomba District Council (A/C.4/276), the Mamprusi District Council (A/C.4/278) and the Natural Rulers of the Buem-Krachi District (A/C.4/279).

3. At its 398th meeting, the Committee decided, by 41 votes to 1, with 10 abstentions, to grant the request for a hearing received from the Mouvement de la jeunesse togolaise. The request of the Togoland Congress was granted at the 400th meeting and that of the All-Ewe Conference at the 410th meeting. At the 411th meeting, it was decided to grant hearings to the Togoland Convention People's Party, to the Mouvement populaire togolais, to the Parti togolais du progrès, and to the Union des chefs et des populations du Nord. At the 414th meeting it was decided to grant hearings to the Togoland Congress, Buem-Krachi Region, and to the Togoland Northern People's Party, and, at the 426th meeting, to the Buem-Krachi District Council and the Dagomba District Council. The request of the Mamprusi District Council was granted at the 431st meeting, and that of the Natural Rulers of the Buem-Krachi District at the 435th meeting.

4. The Committee considered items 35 and 52 together at its 449th to 467th meetings.

5. At the 449th meeting, opening statements were made by the representatives of the United Kingdom (A/C.4/282) and France (A/C.4/283) as the Administering Authorities for the two Togolands. The Committee then heard statements by Mr. J. H. Allasani and Mr. Mahama Bukhari, representatives of the Dagomba District Council (A/C.4/284 and 285), Mr. Idana Asigri, representative of the Mamprusi District Council (A/C.4/286) and Mr. J. K. Mensah, representative of the Buem-Krachi District Council (A/C.4/287).

6. At the 450th meeting, statements were made by Nana Akompi Firam III, representative of the Natural Rulers of the Buem-Krachi District (A/C.4/288), Mr. S. W. Kumah and Mr. S. T. Fleku, representatives of the Con-

vention People's Party (A/C.4/289 and 290) and Mr. S. G. Antor, representative of the Togoland Congress (A/C.4/291).

7. At the 452nd meeting, statements were made by Mr. Alasan Chamba, representative of the Togoland Congress, Northern Region (A/C.4/292), Mr. A. K. Odame, representative of the Togoland Congress, Buem-Krachi Branch (A/C.4/293 and Add.1), and Mr. Sylvanus Olympio, representative of the All-Ewe Conference (A/C.4/294).

8. At the 453rd meeting, the Committee heard statements by Mr. S. Aquereburu, representative of the Mouvement populaire togolais (A/C.4/295), Mr. Anani Ignacio Santos, representative of the Mouvement de la jeunesse togolaise (A/C.4/296), Mr. Frédéric Brenner, representative of the Parti togolais du progrès (A/C.4/297), and Mr. Mama Fousseni, representative of the Union des chefs et des populations du Nord (A/C.4/298). Additional statements were also made by Mr. S. T. Fleku, representative of the Convention People's Party, and Mr. J. H. Allasani, representative of the Dagomba District Council.

9. At the 454th meeting further statements were made by Mr. J. K. Mensah, representative of the Buem-Krachi District Council, Mr. Idana Asigri, representative of the Mamprusi District Council and by Mr. S. G. Antor and Mr. A. K. Odame, representatives of the Togoland Congress.

10. From the 454th to the 459th meetings, the representatives of the petitioners answered questions put to them by members of the Committee.

11. At the 459th meeting, statements were made by the representatives of the United Kingdom and France in clarification of matters raised during the hearing of petitioners. Statements were also made by Mr. K. A. Gbedemah, Minister of Finance in the Gold Coast Government and a member of the United Kingdom delegation, and by Mr. N. Grunitzky, Deputy from Togoland under French administration in the French National Assembly, and a member of the French delegation.

12. At the 460th meeting, the Committee began a general debate on the two agenda items, which was concluded at the 464th meeting.

13. At the 463rd meeting, Mr. Anani Ignacio Santos, representative of the Mouvement de la jeunesse togolaise, Mr. Frédéric Brenner, representative of the Parti togolais du progrès, and Mr. Sylvanus Olympio, representative of the All-Ewe Conference, made additional statements in clarification of points raised during the general debate.

14. Further statements of clarification were made at the 464th meeting by Nana Akompi Firam III, representative of the Natural Rulers of the Buem-Krachi District, Mr. S. T. Fleku, representative of the Convention People's Party, Mr. S. G. Antor, representative of the Togoland Congress, Mr. J. H. Allasani, representative of the Dagomba District Council, and Mr. A. K. Odame, representative of the Togoland Congress, Buem-Krachi Branch.

15. One draft resolution and a number of amendments thereto were submitted to the Committee and were considered from the 464th to the 467th meetings.

16. The draft resolution (A/C.4/L.370) was submitted at the 460th meeting by India. According to this draft resolution, the General Assembly would: (1) decide that steps should be taken, in the light of the particular circumstances of the Trust Territory of Togoland under British administration, to ascertain the wishes of the inhabitants as to their future; (2) request the Trusteeship Council to take into account the views expressed in the Fourth Committee at the ninth session of the General Assembly, to consider what arrangements should be made in pursuance of the above decision and to report thereon to the General Assembly at its tenth session; (3) further request the Council to ask its next visiting mission to Trust Territories in West Africa to make a special study of this problem and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session.

17. At the 463rd meeting, Mexico submitted an amendment (A/C.4/L.383) to the draft resolution whereby operative paragraph 3 would be replaced by the following:

"3. Further requests the Trusteeship Council to send, instead of its next visiting mission—which in that case would not visit Togoland under British administration—a special visiting mission to the Territory to make a study of this problem and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session."

18. At the 463rd meeting, amendments (A/C.4/L.384) to the draft resolution were also submitted by the Philippines. These amendments would:

(1) Insert, in the first paragraph of the preamble, after the word "Recalling", the following text: "and confirming its views, conclusions and recommendations contained in resolution 750 A, B and C (VIII) of 8 December 1953 and in particular";

(2) In the fourth paragraph of the preamble:

(a) Insert, between the words "the" and "future status", the words "present and";

(b) Insert, between the words "Territory" and "should", the following: "through unification, integration, federation or other".

(3) In paragraph 1 of the operative part:

(a) Delete the word "should";

(b) Delete all the words from "ascertain" to the end of the paragraph, and replace with the following: "make a thorough special study, in all their varied aspects—legal, moral and international, and in particular their conformity with the principles and basic objectives of the International Trusteeship System—of the questions concerning the present and future status of the Trust Territory of Togoland under British administration, with respect particularly to its possible unification with Togoland under French administration, its integration to a self-governing Gold Coast, or otherwise".

(4) In paragraph 2 of the operative part:

(a) Replace the words "to take into account" by the following: "to undertake, as a matter of urgency, the study contemplated in paragraph 1 hereof, taking into account";

(b) Replace the words "ninth session" by the words "ninth and previous sessions";

(c) Delete all the words from "to consider" to the end of the paragraph, and replace with the following: "and to submit its report thereon to the General Assembly at its tenth session".

(5) Redraft paragraph 3 of the operative part to read as follows:

"3. Further requests the Trusteeship Council to

constitute and empower a special visiting mission to the two Trust Territories of Togoland under British administration and Togoland under French administration, in order to make a special study of these questions of unification, integration, federation or otherwise, in all their varied aspects—legal, moral, international, and in particular their conformity with the principles and purposes of international trusteeship—and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session."

(6) Add to the operative part a paragraph 4 reading as follows:

"4. Urges in the meanwhile that in the greater interests of the United Nations those directly concerned will lend their utmost co-operation in the full and early implementation of its recommendations contained in resolution 750 A, B and C (VIII) of 8 December 1953."

19. At the 465th meeting, India submitted the following revised text of its draft resolution (A/C.4/L.370/Rev.1):

"The General Assembly,

"Recalling its resolution 750 (VIII) of 8 December 1953,

"Noting the new situation described in the statement of the United Kingdom Government to the effect that the Gold Coast will assume full responsibility for its own affairs within a measurable period, and that it will thereafter be no longer possible for the Administering Authority to administer the Trust Territory in accordance with articles 2, 4 and 5 of the present Trusteeship Agreement,

"Noting also the view of the Administering Authority that the progress of the inhabitants of the Trust Territory has been such that, at the same time as the Gold Coast assumes full responsibility for its own affairs, the people of Togoland under British administration will have reached a stage of development when the objectives of the International Trusteeship System will have been substantially achieved and that the Trusteeship Agreement should therefore be terminated,

"Considering that, in accordance with Article 76 b of the Charter, the future status of the Territory should be determined in the light of its particular circumstances and of the freely expressed wishes of its peoples,

"1. Decides in view of the eventual revision or termination of the Trusteeship Agreement that steps should be taken, in the light of the particular circumstances of the Territory, to ascertain the wishes of the inhabitants as to their future: whether it be independence, unification of the two Trust Territories of Togoland as a self-governing or independent State, unification with an independent Gold Coast, or some other self-governing or independent status;

"2. Requests the Trusteeship Council to take into account the views expressed in the Fourth Committee at the ninth session of the General Assembly, to consider what arrangements should be made in pursuance of the above decision and to report thereon to the General Assembly at its tenth session;

"3. Further requests the Trusteeship Council to ask its next visiting mission to Trust Territories in West Africa, or despatch a special mission to the Trust Territories of Togoland under British Administration and Togoland under French Administration if it deems appropriate, to make a special study of these problems and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session."

20. Thereafter, Mexico withdrew its amendment (A/C.4/L.383).

21. At the same meeting, the Philippines withdrew the first of its amendments (A/C.4/L.384, para. 1) and submitted in its stead an oral amendment which would insert the words "and confirming" after the word "Recalling" in the first paragraph of the preamble of the revised draft resolution.

22. The representative of the Union of Soviet Socialist Republics submitted an oral amendment to the Philippine amendments (A/C.4/L.384) which would replace, in subparagraph 3(b) of those amendments, the words "to a self-governing Gold Coast" by the words "to the Gold Coast once it achieves independence". This oral amendment was accepted by the representative of the Philippines.

23. Amendments to the revised draft resolution were also submitted by Poland (A/C.4/L.385). These amendments would :

(1) Delete the second and third paragraphs of the preamble and replace them by the following :

"*Noting* the statement of the United Kingdom Government contained in document A/2660 of 23 June 1954, and the special report of the Trusteeship Council contained in document A/2669 of 23 July 1954";

(2) In the fourth paragraph of the preamble, replace the words "the future status of the Territory should be determined in the light of its particular circumstances and of the freely expressed wishes of its peoples," by the words "the future status of the Territories of Togoland under British administration as well as of Togoland under French administration should be determined in the light of their particular circumstances and of the freely expressed wishes of their peoples";

(3) In operative paragraph 1, replace the words "the Territory" by the words "both Territories";

(4) In operative paragraph 3, delete the words "ask its next visiting mission to Trust Territories in West Africa, or", and also the words "if it deems appropriate".

24. At the 466th meeting, the Philippines submitted a revised text (A/C.4/L.384/Rev.1) of its amendments in which the first three paragraphs of the original text were replaced (1) by an amendment to the first paragraph of the preamble to replace the word "*Recalling*" by the words "*Bearing in mind*"; (2) by an amendment to insert after operative paragraph 1 the following new paragraph :

"2. Decides likewise to make a thorough special study in all their varied aspects—legal, moral and international, and in particular their conformity with the principles and basic objectives of the International Trusteeship System—of the questions concerning the present and future status of the Trust Territory of Togoland under British administration, with respect particularly to its possible unification with Togoland under French administration, its integration with an independent Gold Coast, or otherwise, including procedures to be followed in ascertaining the real wishes freely expressed of the peoples concerned."

25. Amendments (A/C.4/L.387) to the revised draft resolution were also submitted by Chile. These amendments would :

(1) Replace the words "some other self-governing or independent status" occurring in operative paragraph 1 by the words "some other status in conformity with the provisions of the Charter";

(2) Amend operative paragraph 3 to read :

"*Further requests* the Trusteeship Council to instruct a special mission to visit the Trust Territories of Togo-

land under British administration and Togoland under French administration, to make a special study of these problems and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session."

26. At the 467th meeting, India submitted a further revised text (A/C.4/L.370/Rev.2) of its draft resolution. The new text contained the following changes : (1) the first paragraph of the preamble was modified to read : "*Bearing in mind* its resolution 750 (VIII) of 8 December 1953"; (2) an additional paragraph was added after the first paragraph of the preamble to read : "*Noting* the special report of the Trusteeship Council in document A/2669 of 23 July 1954"; (3) the original second paragraph of the preamble was modified to read : "*Noting* the new situation described in the statement of the United Kingdom Government to the effect that the Gold Coast will assume full responsibility for its own affairs within a measurable period, and that it will thereafter be no longer possible for the Administering Authority to administer the Trust Territory in accordance with articles 4 and 5 of the present Trusteeship Agreement,"; (4) operative paragraph 1 was modified to read : "*Decides* in view of the eventual revision or termination of the Trusteeship Agreement that steps should be taken, in the light of the particular circumstances of the Territory, to ascertain the wishes of the inhabitants as to their future, without prejudice to the eventual solution they may choose whether it be independence, unification of an independent Togoland under British administration with an independent Togoland under French administration, unification with an independent Gold Coast, or some other self-governing or independent status"; (5) operative paragraph 3 was modified to read : "*Further requests* the Trusteeship Council to ask its next visiting mission to Trust Territories in West Africa, or preferably dispatch a special mission to the Trust Territories of Togoland under British administration and Togoland under French administration to make a special study of these problems and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session."

27. At the same meeting, Chile withdrew the second of its amendments (A/C.4/L.387, para. 2). The representative of the Philippines also withdrew three of his delegation's amendments (A/C.4/L.384/Rev.1, paras. 1, 3 and 4) and submitted oral amendments which would : (1) delete the words "the new situation described in" occurring in the third paragraph of the preamble; and (2) replace operative paragraph 1 of document A/C.4/L.370/Rev.2 by operative paragraph 1 of document A/C.4/L.370/Rev.1.

28. The representative of Poland resubmitted orally the amendment set forth in document A/C.4/L.384/Rev.1, paragraph 3(b), which the representative of the Philippines had withdrawn.

29. Thereafter the Committee voted on the revised draft resolution and the amendments thereto. The voting was as follows :

The Polish amendment to the second, third and fourth paragraphs of the preamble was rejected by a roll-call vote of 26 to 8, with 19 abstentions. The voting was as follows :

In favour : Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Greece, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Yugoslavia.

Against : Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Colombia, Cuba, Denmark, France, Honduras, India, Iraq, Israel, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Sweden, Union of

South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen.

Abstentions: Afghanistan, Chile, China, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Iran, Lebanon, Pakistan, Peru, Philippines, Saudi Arabia, Syria, Thailand, Uruguay and Venezuela.

The oral amendment proposed by the Philippines to the third paragraph of the preamble was rejected by 24 votes to 10, with 16 abstentions.

The first and second paragraphs of the preamble were adopted unanimously.

The third paragraph of the preamble was adopted by 40 votes to 5, with 6 abstentions.

The last part of the fourth paragraph of the preamble from the words "and that the Trusteeship Agreement" was adopted by 32 votes to 1, with 14 abstentions.

The fourth paragraph of the preamble as a whole was adopted by 35 votes to 5, with 10 abstentions.

The words "of their particular circumstances and" contained in the Polish amendment to the fifth paragraph of the preamble (A/C.4/L.385, para. 2) were adopted by 32 votes to 8, with 8 abstentions.

The Polish amendment as a whole (A/C.4/L.385, para. 2) was rejected by a roll-call vote of 23 to 21, with 9 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Ecuador, Egypt, Greece, Iran, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen and Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, Colombia, Cuba, Denmark, France, India, Iraq, Israel, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Sweden, Thailand, Union of South Africa, United Kingdom of Great Britain and Northern Ireland and United States of America.

Abstentions: China, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Lebanon, Pakistan and Peru.

The words "of its particular circumstances and" in the fifth paragraph of the preamble of the revised draft resolution were adopted by 33 votes to 11, with 6 abstentions.

The fifth paragraph of the preamble as a whole was adopted by 47 votes to none, with 5 abstentions.

The Polish amendment to operative paragraph 1 (A/C.4/L.385, para. 3) was rejected by 23 votes to 18, with 8 abstentions.

The oral amendment of the Philippines to the effect that operative paragraph 1 of A/C.4/L.370/Rev.2 should be replaced by operative paragraph 1 of A/C.4/L.370/Rev.1 was rejected by 27 votes to 11, with 14 abstentions.

The amendment of Chile to operative paragraph 1 (A/C.4/L.387, para. 1) was rejected by 18 votes to 15, with 18 abstentions.

The words "in the light of the particular circumstances of the Territory", in operative paragraph 1, were adopted by 33 votes to 12, with 5 abstentions.

The first part of operative paragraph 1 up to the words "as to their future" was adopted by 47 votes to none, with 7 abstentions.

The remainder of operative paragraph 1 was adopted by a roll-call vote of 38 votes to none, with 15 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Haiti, Honduras, India, Iran, Israel, Lebanon, Liberia, Luxembourg, Mexico, Pakistan, Panama,

Peru, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen and Yugoslavia.

Abstentions: Australia, Belgium, Canada, Colombia, Denmark, France, Guatemala, Iraq, Netherlands, New Zealand, Norway, Philippines, Sweden, Union of South Africa and United Kingdom of Great Britain and Northern Ireland.

Operative paragraph 1 as a whole was adopted by 40 votes to none, with 12 abstentions.

The Philippine amendment (A/C.4/L.384/Rev.1, para. 2) to the effect that a new paragraph should be added after operative paragraph 1 was rejected by a roll-call vote of 22 to 7, with 23 abstentions. The voting was as follows:

In favour: Byelorussian Soviet Socialist Republic, Czechoslovakia, Greece, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Uruguay.

Against: Australia, Belgium, Brazil, Canada, Colombia, Denmark, Ethiopia, France, India, Iraq, Israel, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Panama, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland and United States of America.

Abstentions: Afghanistan, Argentina, Bolivia, Burma, Chile, China, Cuba, Ecuador, Egypt, El Salvador, Guatemala, Haiti, Honduras, Iran, Lebanon, Pakistan, Peru, Saudi Arabia, Syria, Thailand, Venezuela, Yemen and Yugoslavia.

The oral amendment of Poland to the effect that the words "ninth session" in operative paragraph 2 should be replaced by the words "ninth and previous sessions" was adopted by 22 votes to 18, with 9 abstentions.

Operative paragraph 2 as amended was adopted by 50 votes to none, with 2 abstentions.

The amendment of Poland (A/C.4/L.385, para. 4) to operative paragraph 3 was adopted by 21 votes to 20, with 8 abstentions.

Operative paragraph 3, as amended, was adopted by 39 votes to 5, with 8 abstentions.

The Philippine amendment to the effect that a new operative paragraph 4 (A/C.4/L.384/Rev.1, para. 5) should be added to the text was adopted by a roll-call vote of 34 to 11, with 9 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Greece, Haiti, India, Iran, Lebanon, Liberia, Mexico, Pakistan, Panama, Peru, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen and Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, and United States of America.

Abstentions: Colombia, Costa Rica, Ethiopia, France, Guatemala, Honduras, Iraq, Israel and Luxembourg.

The revised draft resolution as a whole, as amended, was approved by a roll-call vote of 42 to 1, with 11 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Ecuador, Egypt, Ethiopia, France, Greece, Honduras, India, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Norway,

Pakistan, Panama, Peru, Saudi Arabia, Sweden, Syria, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen and Yugoslavia.

Against: Belgium.

Abstentions: Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, El Salvador, Guatemala, Haiti, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of South Africa and Union of Soviet Socialist Republics.

Recommendation of the Fourth Committee

30. The Fourth Committee accordingly recommends to the General Assembly the adoption of the following draft resolution:

THE TOGOLAND UNIFICATION PROBLEM AND THE FUTURE OF THE TRUST TERRITORY OF TOGOLAND UNDER BRITISH ADMINISTRATION

[Text adopted without change by the General Assembly. See document A/RESOLUTION/277, below.]

DOCUMENT A/2874

Financial implications of the draft resolution submitted by the Fourth Committee (A/2873): report of the Fifth Committee

[Original text: English]
[14 December 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered, at its 483rd meeting held on 14 December 1954, the financial implications of the draft resolution proposed by the Fourth Committee (A/2873), which provides for the dispatch of a special mission to the Trust Territories of Togoland under British administration and Togoland under French administration to make a special study of the Togoland unification problem and the future of the Trust Territory of Togoland under United Kingdom trusteeship and to submit its report thereon in time for the Trusteeship Council to report to the General Assembly at its tenth session.

2. In a note to the Fifth Committee (A/C.5/621), the Secretary-General pointed out that, pending final action by the Trusteeship Council on the implementation of the draft resolution, detailed estimates on the costs involved could not be submitted. However, assuming that the membership, staff and duration of the mission would be similar to those of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, (for which expenses were \$53,208), the Secretary-General proposed that a token amount of \$50,000 should be provided under

a new chapter III (Special visiting mission to the Trust Territories of Togoland) of section 4 of the 1955 budget estimates.

3. The Advisory Committee on Administrative and Budgetary Questions concurred in the Secretary-General's proposal subject to appropriate action on the part of the Trusteeship Council. It, however, expressed the hope that the Council might find it possible to make such arrangements for the two visiting missions under section 4 of the 1955 budget as would lead to a reduction of the aggregate expenses of \$100,000 for these missions.

4. The Fifth Committee decided, by 30 votes to none, with 1 abstention, to recommend to the General Assembly that, should it adopt the draft resolution proposed by the Fourth Committee, it would be necessary to include under a new chapter III of section 4 of the 1955 budget estimates an appropriation of \$50,000 subject, however, to the possibility that the Trusteeship Council may find it possible to make such arrangements for the two visiting missions provided under section 4 of the 1955 budget as will lead to a reduction of the aggregate expenses of \$100,000 for these missions.

DOCUMENT A/RESOLUTION/277

[Resolution 860 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

The General Assembly,

Bearing in mind its resolution 750 (VIII) of 8 December 1953,

Noting the special report of the Trusteeship Council in document A/2669 of 23 July 1954,

Noting the new situation described in the statement (A/2660) of the United Kingdom Government to the effect that the Gold Coast will assume full responsibility for its own affairs within a measurable period, and that it will thereafter be no longer possible for the Administering Authority to administer the Trust Territory in accordance with articles 4 and 5 of the present Trusteeship Agreement,

Noting also the view of the Administering Authority that the progress of the inhabitants of the Trust Territory has been such that, at the same time as the Gold Coast

assumes full responsibility for its own affairs, the people of Togoland under British administration will have reached a stage of development when the objectives of the International Trusteeship System will have been substantially achieved and that the Trusteeship Agreement should therefore be terminated,

Considering that, in accordance with Article 76 b of the Charter, the future status of the Territory should be determined in the light of its particular circumstances and of the freely expressed wishes of its peoples,

1. *Decides*, in view of the eventual revision or termination of the Trusteeship Agreement, that steps should be taken, in the light of the particular circumstances of the Trust Territory, to ascertain the wishes of the inhabitants as to their future, without prejudice to the eventual solution they may choose whether it be in-

dependence, unification of an independent Togoland under British administration with an independent Togoland under French administration, unification with an independent Gold Coast, or some other self-governing or independent status;

2. *Requests* the Trusteeship Council to take into account the views expressed in the Fourth Committee at the ninth and previous sessions of the General Assembly, to consider what arrangements should be made in pursuance of the above decision and to report thereon to the General Assembly at its tenth session;

3. *Further requests* the Trusteeship Council to dispatch a special mission to the Trust Territories of Togoland under British administration and Togoland under French administration to make a special study of these problems and to submit its report thereon in time for the Council to report to the General Assembly at its tenth session;

4. *Urges in the meanwhile* that in the greater interests of the United Nations those directly concerned will lend their utmost co-operation in the full and early implementation of its recommendations contained in General Assembly resolution 750 B (VIII) of 8 December 1953.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/2873, para. 30). For the final text, see document A/RESOLUTION/277, above.

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<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2151	Special report of the Trusteeship Council on administrative unions affecting Trust Territories and on the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union		<i>Official Records of the General Assembly, Seventh Session, Supplement No. 12</i>
A/2424	Special report of the Trusteeship Council		<i>Ibid., Eighth Session, Annexes, agenda item 31</i>
A/2605	Report of the Fourth Committee		<i>Ibid.</i>
A/2660	The future of the Trust Territory of Togoland under United Kingdom trusteeship—Letter dated 21 June 1954 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General, and explanatory memorandum . . .	1	
A/2669	Special report of the Trusteeship Council on the Togoland unification problem	8	
A/2680	Report of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 4</i>
A/2729 and Corr.1	Report of the Committee on Information from Non-Self-Governing Territories		<i>Ibid., Supplement No. 13</i>
A/2873	Report of the Fourth Committee	13	
A/2874	Financial implications of the draft resolution submitted by the Fourth Committee (A/2873) : report of the Fifth Committee . .	17	
A/C.4/258	Telegram dated 2 December 1953 from certain chiefs and groups in Togoland under British administration		Mimeographed document only
A/C.4/259 and Corr.1	Letter dated 4 December 1953 from Mr. Sylvanus Olympio, Mr. S. G. Antor and Mr. A. K. Odame, to the Chairman of the Fourth Committee		Ditto
A/C.4/262	Letter dated 22 September 1954 from the President of the General Assembly to the Chairman of the Fourth Committee transmitting requests for hearings		Ditto
A/C.4/266	Telegram dated 29 September 1954 from Mr. Antor to the Secretary-General		Ditto
A/C.4/268	Telegram from the All-Ewe Conference to the Chairman of the Fourth Committee		Ditto
A/C.4/269	Telegram dated 20 October 1954 from the Togoland Convention People's Party to the Secretary-General		Ditto
A/C.4/270	Letter dated 15 October 1954 from the Chairman of the Mouvement populaire togolais to the Secretary-General		Ditto
A/C.4/271	Letter dated 17 October 1954 from the Parti togolais du progrès to the Secretary-General		Ditto
A/C.4/272	Telegram dated 22 October 1954 from the Regional Secretary, Togoland Congress, Buem-Krachi Branch, to the Secretary-General		Ditto
A/C.4/273	Telegram dated 22 October 1954 from the General Secretary, Northern People's Party, Togoland, to the Secretary-General		Ditto

Document No.	Title	Page	Observations and references
A/C.4/275	Telegram dated 6 November 1954 from the Chairman of the Buem-Krachi District Council, Togoland under British administration, to the Secretary-General		Mimeographed document only
A/C.4/276	Telegram dated 6 November 1954 from the Dagomba District Council, Togoland under British administration, to the Secretary-General		Ditto
A/C.4/278	Telegram dated 11 November 1954 from the Chairman of the Mamprusi District Council to the Secretary-General		Ditto
A/C.4/279	Telegram dated 13 November 1954 from the Natural Rulers of the Buem-Krachi District, Togoland under British administration, to the Secretary-General		Ditto
A/C.4/282	Statement by the representative of the United Kingdom of Great Britain and Northern Ireland at the 449th meeting of the Fourth Committee, on 30 November 1954		Ditto
A/C.4/283	Statement by the representative of France at the 449th meeting of the Fourth Committee, on 30 November 1954		Ditto
A/C.4/284	Statement by Mr. J. H. Allasani, representative of the Dagomba District Council, at the 449th meeting of the Fourth Committee, on 30 November 1954		Ditto
A/C.4/285	Statement by Mr. Mahama Bukhari, representative of the Dagomba District Council, at the 449th meeting of the Fourth Committee, on 30 November 1954		Ditto
A/C.4/286	Statement by Mr. Idana Asigri, representative of the Mamprusi District Council, at the 449th meeting of the Fourth Committee, on 30 November 1954		Ditto
A/C.4/287	Statement by Mr. J. K. Mensah, representative of the Buem-Krachi District Council, at the 449th meeting of the Fourth Committee, on 30 November 1954		Ditto
A/C.4/288	Statement by Nana Akompi Firam III, representative of the Natural Rulers of the Buem-Krachi District, at the 450th meeting of the Fourth Committee, on 1 December 1954		Ditto
A/C.4/289	Statement by Mr. S. W. Kumah, representative of the Convention People's Party, at the 450th meeting of the Fourth Committee, on 1 December 1954		Ditto
A/C.4/290	Statement by Mr. S. T. Fleku, representative of the Convention People's Party, at the 450th meeting of the Fourth Committee, on 1 December 1954		Ditto
A/C.4/291	Statement by Mr. S. G. Antor, representative of the Togoland Congress, at the 450th and 451st meetings of the Fourth Committee, on 1 December 1954		Ditto
A/C.4/292	Statement by Mr. Alasan Chamba, representative of the Togoland Congress, Northern Region, at the 452nd meeting of the Fourth Committee, on 2 December 1954		Ditto
A/C.4/293 and Add.1	Statement by Mr. A. K. Odame, representative of the Togoland Congress, Buem-Krachi Branch, at the 452nd meeting of the Fourth Committee, on 2 December 1954		Ditto
A/C.4/294	Statement by Mr. Sylvanus Olympio, representative of the All-Ewe Conference, at the 452nd meeting of the Fourth Committee, on 2 December 1954		Ditto
A/C.4/295	Statement by Mr. S. Aquereburu, representative of the Mouvement populaire togolais, at the 453rd meeting of the Fourth Committee, on 2 December 1954		Ditto
A/C.4/296	Statement by Mr. Anani Ignacio Santos, representative of the Mouvement de la jeunesse togolaise, at the 453rd meeting of the Fourth Committee, on 2 December 1954		Ditto
A/C.4/297	Statement by Mr. Frédéric Brenner, representative of the Parti togolais du progrès, at the 453rd meeting of the Fourth Committee, on 2 December 1954		Ditto
A/C.4/298	Statement by Mr. Mama Foussemi, representative of the Union des chefs et des populations du Nord, at the 453rd meeting of the Fourth Committee, on 2 December 1954		Ditto
A/C.4/299	Bill concerning the territorial and regional institutions of Togoland under French administration, approved by the National Assembly on 3 November 1954		Ditto
A/C.4/L.310/Rev.1	Brazil, India, Indonesia, Liberia, Philippines and Syria: revised draft resolution		See <i>Official Records of the General Assembly, Eighth Session, Annexes</i> , agenda item 31, document A/2605, para.19
A/C.4/L.332/Rev.1	Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council—Egypt, Haiti and Syria: revised draft resolution		<i>Ibid.</i> , <i>Ninth Session, Annexes</i> , agenda item 13, document A/C.4/L.322/Rev.2 and footnote

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A/C.4/L.370/Rev.2	India : second revised text of draft resolution	11	
A/C.4/L.371 and Corr.1	Liberia : draft resolution		Mimeographed document only. Withdrawn by its sponsor before being discussed
A/C.4/L.375	Philippines : amendments to draft resolution A/C.4/L.332/Rev.1		See <i>Official Records of the General Assembly, Ninth Session, Annexes</i> , agenda item 13, document A/2840, para.11
A/C.4/L.383	Mexico : amendment to draft resolution A/C.4/L.370		See A/2873, para.17
A/C.4/L.384	Philippines : amendments to draft resolution A/C.4/L.370		See A/2873, para.18
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A/C.4/L.385	Poland : amendments to revised draft resolution A/C.4/L.370/Rev.1		See A/2873, para.23
A/C.4/L.387	Chile : amendments to revised draft resolution A/C.4/L.370/Rev.1		See A/2873, para.25
A/C.4/L.388	Draft report of the Fourth Committee		For this text, as amended by the Fourth Committee at its 468th meeting, see A/2873
A/C.5/621	Financial implications of the draft resolution adopted by the Fourth Committee (A/C.4/L.388) : estimate submitted by the Secretary-General	12	
A/RESOLUTION/277	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	17	
T/58	Ewe petitions : observations submitted by the Governments of France and the United Kingdom		See <i>Official Records of the Trusteeship Council, Second Session, First Part, Supplement</i>
T/463	Special report on the Ewe problem		<i>Ibid.</i> , <i>Seventh Session, Supplement No. 2</i> , p. 72-86
T/798	Reports of the United Nations Visiting Mission to Trust Territories in West Africa		<i>Ibid.</i> , <i>Seventh Session, Supplement No. 2</i>
T/931 and Corr.1	Joint Anglo-French memorandum to the Trusteeship Council regarding the Ewe and allied petitions		<i>Ibid.</i> , <i>Ninth Session, Annexes</i> , agenda item 12
T/1034	Special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem		<i>Ibid.</i> , <i>Eleventh Session, (Second Part), Supplement No. 2</i> , p. 1-55
T/1040	Report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on Togoland under British administration		<i>Ibid.</i> , <i>Thirteenth Session, Supplement No. 2</i> , p. 1-39
T/1096	Report by the French Government on the consultations conducted in Togoland under French administration with a view to the reconstitution of the Joint Council for Togoland Affairs		<i>Ibid.</i> , <i>Fourteenth Session, Annexes</i> , agenda item 10
T/1097 and Add.1	Statement by the representative of the Convention People's Party to the Trusteeship Council at its 505th meeting, on 1 March 1954		Mimeographed document only
T/1105	Special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem, together with related documents		<i>Official Records of the Trusteeship Council, Eleventh Session (Second Part), Supplement No. 2</i>
T/1130	Note by the Secretary-General transmitting a memorandum by the United Kingdom delegation on the future of Togoland under British administration (A/2660)		Mimeographed document only
T/C.1/L.36	Administrative union affecting Togoland under British administration : memorandum from the United Kingdom delegation		Ditto
T/PET.../...			Unless otherwise indicated, documents in this series are mimeographed only
T/PET.6/1-T/PET.7/1	Petition from the All-Ewe Conference comprising members from French Togoland and British Togoland		See <i>Official Records of the Trusteeship Council, First Session, Supplement</i>
T/PET.6/5-T/PET.7/6	Petition, dated 9 August 1947, from the All-Ewe Conference, concerning Togoland under British administration and Togoland under French administration		<i>Ibid.</i> , <i>Second Session, First Part, Supplement</i>
T/PV.505	Trusteeship Council, thirteenth session, verbatim record of the 505th meeting		Mimeographed document only



Agenda item 36: Financial reports and accounts, and reports of the Board of Auditors:

- (a) United Nations, for the financial year ended 31 December 1953;
- (b) United Nations Children's Fund, for the financial year ended 31 December 1953;
- (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financial year ended 30 June 1954;
- (d) United Nations Korean Reconstruction Agency, for the financial year ended 30 June 1954;
- (e) United Nations Refugee Emergency Fund, for the period 1 March 1952 to 31 December 1953

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DOCUMENT A/2724

Third report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[17 September 1954]

1. In accordance with its terms of reference, the Advisory Committee on Administrative and Budgetary Questions has considered the report of the Board of Auditors on the accounts of the United Nations for the year ended 31 December 1953.¹

2. The Advisory Committee has given special attention to two matters considered by the Board of Auditors in paragraphs 10 and 11.² The first matter, which is referred to in paragraph 10, concerns a case in which the granting of leave beyond the amount prescribed in Staff Rule 105.1 had the effect of extending a staff member's period of service with the United Nations to slightly more than five years, with a consequent material increase in the withdrawal benefit payable out of the Pension Fund. On that ground the Board of Auditors raised the question "as to the extent that a participating organization may burden the Fund by extending special treatment to staff members on termination".

3. The Advisory Committee was assured by the Secretary-General that, while this matter would be the subject of further study in conjunction with the Joint Staff Pension Board, it seemed likely that, under the employment practices and review procedures now in force, similar cases would in future be of very rare occurrence. In the opinion of the Committee, a staff member should not be granted additional leave for the sole purpose of increasing his entitlement under the Pension Fund. Any deviation from this principle seems undesirable, both on financial grounds and from the standpoint of an equitable personnel policy.

4. The second matter was referred to by the Board of Auditors in the second part of paragraph 10 and in paragraph 11. The case there cited, which appeared to be the only one so far recorded in the United Nations, involved a definition of the term "pensionable remuneration" as used in article I, paragraph 3, of the regulations of the United Nations Joint Staff Pension Fund. It raised the question whether an assumed or notional figure of remuneration exceeding the actual net base salary of a participant might properly be construed as pensionable remuneration within the meaning of the regulation.

5. The facts were stated in paragraph 10, where the Board of Auditors observed that the case presented a

¹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 6*, document A/2649.

² The references are to paragraphs in the report of the Board of Auditors.

question of policy. By its further comments in paragraph 11 the Board clearly indicated that a question of law—how to interpret the definition appearing in article I—was also involved.

6. On the question of policy, the Advisory Committee recalls that the principle of equality of treatment among staff members is laid down in one of the earliest resolutions of the General Assembly (resolution 13 (I) of 13 February 1946 on the organization of the Secretariat). Therefore, even on the Secretary-General's interpretation of article I, there remains the question whether it is equitable to single out for preferential treatment a particular staff member and, if so, on what grounds similar treatment may be denied to other members of the staff who have accepted a renewal of appointment at lower salary levels. The interest in maintaining, for pension purposes, the average of the annual pensionable remuneration is common to all such cases.

7. As regards the interpretation of article I, the Board of Auditors offered in paragraph 11 a cogent argument in favour of a restrictive definition. Note may also be taken of the practice of including in the Administrative Manual of the United Nations a table of pensionable remuneration showing by each post level—and by each step within the various levels—the amounts on which the statutory contribution of 21 per cent is to be calculated. The Advisory Committee considers that this practice fully accords with the intent of the General Assembly: the pensionable remuneration should be determined solely by reference to the actual salary received by the participant, and it is on this basis that the actuarial valuation is periodically undertaken. In the view of the Advisory Committee, the action taken in this particular case was not warranted, and should be corrected. Specifically, the Advisory Committee considered that the payments made in excess of those appropriate to the actual salary received should be treated as overpayments.

8. In a separate report³ on the contractual travel arrangements of the United Nations, the Advisory Committee has offered comment on the use of "soft" currencies in connexion with travel expenditures, a matter to which the Board of Auditors referred in paragraph 12 of its report. The Committee has been assured that it is the current practice, wherever feasible, to make all such payments and reimbursements in "soft" currencies, and

³ See *Official Records of the General Assembly, Ninth Session, Supplement No. 7*, document A/2688, paras. 36 to 42.

that, to this end, every effort is made to ensure that the travel of representatives (where reimbursable) or of expert members of commissions and committees shall be arranged through the United Nations travel agency or, where this is not practicable, shall be reimbursed in the currency of purchase.

9. In paragraph 8 of its report, the Board of Auditors drew attention to the differing accounting practices at present applied to the various commercial operations of the United Nations (the Bookshop, the Visitors' (Guided Tours) Service, the Gift Centre, etc.) and suggests that "sufficient experience has now been gained to permit rationalization of financial treatment". This matter, on which the Advisory Committee has already commented in some detail,⁴ will be further reviewed during 1955 on submission of a special study now being made by the Secretariat. Some of these activities already yield an appreciable revenue to the United Nations. But whatever may be the position in this respect or the arrangements for the conduct of such operations, since they are undertaken in the United Nations building, public opinion will inevitably regard them as an integral part of the activities of the United Nations and will ascribe responsibility accordingly. The Advisory Committee therefore considered not only that there should be a reasonable measure of consistency in their management, but also, and even more important, that their financial operations should be brought annually under the scrutiny of the General Assembly.

10. The financial report submitted by the Secretary-General in document A/2649 contained in paragraph 19 a list of *ex gratia* payments authorized during 1953 under financial regulation 10.3, which granted to the Secretary-General discretion in respect of such payments. The largest single group of payments (\$13,926) rests on clear authority, and such items as may, in the Committee's opinion, be open to question are individually and collectively of small amount. In the case relating to a staff member of the International Court of Justice, the Committee found that the payment might have been obviated

by timely action on the Court's formal request for an extension of the official's term of appointment. In other cases, items were shown to be attributable to administrative error, and a part of the resultant over-payments has been recovered from the officers concerned. As regards certain of the *ex gratia* items charged to the Expanded Programme of Technical Assistance, the Advisory Committee suggests that possibly a system of compulsory insurance might be considered in cases where such provision is not precluded by reason of the expert's age or the climatic conditions in the area of his service. Attention is also drawn to the reference in the report of the Board of Auditors on the 1953 accounts of the Expanded Programme (A/2469, p. 43, para. 8) to the risk that, since *ex gratia* payments are not subject to review by the Technical Assistance Board, participating organizations may fail to adopt a consistent approach in the review of claims.

11. The Secretary-General submits annually to the Advisory Committee a list of any payment exceeding \$500 (in the aggregate) made to an expert or consultant during the previous financial year. While the Committee has queried certain of the items in the 1953 list, both in respect of the purpose and the scale of payment, only one such item is here noted: a payment of over \$5,000 to a consultant on problems of disarmament. The Committee noted in this connexion that, since the beginning of 1954, funds for the engagement of consultants have been administered centrally by the Bureau of Finance, and that they will be consolidated in a single appropriation section of the 1955 budget. Both these measures will undoubtedly make for a more stringent control.

SCOPE OF THE 1954 AUDIT

12. In accordance with the provisions of financial regulation 12.2, the Board of Auditors has consulted the Advisory Committee on the scope of the 1954 audit. The Committee has suggested certain areas in the accounts as possible subjects of special attention.

DOCUMENT A/2751

Report of the Fifth Committee

[Original text: English]
[14 October 1954]

1. At its 431st meeting, held on 30 September 1954, the Fifth Committee considered the financial report and accounts of the United Nations for the financial year ended 31 December 1953 and the report of the Board of Auditors thereon. The Fifth Committee also had before it the observations of the Advisory Committee on Administrative and Budgetary Questions on this item (A/2724).

2. In the discussion, particular attention was drawn by a number of delegations to the Advisory Committee's comments on two observations of the Board of Auditors on certain administrative actions affecting the Pension Fund:

(a) The granting of leave to a staff member which extended his service to more than five years, thus increasing his pension withdrawal benefits;

(b) The provision in the contract of one staff member of a "pensionable remuneration" at a higher amount than his actual net salary.

3. On the first question, the representative of the Secretary-General was asked for an assurance that the principle enunciated by the Advisory Committee would be rigidly observed. He explained that this type of problem had been discussed with the Pension Fund's secretariat and was to be brought up at the forthcoming meeting of the Joint Staff Pension Board. He assured the Committee that few such cases would occur in the future.

4. On the second question, relating to the determination of "pensionable remuneration", the concern expressed in the Committee was two-fold: (i) that the action taken in the particular case under report should not be considered as a precedent; and (ii) that, as suggested by the Advisory Committee, remedial action should be taken in

⁴ *Ibid.*, paras. 250 to 254.

the particular case. Several representatives felt that any deviation from a strict interpretation of "pensionable remuneration" constituted a serious departure from the principle of equality of treatment of staff members.

5. The representative of the Secretary-General informed the Committee that, from a legal point of view, it was possible for the Secretary-General to interpret the Pension Fund regulations as permitting him to fix the "pensionable remuneration" of a staff member in an amount higher than his net salary, but within the limits of his gross salary. However, the Secretary-General agreed with the Advisory Committee on the considerations of administrative policy in such cases, and he therefore assured the Committee that the present case would in no way constitute a precedent to be followed. The Secretary-General had further noted the Advisory Committee's suggestion that remedial action should be taken in the particular case involved and would investigate the possibility of taking such action. He pointed out, however, that the matter was complicated and might require some time.

6. Certain delegations also expressed interest in the rationalization of the accounting procedures applied to various commercial operations of the United Nations, which had been the subject of comment by the Board of Auditors and the Advisory Committee. These delegations hoped that the study which was now being made by the Secretariat would cover, in addition to the question of operating efficiency, the specific problem of defining overhead expenditures.

7. After a discussion of the relative merits of the expressions "take note" and "concur" in relation to recommendations or reports being considered by the Committee, the Fifth Committee decided, by 45 votes to none, with 6 abstentions, to recommend to the General Assembly the adoption of the following draft resolution :

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See document A/RESOLUTION/206 below.]

DOCUMENT A/RESOLUTION/206

[Resolution 362 (IX)]

Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954

UNITED NATIONS: FINANCIAL REPORT AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED
31 DECEMBER 1953, AND REPORT OF THE BOARD OF AUDITORS

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations for the financial year ended 31 December 1953, and the certificate of the Board of Auditors ;⁵
2. *Concurs* in the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its third report to the ninth session of the General Assembly (A/2724).

DOCUMENT A/2725

Fourth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[17 September 1954]

1. In accordance with its terms of reference, the Advisory Committee on Administrative and Budgetary Questions has considered the report of the Board of Auditors on the accounts of the United Nations Children's Fund (UNICEF) for the year ended 31 December 1953.⁶

2. The financial position of the United Nations Children's Fund on 31 December 1953 is shown in the following table :

	Dollars (US)
Principal of the Fund on 1 January 1953	23,944,400
Income from all sources during 1953	16,219,141
	40,163,541
Expenditure during 1953	12,506,630
	27,656,911

The increase in the level of the Fund during 1953 amounted to \$3,712,511.

3. Under the provisions of paragraph 2 of General Assembly resolution 594 (VI) of 4 February 1952, the Advisory Committee was requested, as part of its review of the accounts of the special operational programmes financed from extra-budgetary funds, to pay special attention to the administrative practices and expenses of these programmes. In addition, where the UNICEF accounts for 1953 are concerned, the Fifth Committee at its last session requested the Advisory Committee to review the new definition of operational expenses which was adopted during 1953 by the Executive Board of UNICEF.⁷

4. This definition involves a revised distribution of items as between "administrative costs" and "operational services". The latter heading, which previously comprised only the personnel and related costs of the milk conservation programme, now includes, as additional items, the cost of personnel and other services required for procurement and shipping.

⁵ *Ibid.*, Supplement No. 6, document A/2649.

⁶ *Ibid.*, Supplement No. 6A, document A/2650.

⁷ *Ibid.*, Eighth Session, Annexes, agenda item 37 (b), document A/2493, para. 3.

5. In the financial report submitted by the Executive Director of UNICEF in document A/2650 (see para. 15), the new definition of operational services is justified on the grounds that: (a) UNICEF's representatives in the area and country offices, being mainly engaged in advising and assisting Governments in the preparation and execution of projects, are rendering a direct service; and (b) the procurement and shipping costs represent a clear addition to the value of goods shipped, which UNICEF enters in its books at the manufacturer's or the wholesale price. In so far as point (a) is concerned, the Advisory Committee understands that the representatives in question perform the functions of advisers in the field whose assistance is indispensable for the successful execution of projects. On that understanding, and provided that the personnel costs are limited to those of the representatives and their direct supporting staff, the Committee considers the revised distribution of such costs to be legitimate. It concurs also in the justification offered under point (b).

6. It was represented to the Fifth Committee during the 1953 session that, as a result of the adoption of the new definition, the proportion of administrative costs to total expenditure in 1953 would amount to 8.6 per cent. This figure was, however, based on an estimated expenditure for country and general assistance of \$13,100,000, whereas the actual expenditure for such assistance amounted to only \$10,300,000, thus increasing the ratio to 10 per cent.

7. The Advisory Committee was informed that for 1954 the ratio of administrative to total expenditure was expected to continue at approximately the same level (10 per cent). The trend of administrative costs (as

adjusted to the new formula) from the inception of the Fund to the end of 1953 is illustrated in the following table:

	<i>Ratio of administrative costs to total expenditure (percentage)</i>
1947-1948	3.3
1949	2.9
1950	3.8
1951	5.4
1952	9.1
1953	10.0
Average for the period 1947-1953	4.6

Although they do not fully justify the increasing percentage of administrative expenses, which ratio the Committee considers somewhat high, two factors in the progressive increase since 1950 must be noted: first, that the average of total annual expenditure stood at over \$38 million during the period 1947 to 1950, as compared with an average of only \$16 million during the three subsequent years; and secondly, that the General Assembly, in altering the Fund's terms of reference at the end of 1950, shifted the emphasis of its work from an emergency programme of mass feeding to a long-range health and welfare programme, which not only covers a large number of beneficiary countries but involves more prolonged planning, particularly at the field level, and a far wider variety of procurement and other procedures.

8. Although the Advisory Committee does not desire to offer comment on any of the points raised in the report of the Board of Auditors, it considers, on the basis of the oral testimony which it has received, that there is scope for UNICEF to develop a closer relationship with the Bureau of Finance in matters of financial administration.

DOCUMENT A/2755

Report of the Fifth Committee

[Original text: English]
[15 October 1954]

1. The Fifth Committee, at its 431st and 432nd meetings held on 30 September 1954, considered the financial report and accounts of the United Nations Children's Fund, together with the observations thereon of the Advisory Committee on Administrative and Budgetary Questions, as given in its fourth report to the ninth session of the General Assembly (A/2725).

2. In its discussion of this item, particular attention was paid by the Fifth Committee to the ratio of administrative costs to total expenditures, on which the Advisory Committee had commented in its report.

3. While paying tribute to the work of UNICEF, several delegations stated that, in their opinion, the ratio of administrative costs to total expenditures was too high, and expressed concern that this ratio had increased appreciably between 1949 and 1953. They recognized that the total of administrative and operational service costs had decreased during that period, but would have hoped that the decrease would have borne a closer relationship to the decrease in the total funds placed at the disposal of UNICEF, the more so since this point had been raised at the eighth session of the General Assembly. They expressed the view that greater efforts should be made in the coming year to effect savings in administration.

4. Other delegations emphasized the factors which influenced the ratio, as stated in paragraph 7 of the

report of the Advisory Committee, and questioned the comment of the Advisory Committee that the ratio was not fully justified by those factors. They pointed out that the UNICEF budget was submitted annually to governmental review by the UNICEF Committee on Administrative Budget, as well as the UNICEF Executive Board, and stated that they were confident that every effort was being made to reduce administrative costs, which had, in fact, decreased from 1949. It was also stated that an increase in contributions to UNICEF would automatically serve to reduce the ratio of administrative costs to total expenditures.

5. In a statement to the Committee, the Executive Director of UNICEF called attention to the fact that the geographical coverage of the Fund's activities had increased from 23 countries and territories at the end of 1949 to 75 at the end of 1953, while the shift in emphasis from emergency relief to long-range aid required additional staff work to assure maximum returns on assistance granted. For some important supply items, such as milk and penicillin, there had been a considerable drop in prices paid by UNICEF, resulting in a decrease in expenditures without in any way reducing the quantity of these supplies and, consequently, the administrative load in implementing programmes. If 1949 prices had applied to shipments of milk and penicillin in 1953, the ratio of administrative expenses in 1953 would have been

6.5 per cent instead of 10 per cent. The actual ratio of administrative costs in the first six months of 1954 was 8.4 per cent, compared with 10 per cent in 1953. He did not expect the administrative-cost ratio to increase in the future; a substantial reduction, however, would depend on an increase in contributions to UNICEF.

6. The Chairman of the Advisory Committee pointed out that the information given by the Executive Director of UNICEF regarding the ratio of administrative costs for the first six months of 1954 had not been available to the Advisory Committee at the time the Committee drew up its report. In connexion with the comment in the report of the Advisory Committee (para. 8) that there was scope for UNICEF to develop a closer relationship with the Bureau of Finance in matters of financial operation, he explained that this reflected a general view that when two finance offices existed side by side—

particularly if one had considerably larger facilities than the other—the possibility for certain tasks to be assumed by the larger one should be constantly examined.

7. The Chairman noted that the discussion had shown the desire of the Committee that the Advisory Committee should keep under continuing study the question of the ratio of administrative and operational costs in the various United Nations activities which come under review by the General Assembly, and the Fifth Committee decided without dissent to recommend to the Assembly the adoption of the following draft resolution:

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See document A/RESOLUTION/207 below.]

DOCUMENT A/RESOLUTION/207

[Resolution 863 (IX)]

Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954

UNITED NATIONS CHILDREN'S FUND: FINANCIAL REPORT AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1953, AND REPORT OF THE BOARD OF AUDITORS

The General Assembly

1. *Accepts* the financial reports and accounts of the United Nations Children's Fund for the financial year ended 31 December 1953 and the certificate of the Board of Auditors;⁸

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its fourth report to the ninth session of the General Assembly (A/2725).

DOCUMENT A/2800

Twentieth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[23 November 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the report of the Board of Auditors on the accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the financial year ended 30 June 1954.⁹

2. The following position is disclosed in the statement of income and expenditure for the financial year under review (A/2760, statement II):

	Dollars (US)
<i>Income</i>	
Cash contributions	22,669,598
Contributions in kind	475,249
TOTAL CONTRIBUTIONS	23,144,847
Miscellaneous income	518,892
	23,663,739
Less exchange adjustments	104,816
TOTAL INCOME	23,558,923
<i>Expenditure</i>	
Relief programme	23,857,147
Rehabilitation programme	5,334,865
TOTAL EXPENDITURE	29,192,012
EXCESS OF EXPENDITURE OVER INCOME	5,633,089

3. The balance on hand at 30 June 1953 amounted to \$45,339,441, which figure was subsequently reduced, by an adjustment (\$157,264) applicable to previous financial years, to \$45,182,177. After deduction of the excess of expenditure over income during the year 1953-1954, there remained an amount of \$39,549,088 available for activities after 30 June 1954. It should be added that the statement of income and expenditure is exclusive of contributions made direct to the refugees by Governments and other donors (see A/2760, statements III and IV). The Agency treats as income only such contributions as come wholly within its control and are suited to its programme.

4. Two principal changes in the presentation of the accounts as compared with the financial year 1952-1953 may be noted: (a) education expenditure, which was previously included as an item of the relief programme, is now entered under the rehabilitation programme; and (b) costs relating to the registration of refugees and the greater part of those relating to supply and transport are charged to the relief programme; these items were previously listed as common services costs. In addition, the costs under the last-named heading, which were previously allocated to the relief and rehabilitation programmes in respective proportions of 60 per cent and 40 per cent, are now distributed equally between the two programmes. Common services costs are limited to general administration and to the procurement function.

⁸ *Ibid.*, Ninth Session, Supplement No. 6A, document A/2650.

⁹ *Ibid.*, Supplement No. 6B, document A/2760.

5. The Advisory Committee considers that these and other changes in expenditure classifications which were introduced during the year under review represent a sound attempt at identifying, to the maximum practicable extent, the various categories of costs with the programmes under which they arise. Administrative expenditure during the same period (\$2,180,381) amounted to 7.47 per cent of total expenditure, a proportion which is, in the Committee's view, satisfactory, particularly if account be taken of the exceptional difficulties under

which the Agency has to operate. To these difficulties the Director had drawn attention in annex G of his report.¹⁰

6. The audit report discloses no other points on which the Advisory Committee desires to submit observations. Attention is, however, called to the comment in paragraphs 4 and 5 of the Committee's corresponding report on the accounts of the United Nations Korean Reconstruction Agency (A/2801) concerning differences in the administrative practices of the various agencies.

DOCUMENT A/2816

Report of the Fifth Committee

[Original text : English]
[30 November 1954]

1. At its 467th meeting on 24 November 1954, the Fifth Committee considered the accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the financial year ended 30 June 1954 which, together with the report of the Board of Auditors, had been submitted to the General Assembly in accordance with the provisions of resolution 302 (IV) adopted on 8 December 1949. The Committee also had before it the comments of the Advisory Committee on Administrative and Budgetary Questions as set forth in its twentieth report to the ninth session of the General Assembly (A/2800).

2. The Fifth Committee noted the changes in the presentation of the accounts as compared with the financial year 1952-1953 to which the Advisory Committee had called attention in paragraph 4 of its report. It noted further the comments of the Advisory Committee that these changes in expenditure classification represented a sound attempt at identifying to the maximum practicable extent the various categories of costs with the programmes under which they arose.

3. The Committee also noted the comment of the Advisory Committee that, given the exceptional difficulties under which the Agency has to operate and to which the Director had drawn attention in annex G to his report, the proportion of administrative expenditure was, in that Committee's view, satisfactory.

4. The representative of Denmark stated that his Government's pledge shown on page 7 of the financial statements (A/2760) as unpaid had been in fact paid as a contribution on 8 July 1954.

5. The Committee decided, by 37 votes to none, with 5 abstentions, to accept the statement of accounts and the certificate of the Board of Auditors and to take note of the observations thereon of the Advisory Committee.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See document A/RESOLUTION/241 below.]

DOCUMENT A/RESOLUTION/241

[Resolution 879 (IX)]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST :
ACCOUNTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 1954, AND REPORT OF THE BOARD
OF AUDITORS

The General Assembly

1. *Accepts* the accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the financial year ended 30 June 1954, and the certificate of the Board of Auditors ;¹¹

2. *Takes note of* the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its twentieth report to the ninth session of the General Assembly (A/2800).

¹⁰ *Ibid.*, Supplement No. 17, document A/2717.

¹¹ *Ibid.*, Supplement No. 6B, document A/2760.

DOCUMENT A/2801

Twenty-first report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[23 November 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the report of the Board of Auditors on the accounts of the United Nations Korean Reconstruction Agency (UNKRA) for the financial year ended 30 June 1954.¹²

2. The statement of income, obligations incurred and net resources for the year under review shows the following position :

	Dollars (US)	
Net resources available at 30 June 1953	14,831,804	
Add: Savings on liquidation of prior years' obligations	71,848	
	14,903,652	
<i>Income</i>		
Government contributions in cash	32,838,090	
Government contributions in kind	358,540	
	33,196,630	
Miscellaneous income	1,311,524	
	34,508,154	
TOTAL RESOURCES		49,411,806
<i>Deduct</i>		
Obligations incurred during 1953-1954 :		
(a) 1953-1954 plan of expenditure		28,695,324
(b) 1952-1953 plan of expenditure	61,470,419	
Less obligations incurred in 1952-1953	51,817,570	
	9,652,849	
Contributions in kind donated to the Unified Command	358,540	
	38,706,713	
NET RESOURCES AT 30 JUNE 1954		10,705,093

3. Special attention should be drawn to paragraph 2 of the financial report (A/2757), in which the Agent General pointed out that the activities of UNKRA were hampered during the year under review by a lack of sufficient contributions. Against total requirements of approximately \$148 million, comprising \$130 million for the 1953-1954 programme and almost \$18 million for the uncompleted portion of the previous year's programme, available resources amounted to less than \$50 million, of which \$14.8 million represented the balance in hand at the beginning of the financial year 1953-1954. This

regrettable situation will doubtless engage the attention of Member States.

4. There are no other points arising directly out of the audit on which the Advisory Committee wishes to offer comment. The Committee has, however, taken note of the differing administrative practices which prevail in this Agency, in the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK), and in the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) in the Near East. These differences are illustrated in the following comparative table, which provides an example relating to home leave :

UNCURK	UNKRA	UNRWA
Home leave every two years.	Home leave every two years except for staff stationed in Korea whose dependants are <i>not</i> in Japan. For staff in the latter category, time in Korea counts double, and home leave is therefore granted annually, subject to one year's service in Korea after appointment or return from previous home leave.	Home leave every two years.
Dependants cannot accompany staff member or go to Japan at United Nations expense.	After three months' service in Korea, a staff member may apply to have his dependants brought to Japan.	Dependants can accompany staff member if appointment is for a period of at least twelve months.

5. The Advisory Committee draws attention to the above matter in view of its bearing on the administrative costs of the agencies concerned. The possibility of a closer co-ordination of practices should, in its opinion, be the subject of further study.

¹² *Ibid.*, Supplement No. 6C, documents A/2757 and Add.1.

DOCUMENT A/2817

Report of the Fifth Committee

[Original text : English]
[30 November 1954]

1. At its 467th meeting on 24 November 1954, the Fifth Committee considered the financial report and accounts of the United Nations Korean Reconstruction Agency for the year ended 30 June 1954, which, together with the report of the Board of Auditors, had been submitted to the General Assembly pursuant to resolution 410 A (V), adopted on 1 December 1950. The Committee also had before it the comments of the Advisory Committee on Administrative and Budgetary Questions as set forth in its twenty-first report to the ninth session of the General Assembly (A/2801).

2. Attention having been called by the Fifth Committee to paragraphs 4 and 5 of the report of the Advisory Committee relating to differing practices in the United Nations Commission for the Unification and Rehabilitation of Korea, the United Nations Korean Reconstruction

Agency and the United Nations Relief and Works Agency for Palestine Refugees in the Near East with respect to home leave, the representative of the Secretary-General gave an assurance that the possibility of a closer co-ordination of practices among the agencies concerned would be the subject of further study.

3. The Committee accepted, by 38 votes to none, with 5 abstentions, the financial report and accounts of the Agency and the certificate of the Board of Auditors, taking note at the same time of the observations thereon of the Advisory Committee.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See document A/RESOLUTION/242 below.]

DOCUMENT A/RESOLUTION/242

[Resolution 380 (IX)]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

UNITED NATIONS KOREAN RECONSTRUCTION AGENCY : FINANCIAL REPORT AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 30 JUNE 1954, AND REPORT OF THE BOARD OF AUDITORS

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations Korean Reconstruction Agency for the financial year ended 30 June 1954, and the certificate of the Board of Auditors ;¹³

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its twenty-first report to the ninth session of the General Assembly (A/2801).

DOCUMENT A/2726

Fifth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[17 September 1954]

1. In accordance with its terms of reference, the Advisory Committee on Administrative and Budgetary Questions has considered the report of the Board of Auditors on the accounts of the United Nations Refugee Emergency Fund for the period 1 March 1952 to 31 December 1953.¹⁴

2. The financial report and accounts of the United Nations Refugee Emergency Fund cover the period from inception of the Fund (1 March 1952) to 31 December 1953.

3. The statement of income and expenditure in respect of that period shows the following position :

<i>Income</i>	<i>Dollars (US)</i>
Contributions in cash from :	
Governments	733,748
Internal Refugee Organization	246,698
Private and non-governmental sources	61,937
	1,042,383
Miscellaneous cash receipts	5,863
	1,048,246
TOTAL INCOME	

<i>Expenditure</i>	<i>Dollars (US)</i>
Administrative expenses (Geneva Office)	23,694
Relief operations	824,214
	847,908
TOTAL EXPENDITURE	
	200,338
EXCESS OF INCOME OVER EXPENDITURE	

4. It is a function of the Advisory Committee on Administrative and Budgetary Questions, under article III.1 of the financial rules for the Refugee Emergency Fund and for other voluntary funds administered by the High Commissioner for Refugees, to review the administrative part of the annual plan of expenditure prepared by the High Commissioner in respect of the Refugee Emergency Fund. Accordingly, the Advisory Committee reviewed during December 1952 a plan of expenditure submitted exceptionally for a period of twenty-two months (1 March 1952 to 31 December 1953). That submission was accompanied by a statement by the High Commissioner to the effect that, as it was too early to estimate probable total receipts, the expenditure plan could at that stage be little more than a statement of anticipated needs, and that, to the extent that contributions fell short of the \$3 million required under the

¹³ *Ibid.*

¹⁴ *Ibid.*, Supplement No. 13A, document A/2648/Add.1.

plan, the High Commissioner would have to meet the urgent priorities first, leaving, if necessary, other needs unsatisfied.

5. As shown in the above statement of income and expenditure, actual revenue fell short by almost \$2 million of the estimate prepared by the High Commissioner. In view of this exceptional situation, which precluded adherence to the expenditure plan as submitted, the Advisory Committee concurs in the observations of the Board of Auditors in paragraph 3 of its report that the action taken by the High Commissioner "seems appropriate in the circumstances".

6. At the same time, however, the Advisory Committee has examined the question whether as regards transfers within the expenditure plan, a rule of more limited scope should in future apply. The existing provisions (article IV.2 of the financial rules) empower the High Com-

missioner to make transfers within the plan of expenditure, subject to the proviso that all such transfers shall be reported to the Secretary-General and to the Advisory Committee on Administrative and Budgetary Questions.

7. Two alternative courses have been considered: the one, that the prior concurrence of the Advisory Committee should be required for any such transfer; the other, that the concurrence of the Secretary-General alone should be sought. The Committee believes that, on balance, the second alternative would for the time being constitute an adequate provision. It is accordingly recommended that article IV.2 of the financial rules of the Fund should be amended to provide that any transfer of funds within the plan of expenditure should require the prior concurrence of the Secretary-General.

8. The audit report discloses no other point on which the Advisory Committee desires to offer comment.

DOCUMENT A/2769

Report of the Fifth Committee

[Original text: English]
[27 October 1954]

1. The Fifth Committee, at its 432nd, 440th and 444th meetings, considered the financial report and accounts of the United Nations Refugee Emergency Fund and the report of the Board of Auditors thereon. For its consideration of this item, the Committee also had before it the observations of the Advisory Committee on Administrative and Budgetary Questions as contained in the Committee's fifth report to the ninth session of the General Assembly (A/2726).

2. In its discussion of the item at its 432nd meeting, the Fifth Committee noted the recommendation of the Advisory Committee that the financial rules of the Refugee Emergency Fund should be amended to provide that any transfer of funds within the annual plans of expenditure for the Fund should require the prior concurrence of the Secretary-General. After having heard statements on this point by the Chairman of the Advisory Committee, the Chairman of the Board of Auditors and the United Nations High Commissioner for Refugees, the Fifth Committee decided to defer final action on the item until the results of consultations to take place between

the High Commissioner, the Advisory Committee, the Chairman of the Board of Auditors and the Secretary-General were known.

3. The Chairman of the Advisory Committee reported to the Fifth Committee at its 440th meeting that, as a result of these consultations, agreement had been reached that, pending the establishment by the Economic and Social Council of an executive committee or equivalent controlling body for the programme of the High Commissioner, the High Commissioner would seek the concurrence of the Secretary-General before making any transfers within the annual plans of expenditure.

4. At its 444th meeting, the Fifth Committee decided, by 37 votes to one, with 5 abstentions, to recommend to the General Assembly the adoption of the following draft resolution:

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See document A/RESOLUTION/208 below.]

DOCUMENT A/RESOLUTION/208

[Resolution 864 (IX)]

Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954

UNITED NATIONS REFUGEE EMERGENCY FUND: FINANCIAL REPORT AND ACCOUNTS FOR THE PERIOD 1 MARCH 1952 TO 31 DECEMBER 1953, AND REPORT OF THE BOARD OF AUDITORS

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations Refugee Emergency Fund for the period 1 March 1952 to 31 December 1953, and the certificate of the Board of Auditors;¹⁵

2. *Takes note* of the recommendation of the Advisory Committee on Administrative and Budgetary Questions as set forth in its fifth report to the ninth session of the General Assembly (A/2726), and of the statement made on behalf of the Advisory Committee at the 440th meeting of the Fifth Committee.

¹⁵ *Ibid.*

ACTION TAKEN BY THE GENERAL ASSEMBLY

- (a) **United Nations, for the financial year ended 31 December 1953**
- (b) **United Nations Children's Fund, for the financial year ended 31 December 1953**
- (c) **United Nations Refugee Emergency Fund, for the period 1 March 1952 to 31 December 1953**

At its 496th plenary meeting, on 29 October 1954, the General Assembly adopted the draft resolutions submitted by the Fifth Committee (A/2751, A/2755 and A/2769, respectively). For the final texts, see documents A/RESOLUTION/206, A/RESOLUTION/207 and A/RESOLUTION/208, respectively, above.

- (c) **United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financial year ended 30 June 1954**
- (d) **United Nations Korean Reconstruction Agency, for the financial year ended 30 June 1954**

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolutions submitted by the Fifth Committee (A/2816 and A/2817, respectively). For the final texts, see documents A/RESOLUTION/241 and A/RESOLUTION/242, respectively, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2648/Add.1	United Nations Refugee Emergency Fund: financial report of the United Nations High Commissioner for Refugees and accounts for the period 1 March 1952 to 31 December 1953, and report of the Board of Auditors		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 13A</i>
A/2649	Financial report and accounts for the year ended 31 December 1953, and report of the Board of Auditors		<i>Ibid., Supplement No. 6</i>
A/2650	United Nations Children's Fund (UNICEF): financial report and accounts for the year ended 31 December 1953, and report of the Board of Auditors		<i>Ibid., Supplement No. 6A</i>
A/2724	Third report of the Advisory Committee on Administrative and Budgetary Questions	2	
A/2725	Fourth report of the Advisory Committee on Administrative and Budgetary Questions	4	
A/2726	Fifth report of the Advisory Committee on Administrative and Budgetary Questions	9	
A/2751	Report of the Fifth Committee	3	
A/2755	Report of the Fifth Committee	5	
A/2757 and Add.1	United Nations Korean Reconstruction Agency: financial report and accounts for the year ended 30 June 1954, and report of the Board of Auditors		<i>Ibid., Supplement No. 6C</i>
A/2760	United Nations Relief and Works Agency for Palestine Refugees in the Near East: accounts for the financial year ended 30 June 1954, and report of the Board of Auditors		<i>Ibid., Supplement No. 6B</i>
A/2769	Report of the Fifth Committee	10	
A/2800	Twentieth report of the Advisory Committee on Administrative and Budgetary Questions	6	
A/2801	Twenty-first report of the Advisory Committee on Administrative and Budgetary Questions	8	
A/2816	Report of the Fifth Committee	7	
A/2817	Report of the Fifth Committee	9	
A/C.3/L.402	Sweden: draft resolution		<i>Ibid., Annexes, agenda item 27</i>
A/C.3/L.403 and Add.1	Australia, Belgium, Costa Rica, Ecuador, France, Netherlands, Turkey and United States of America: draft resolution		<i>Ibid.</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/C.3/L.403/Rev.3	Australia, Belgium, Costa Rica, Ecuador, France, Netherlands, Turkey and United States of America: revised draft resolution		<i>Ibid.</i> , document A/RESOLUTION/203, resolution 832 (IX)
A/C.5/L.272	Draft report of the Fifth Committee		Same text as A/2755
A/C.5/L.273	Draft report of the Fifth Committee		Same text as A/2751
A/C.5/L.291	Draft report of the Fifth Committee		Same text as A/2769
A/C.5/L.306	Draft report of the Fifth Committee		Same text as A/2816
A/C.5/L.307	Draft report of the Fifth Committee		Same text as A/2817
A/RESOLUTION/206	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	4	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 862 (IX)
A/RESOLUTION/207	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	6	<i>Ibid.</i> , resolution 863 (IX)
A/RESOLUTION/208	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	10	<i>Ibid.</i> , resolution 864 (IX)
A/RESOLUTION/241	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	7	<i>Ibid.</i> , resolution 879 (IX)
A/RESOLUTION/242	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	9	<i>Ibid.</i> , resolution 880 (IX)
E/2518	Report of the Executive Board of the United Nations International Children's Emergency Fund (8-16 September 1953)		<i>Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 2</i>

GENERAL ASSEMBLY

Official Records



ANNEXES

NINTH SESSION

NEW YORK, 1954

Agenda item 37: Supplementary estimates for the financial year 1954

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A/2792 and Corr.1	Report of the Secretary-General	1
A/2813	Twenty-fifth report of the Advisory Committee on Administrative and Budgetary Questions	9
Plenary meetings (final phase) :		
A/2839	Report of the Fifth Committee	9
A/RESOLUTION/261	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	10
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DOCUMENT A/2792 and Corr.1

Report of the Secretary-General

[Original text: English]
[17 November 1954]

1. The General Assembly, at its eighth session, approved appropriations for the financial year 1954 in the amount of \$47,827,110 (resolution 786 (VIII) of 9 December 1953). In respect of activities covered by these appropriations, and subject to the proviso of paragraph 2 of the draft appropriation resolution submitted herewith (annex C), net savings of \$1,129,230 are now reported, as against the savings of \$1,106,696 forecast in the statement of anticipated requirements for 1954, submitted by the Secretary-General in document A/C.5/577.¹

2. Unforeseen and extraordinary expenses during 1954 are estimated to total \$181,100, to which must be added the cost of reimbursement of national income taxes for which no provision was made in the 1954 budget. This item is estimated at \$1,650,000, making a total of \$1,831,100. After deducting the saving of \$1,129,230, the net additional requirement for 1954 amounts to \$701,870.

3. No provision is included in the above figures for expenses in connexion with the decisions of the Administrative Tribunal. The Secretary-General proposes that no action be taken on the subject pending consideration

of item 48 on the agenda of the General Assembly and the report to be submitted by the Secretary-General on the proposal put forward by the Argentine delegation during the eighth session concerning the setting up of a special fund to be used for the payment of indemnities.

4. Due to unavoidable delays in the preparation of plans and in the calling for bids for the extension of the restaurant and the cafeteria at Headquarters, it did not prove possible to undertake the actual construction work so as to complete it before the opening of the present General Assembly session. The Secretary-General therefore decided to postpone the construction work until 15 December 1954. The necessary contracts have now been signed, and the appropriation of \$565,000 voted by the General Assembly under section 19a of the 1954 budget has been committed in full. The Secretary-General proposes that the 1954 appropriation should remain available for twelve months following the end of the financial year 1954 to the extent that it is required to discharge obligations arising from all contracts entered into prior to 31 December 1954. This would be consistent with the practice followed for Headquarters construction funds. To this end, the Secretary-General proposes that a second paragraph be added to the draft appropriation resolution attached as annex C.

5. The following statement of supplementary estimates indicates a revised appropriation for 1954 of \$48,528,980; the revised appropriation for 1953 was \$49,869,450 (resolution 785 B (VIII) of 9 December 1953).

¹ The detailed figures for the 1954 appropriations and 1954 anticipated requirements shown in document A/C.5/577 were adjusted to the 1955 budget presentation. Therefore, they cannot be readily compared with the figures in the present report, which are based on the structure of the 1954 budget.

6. In presenting the supplementary estimates for 1954, the Secretary-General submits the following documentation :

Table I: A comparison of the original 1954 appropriations by section with the adjusted amounts after transfer concurred in by the Advisory Committee on Administrative and Budgetary Questions.

Table II: A summary of expenditures to 30 September 1954 and/or anticipated requirements through 31 December 1954, for which no provision was made in the appropriations.

Table III: The anticipated requirements by section for 1954, providing both for activities covered in the original appropriations and activities for which no provision was made.

Annexes A and B: Explanations of additional requirements and surpluses by section, observing the distinction shown in table III.

Annex C: A draft appropriation resolution adjusted by section for total estimated requirements.

Annex D: Report on actions taken during 1954 under the resolutions on unforeseen and extraordinary expenses and the Working Capital Fund for the financial year 1954.

TABLE I
ORIGINAL 1954 APPROPRIATIONS AS ADJUSTED

No.	Budget sections Title	Original 1954 appropriations (resolution 786 (VIII), para. 1)	Transfer authorized (resolution 786 (VIII), para. 3(ii))	Adjusted 1954 appropriations
1.	The General Assembly, Commissions and Committees	541,750	15,000	556,750
2.	The Security Council, Commissions and Committees	-	-	-
3.	The Economic and Social Council, Commissions and Committees	164,180	-	164,180
3a.	Permanent Central Opium Board and Drug Supervisory Body	21,400	-	21,400
3b.	Regional Economic Commissions	72,000	-	72,000
4.	The Trusteeship Council, Commissions and Committees	50,000	-	50,000
5.	Investigations and inquiries	2,061,000	-	2,061,000
5a.	United Nations Field Service	566,300	-	566,300
6.	Executive Office of the Secretary-General	394,000	-	394,000
6a.	Library	479,130	-	479,130
7.	Department of Political and Security Council Affairs	758,500	-	758,500
8.	Military Staff Committee secretariat	136,900	-	136,900
9.	Technical Assistance Administration	386,700	-	386,700
10.	Department of Economic Affairs	2,263,700	-	2,263,700
11.	Department of Social Affairs	1,704,000	-	1,704,000
12.	Department of Trusteeship and Information from Non-Self-Governing Territories	938,400	-	938,400
13.	Department of Public Information	2,713,400	-	2,713,400
14.	Legal Department	460,300	-	460,300
15.	Conference and General Services	9,399,700	-	9,399,700
15a.	United Nations Postal Administration	143,400	-	143,400
16.	Administrative and Financial Services	1,590,000	-	1,590,000
17.	Common staff costs	4,478,000	-	4,478,000
18.	Common services	3,786,800	-	3,786,800
19.	Permanent equipment	176,400	-	176,400
19a.	Improvements to premises	565,000	-	565,000
20.	European Office of the United Nations (excluding direct costs, chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body)	4,627,200	(15,000)	4,612,200
	Chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body	53,800	-	53,800
20a.	Office of the United Nations High Commissioner for Refugees	685,000	-	685,000
21.	Information centres (other than information services, European Office of the United Nations)	877,400	-	877,400
22.	Economic Commission for Asia and the Far East	1,123,900	-	1,123,900
23.	Economic Commission for Latin America	958,700	-	958,700
24.	Hospitality	20,000	-	20,000
25.	Official Records (excluding chapter V, Permanent Central Opium Board and Drug Supervisory Body)	718,300	-	718,300
	Chapter V, Permanent Central Opium Board and Drug Supervisory Body	12,500	-	12,500
26.	Publications	734,970	-	734,970
27.	Social activities	768,500	-	768,500
28.	Economic development	479,400	-	479,400
29.	Public administration	145,000	-	145,000
30.	Transfer of the assets of the League of Nations to the United Nations	649,500	-	649,500
31.	Amortization of the Headquarters construction loan	1,500,000	-	1,500,000
32.	The International Court of Justice	621,980	-	621,980
		47,827,110	-	47,827,110

TABLE II

AUTHORIZED EXPENDITURES AND 1954 REQUIREMENTS FOR WHICH NO PROVISION WAS MADE IN THE 1954 APPROPRIATIONS

Budget section	Title	Anticipated requirements	Total by section	Provisionally financed by
Dollars (US)				
2.	<i>The Security Council, Commissions and Committees</i>			
	(i) Sub-Committee of the Disarmament Commission	58,800		Working Capital Fund
			58,800	
5.	<i>Investigations and inquiries</i>			
	(i) United Nations Truce Supervision Organization in Palestine	23,000		Working Capital Fund
	(ii) United Nations Representative in India and Pakistan	36,800		Working Capital Fund
	(iii) United Nations Commission on the Racial Situation in the Union of South Africa	35,000		Working Capital Fund
			94,800	
20.	<i>European Office of the United Nations</i>			
	(i) Maintenance of premises	25,000		Working Capital Fund
			25,000	
32.	<i>International Court of Justice</i>			
	(i) Designation of <i>ad hoc</i> judges	2,500		Working Capital Fund
			2,500	
	TOTAL		181,100	

TABLE III

ANTICIPATED REQUIREMENTS FOR 1954

No.	Budget section Title	Adjusted 1954 appropriations	Adjustments required in respect of activities for which provision was made in the appropriations		Requirements in respect of activities not covered by the appropriations (per table II)	Revised 1954 appropriations
			Surpluses	Deficiencies		
Dollars (US)						
1.	The General Assembly, Commissions and Committees ..	556,750	-	-	-	556,750
2.	The Security Council, Commissions and Committees ...	-	-	-	58,800	58,800
3.	The Economic and Social Council, Commissions and Committees	164,180	35,000	-	-	129,180
3a.	Permanent Central Opium Board and Drug Supervisory Body	21,400	-	-	-	21,400
3b.	Regional Economic Commissions	72,000	20,000	-	-	52,000
4.	The Trusteeship Council, Commissions and Committees	50,000	-	2,000	-	52,000
5.	Investigations and inquiries	2,061,000	188,150	-	94,800	1,967,650
5a.	United Nations Field Service	566,300	-	39,700	-	606,000
6.	Executive Office of the Secretary-General	394,000	25,000	-	-	369,000
6a.	Library	479,130	8,000	-	-	471,130
7.	Department of Political and Security Council Affairs ..	758,500	65,000	-	-	693,500
8.	Military Staff Committee secretariat	136,900	20,000	-	-	116,900
9.	Technical Assistance Administration	386,700	-	-	-	386,700
10.	Department of Economic Affairs	2,263,700	100,000	-	-	2,163,700
11.	Department of Social Affairs	1,704,000	20,000	-	-	1,684,000
12.	Department of Trusteeship and Information from Non-Self-Governing Territories	938,400	55,000	-	-	883,400
13.	Department of Public Information	2,713,400	139,600	-	-	2,573,800
14.	Legal Department	460,300	14,000	-	-	446,300
15.	Conference and General Services	9,399,700	264,700	-	-	9,135,000
15a.	United Nations Postal Administration	143,400	-	17,000	-	160,400
16.	Administrative and Financial Services	1,590,000	-	-	-	1,590,000
17.	Common staff costs	4,478,000	-	-	1,650,000	6,128,000
18.	Common services	3,786,800	-	-	-	3,786,800
19.	Permanent equipment	176,400	-	-	-	176,400
19a.	Improvements to premises	565,000	-	-	-	565,000

No.	Budget section Title	Adjusted 1954 appropri- ations	Adjustments required in respect of activities for which provision was made in the appropri- ations		Require- ments in respect of activ- ities not covered by the appropri- ations (per table II)	Revised 1954 appropri- ations
			Surpluses	Deficien- cies		
Dollars (US)						
20.	European Office of the United Nations (excluding direct costs chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body	4,612,200	71,000	-	25,000	4,566,200
	Chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body	53,800	-	3,000	-	56,800
20a.	Office of the United Nations High Commissioner for Refugees	685,000	16,000	-	-	669,000
21.	Information centres (other than information services, European Office of the United Nations)	877,400	-	-	-	877,400
22.	Economic Commission for Asia and the Far East	1,123,900	50,000	-	-	1,073,900
23.	Economic Commission for Latin America	958,700	15,000	-	-	943,700
24.	Hospitality	20,000	-	-	-	20,000
25.	Official Records (excluding chapter V, Permanent Central Opium Board and Drug Supervisory Body) ..	718,300	83,500	-	-	634,800
	Chapter V, Permanent Central Opium Board and Drug Supervisory Body	12,500	1,500	-	-	11,000
26.	Publications	734,970	-	65,000	-	799,970
27.	Social activities	768,500	-	-	-	768,500
28.	Economic development	479,400	-	-	-	479,400
29.	Public administration	145,000	-	-	-	145,000
30.	Transfer of the assets of the League of Nations to the United Nations	649,500	-	-	-	649,500
31.	Amortization of the Headquarters construction loan ...	1,500,000	-	-	-	1,500,000
32.	The International Court of Justice	621,980	64,480	-	2,500	560,000
	GRAND TOTAL	47,827,110	1,255,930	126,700	1,831,100	48,528,980

ANNEX A

ADDITIONAL REQUIREMENTS

SECTION 2. THE SECURITY COUNCIL, COMMISSIONS AND COMMITTEES : \$58,800

1. The additional provision requested under this section is required to cover the costs of the meeting in London of the Sub-Committee of the Disarmament Commission, established in pursuance of paragraph 6 of General Assembly resolution 715 (VIII), and for which no funds were appropriated by the General Assembly. The expenditures involved, totalling \$58,800 as itemized below, were incurred by the Secretary-General under the terms of paragraph (a) of resolution 787 (VIII) as relating to the maintenance of peace and security, and have been provisionally financed from the Working Capital Fund.

	Dollars (US)
Travel and subsistence of staff	34,800
(travel and subsistence costs of 42 detailed staff for a period of six weeks)	
Temporary assistance	15,900
Miscellaneous supplies and services	8,100
	58,800

SECTION 4. THE TRUSTEESHIP COUNCIL, COMMISSIONS AND COMMITTEES : \$2,000

2. In the absence of any decision from the Trusteeship Council on the detailed arrangements for the 1954 visiting mission, the General Assembly appropriated a global provision of \$50,000 for the mission, on the basis of the level of expenditures incurred by previous visiting missions. It is now estimated that a total of \$52,000 will be required, necessitating an additional appropriation of \$2,000 for section 4.

SECTION 5a. UNITED NATIONS FIELD SERVICE : \$39,700

3. The budget appropriation of \$556,300 for the United Nations Field Service for 1954 provides funds for an establishment of 103 posts. However, unforeseen developments, mainly in Palestine, made it necessary to increase the Field Service establishment by twelve temporary posts, with a consequent increase in expenditure of \$24,300 for salaries and related allowances and \$4,500 for travel on recruitment. Furthermore, whereas the 1954 budget appropriation provided \$58,000 for travel on home leave, a total of \$67,900 was required, as exigencies of service had hampered the efforts made in 1953 to stagger the taking of home leave equally between odd and even years. No significant savings are expected in any of the other items in the appropriation. Therefore, the supplementary appropriation required for the section is estimated at \$39,700.

SECTION 15a. UNITED NATIONS POSTAL ADMINISTRATION : \$17,000

4. Expenditures for section 15a are estimated at \$160,400. The increase of \$17,000 over the appropriation of \$143,400 is attributable to the following factors :

(a) In the budget estimates for established posts, savings of the order of 4 per cent were anticipated through the normal turnover of staff ; however, current estimates indicate a rate of expenditure in excess of the appropriation by \$3,200, or approximately the amount deducted in the budget estimates for turnover of staff.

(b) For temporary assistance, it is estimated that additional expenses will be incurred in the amount of \$10,300 in excess of the appropriation of \$54,400. The additional expenditures are due primarily to the requirements of providing the necessary staff for the sales counter in the General Assembly building, and the extra work entailed when new stamps are issued.

(c) Approximately \$3,500 in additional expenses will be required in excess of the \$5,000 appropriated for overtime and night differential, principally due to week-end work at the sales counter in the General Assembly building.

5. The supplemental provision required for section 15a is accordingly estimated at \$17,000.

ANNEX B

SECTION 17. COMMON STAFF COSTS : \$1,650,000

6. Owing to an actual rate of separation higher than was originally envisaged in the budget, separation payments are anticipated to reach \$395,000, exceeding the appropriation of \$250,000 by \$145,000. Likewise, payments in respect of travel and removal of staff and dependants will reach \$375,000, exceeding the appropriation by \$38,500. Repatriation grants are expected to exceed the appropriation of \$64,800 by \$20,200.

7. The above deficiencies, totalling \$203,700, will be offset by savings in Joint Staff Pension Fund contributions (\$70,000), travel on home leave (\$118,000) and installation payments (\$17,000). Thus, total expenditure under the various items covered by appropriation would approximate \$4,478,000, the amount appropriated for the section.

8. However, supplementary provision is required in this section to meet obligations for tax reimbursement to staff of United States federal income tax (\$1,500,000) and New York State income tax (\$150,000) on total salaries and allowances for taxable staff members in 1954, estimated at \$9,000,000. The revised appropriation for section 17 will therefore be \$6,128,000.

SECTION 26. PUBLICATIONS : \$65,000

9. The additional requirement is attributable to the printing of further volumes in the *Treaty Series* at a cost of \$40,000, and the printing of agreements and protocols on international road transport, customs formalities and statelessness, at a cost of \$25,000 in excess of the amount of \$5,000 originally provided.

SURPLUSES SURRENDERED

SECTION 3. THE ECONOMIC AND SOCIAL COUNCIL, COMMISSIONS AND COMMITTEES : \$35,000

1. All items for which budgetary provision was made on the appropriation have been met, leaving a surplus of \$35,000, of which \$19,500 were saved on the provision for travel and subsistence of Headquarters staff to attend the Geneva session of the Economic and Social Council.

SECTION 3b. REGIONAL ECONOMIC COMMISSIONS : \$20,000

2. The estimated surplus of \$20,000 to be surrendered under this section is mainly due to savings in the travel and subsistence expenses for the staff attending the session of the Economic Commission for Asia and the Far East in Kandy (\$12,800) and to the postponement to 1955 of the meeting of the Committee of Ministers of Economy of Central American Republics (\$5,000).

SECTION 5. INVESTIGATIONS AND INQUIRIES : \$93,350

3. Expenditures during 1954 for investigations and inquiries fell under two headings: activities for which the General Assembly appropriated funds (resolution 786 (VIII)) on the basis of detailed estimates for known purposes; and activities for which no detailed estimates were before the General Assembly, since their scope and extent only became known during the course of 1954 and which were in consequence financed from the Working Capital Fund under resolution 787 (VIII), relating to unforeseen and extraordinary expenses.

Funds appropriated for section 5 amounted to \$2,061,000, on which net savings amount to \$188,150 as per the following details:

	Appropriations	Requirements	Surplus	Additional requirements
Dollars (US)				
United Nations Military Observers in Greece	49,000	44,300	4,700	-
United Nations Military Observer Group in India and Pakistan	581,200	487,700	93,500	-
Repatriation of Greek children	5,000	6,700	-	1,700
United Nations Truce Supervision Organization in Palestine ..	528,400	621,600	-	93,200
United Nations Commission for the Unification and Rehabilitation of Korea	185,200	193,900	-	8,700
United Nations Tribunal in Libya	111,000	115,500	-	4,500
United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration	172,000	181,800	-	9,800
United Nations Conciliation Commission for Palestine	61,200	51,000	10,200	-
Korean service medals	343,000	153,000	190,000	-
United Nations Tribunal in Eritrea	25,000	14,200	10,800	-
United Nations Commission for Indonesia	-	3,150	-	3,150
	<u>2,061,000</u>	<u>1,872,850</u>	<u>309,200</u>	<u>121,050</u>

The above table reveals that savings are anticipated under the followings chapters:

	Dollars (US)
(a) United Nations Military Observers in Greece	4,700
(b) United Nations Military Observer Group in India and Pakistan	93,500
(Chiefly ascribable to reduction of staff and observers, with consequent savings in salaries and subsistence allowance)	
(c) United Nations Conciliation Commission for Palestine	10,200
(d) Korean service medals	190,000
(Resulting from the inability of the contractor to expand production to the level anticipated in the budget estimates)	
(e) United Nations Tribunal in Eritrea	10,800

Additional costs will arise in connexion with the following activities:

	Dollars (US)
(a) Repatriation of Greek children	1,700
(b) United Nations Truce Supervision Organization in Palestine	93,200

(Due to an increase in the number of staff and military observers, as well as in the number and maintenance cost of motor vehicles)

	Dollars (US)
(c) United Nations Commission for the Unification and Rehabilitation of Korea	8,700
(Ascribable to the expenses involved in transferring the Headquarters of the Commission from Pusan to Seoul)	
(d) United Nations Tribunal in Libya	4,500
(e) United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration	9,800
(Mostly as a result of a number of unforeseen but necessary travel costs resulting mainly from turnover of staff)	
(f) United Nations Commission for Indonesia ..	3,150
(Resulting from delayed submission of travel claims in respect of observers)	

The reasons for additional requirements which have arisen in the course of the year, and which have been provisionally financed from the Working Capital Fund, are as follows:

(a) On 24 November 1953, the Security Council (resolution S/3139/Rev.2), requested the Secretary-General to consider with the Chief of Staff the best ways of strengthening the

Truce Supervision Organization in Palestine. After a review of the situation, the Secretary-General found it necessary to improve the communication facilities and to that effect chartered an aircraft at a cost estimated at \$23,000.

(b) On 23 December 1952, the Security Council (resolution S/2883) requested the United Nations Representative for India and Pakistan to continue to make his services available to the Governments of India and Pakistan in an attempt to reach agreement on a plan of demilitarization of the States of Jammu and Kashmir. The total cost of these activities in 1954 is estimated at \$36,800.

(c) General Assembly resolution 616 (VII) of 5 December 1952 established a commission to study the racial situation in the Union of South Africa. General Assembly resolution 878 (VIII) authorized the Secretary-General to enter into commitments not exceeding a total of \$50,000 to finance the activities of the Commission. The total cost of these activities, including a meeting of the Commission in Geneva, is estimated at \$35,000.

The total of these items is \$94,800.

Since a total of \$188,150 is available as surplus from budgeted activities in section 5, \$93,350 can be surrendered from this section.

The following surpluses derive from savings in direct staff costs, mainly attributable to vacancies at Headquarters :

	Dollars (US)
Section 6. Executive Office of the Secretary-General	25,000
Section 6a. Library	8,000
Section 7. Department of Political and Security Council Affairs	65,000
Section 8. Military Staff Committee secretariat ...	20,000
Section 10. Department of Economic Affairs	100,000
Section 11. Department of Social Affairs	20,000
Section 12. Department of Trusteeship and Information from Non-Self-Governing Territories	55,000
Section 13. Department of Public Information	139,600
Section 14. Legal Department	14,000
Section 15. Conference and General Services	264,700
TOTAL	711,300

SECTION 20. EUROPEAN OFFICE OF THE UNITED NATIONS : \$43,000

4. The surplus in this section is mainly due to savings in direct staff costs in the secretariat of the Economic Commission for Europe (\$39,000), contributions to the Joint Staff Pension Fund (\$23,000), purchase and installation of radio equipment (\$27,900), and travel and removal expenses for staff and dependants (\$10,500).

These savings are partly offset :

(a) By a deficiency of \$3,000 in the temporary assistance account of the secretariat of the Permanent Central Opium Board and Drug Supervisory Body (chapter III) ;

(b) By the expenses incurred in the amount of \$25,000 for repairs to, and maintenance of, the premises of the European Office. With the concurrence of the Advisory Committee, these expenses have been financed from the Working Capital Fund as unforeseen and extraordinary expenses.

(c) By an amount of \$28,100 required for "Established posts" under chapter I. Savings from turnover and vacancies have been less than the 4 per cent anticipated in the budget.

A net sum of \$43,000 is thus available as surplus in section 20.

SECTION 20a. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES : \$16,000

5. The surplus in this section derives from savings in the branch offices of the High Commissioner for Refugees.

SECTION 22. ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST : \$50,000

6. The estimated surplus is mainly due to the favourable exchange rate prevailing for the US dollar, to delayed

recruitment for established posts and to savings in various supplies and services, especially stationery and reproduction supplies.

SECTION 23. ECONOMIC COMMISSION FOR LATIN AMERICA : \$15,000

7. The surplus in this section is due to the favourable exchange rate prevailing for the US dollar.

SECTION 25. OFFICIAL RECORDS : \$85,000

8. The estimated surplus of \$85,000 to be surrendered from the printing appropriation under section 25 is accountable to the reduced requirements for printing of Official Records of the General Assembly and the Councils, especially the Security Council, as fewer meetings have been held so far this year than were provided for in the 1954 budget estimates.

SECTION 32. THE INTERNATIONAL COURT OF JUSTICE : \$61,980

9. Expenses on activities covered by the appropriation of \$621,980 are estimated at \$557,500, leaving a saving of \$64,480. Requirements for *ad hoc* judges in the case of the monetary gold removed from Rome in 1943, financed from the Working Capital Fund, are estimated at \$2,500. The net surplus in the section is therefore estimated at \$61,980.

ANNEX C

Draft appropriation resolution

SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1954

[Text adopted without change by the General Assembly. See document A/RESOLUTION/261 below.]

ANNEX D

ADVANCES FROM THE WORKING CAPITAL FUND FOR UNFORESEEN AND EXTRAORDINARY EXPENSES FOR 1954 AND OTHER PURPOSES

1. Under the terms of General Assembly resolutions 787 (VIII), concerning unforeseen and extraordinary expenses for the financial year 1954, and 788 (VIII), concerning the Working Capital Fund for the financial year 1954, the Secretary-General was authorized to enter into commitments to meet unforeseen and extraordinary expenses and to make advances from the Working Capital Fund for this and other purposes specified in the latter resolution.

2. The advances made available from the Working Capital Fund in accordance with these resolutions and the extent to which use thereof was made, are described below, in four parts as follows :

Part I. Unforeseen and extraordinary expenses ;

Part II. Financing of budgetary appropriations, pending receipt of contributions ;

Part III. Revolving funds and recoverable advances ;

Part IV. Loans to specialized agencies.

Part I. Unforeseen and extraordinary expenses

3. Resolution 787 (VIII) states that for the financial year 1954 :

"The Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations, is authorized to enter into commitments to meet unforeseen and extraordinary expenses ; provided that the concurrence of the Advisory Committee shall not be necessary for :

"(a) Such commitments not exceeding a total of \$US2 million if the Secretary-General certifies that they relate to the maintenance of peace and security or to urgent economic rehabilitation ;

"(b) Such commitments not exceeding a total of \$50,000 as are required for the United Nations Good Offices Commission on the treatment of people of Indian origin in the Union of South Africa ;

"(c) Such commitments not exceeding a total of \$50,000 as may be required for the United Nations Commission on the Racial Situation in the Union of South Africa ;

"(d) Such additional commitments as are required for the Ad Hoc Commission on Prisoners of War ;

"(e) Such commitments not exceeding a total of \$184,000 as are required for the purchase of Korean service medals and ribbons ;

"(f) Such commitments, duly certified by the President of the International Court of Justice, relating to expenses occasioned ;

"(i) By the designation of *ad hoc* judges (Statute, Article 31) ;

"(ii) By the appointment of assessors (Statute, Article 30), or by the calling of witnesses and the appointment of experts (Statute, Article 50) ;

"(iii) By the holding of sessions of the Court away from The Hague (Statute, Article 22),

and not exceeding \$24,000, \$25,000 and \$75,000 respectively, under each of the above three headings.

"The Secretary-General shall report to the Advisory Committee and to the General Assembly at its next regular session all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the General Assembly in respect of such commitments."

4. Details of commitments entered into by the Secretary-General under the various sub-paragraphs of resolution 787 (VIII) are given below. Supplementary estimates and further explanations regarding these items are included in an earlier part of the present document :

(i) *Commitments relating to the maintenance of peace and security or to urgent economic rehabilitation (sub-paragraph (a))*

The Secretary-General authorized the following advances from the Working Capital Fund :

	Dollars (US)
(a) To implement Security Council resolution S/2883, adopted on 23 December 1952, to finance the necessary staff and facilities for the United Nations Representative in India and Pakistan	38,000
(b) To implement Security Council resolution S/3139/Rev.2, part C, adopted on 24 November 1953, to finance the cost of aircraft rental for the use of the United Nations Truce Supervision Organization in Palestine	50,000
(c) To implement General Assembly resolution 715 (VIII) (paras. 6 and 7), adopted on 28 November 1953, to cover the costs of the meeting in Europe of the Sub-Committee of the Disarmament Commission	65,000
TOTAL	153,000

(ii) *Commitments required for the United Nations Commission on the Racial Situation in the Union of South Africa (sub-paragraph (c))*

To implement General Assembly resolution 721 (VIII), adopted on 8 December 1953, the Secretary-General authorized advances of \$30,000 from the Working Capital Fund to provide the necessary staff and facilities for this Commission.

(iii) *Commitments relating to the International Court of Justice (sub-paragraph (f))*

To meet expenses from the designation of *ad hoc* judges in the case of the monetary gold removed from Rome in 1943 and in accordance with the sub-paragraph (f) (i), the Secretary-General has authorized advances of \$3,250 from the Working Capital Fund.

(iv) *Other commitments*

With the concurrence of the Advisory Committee on Administrative and Budgetary Questions, the Secretary-General authorized an advance of \$25,000 from the Working Capital Fund to finance repairs to and maintenance of the premises of the European Office.

5. The following is a summary, as at 30 September 1954, of advances authorized per detailed explanation in paragraph 4 above, and the amounts actually advanced thereagainst from the Working Capital Fund, in accordance with General Assembly resolution 788 (VIII), paragraph 4 (b) :

Purpose	Advances authorized by the Secretary-General as at 30 September 1954	Advances outstanding as at 30 September 1954
	Dollars (US)	
(i) United Nations Representative in India and Pakistan	38,000	27,674
(ii) United Nations Truce Supervision Organization in Palestine	50,000	6,275
(iii) Sub-Committee of the Disarmament Commission	65,000	50,969
(iv) United Nations Commission on the Racial Situation in the Union of South Africa	30,000	9,610
(v) International Court of Justice	3,250	2,417
(vi) Premises of the European Office	25,000	-
TOTAL	211,250	96,945

Part II. Financing of budgetary appropriations pending receipt of contributions

6. Advances for this purpose were made from the Working Capital Fund in accordance with General Assembly resolution 788 (VIII), paragraph 4(a), and show the following outstanding balances for the dates listed below :

	Dollars (US)
1 January 1954	5,598,271
31 January 1954	9,232,696
28 February 1954	10,834,952
31 March 1954	12,697,017
30 April 1954	11,629,102
31 May 1954	13,516,916
30 June 1954	15,237,089
31 July 1954	6,622,077
31 August 1954	3,457,236
30 September 1954	4,942,154

Part III. Revolving funds and recoverable advances

7. Advances from the Working Capital Fund authorized by the Secretary-General, for various operations falling under this group, comply with the provisions of General Assembly resolution 788 (VIII), paragraph 4 and in particular sub-paragraphs (c) and (e), which read as follows :

"(c) Such sums as, together with net sums outstanding for the same purposes, do not exceed \$125,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities. Advances in excess of the total of \$125,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall submit, with the annual accounts, an explanation of the outstanding balance of the revolving fund at the end of each year ; ...

"(e) Such sums not exceeding \$45,000 as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the financial year in which payment is made. This amount may be increased with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall make provision in

the budget estimates of each year, during the life of the related policies, to cover the charges applicable to each such year."

8. Details of advances authorized from the Working Capital Fund by the Secretary-General under the provisions listed in paragraph 7 above as at 30 September 1954, and of the actual balances outstanding thereagainst as of the same date, show the following summary :

Purpose	Advances authorized by the Secretary- General as at 30 September 1954	Advances outstanding as at 30 September 1954
	Dollars (US)	
(i) Financing on a reimbursable basis of travel expenses of "extra" representatives to the General Assembly, the Councils and Commissions	21,000	10,959
(ii) Financing on a reimbursable basis of travel costs of staff loaned to Governments and other agencies or approved bodies	3,500	245
(iii) Financing on a reimbursable basis of purchase and installation of furniture and equipment in the cafeteria and the lounges at the permanent Headquarters	226,000	222,883
(iv) Financing on a reimbursable basis of repair and renovation of the villa "Le Bocage"	42,500	3,891
(v) Financing on a reimbursable basis of certain expenditures in connexion with the Geneva Conference on Asian Problems	45,000	26,846
(vi) Financing of revolving funds to operate miscellaneous self-liquidating purchases and activities	23,000	4,567
(vii) Financing of advance payments of insurance premiums for insurance coverage extending beyond the current year on the permanent Headquarters building	40,000	29,451
TOTAL	401,000	298,842

9. The explanation of the activities and operations listed in paragraph 8 above and of the balances actually outstanding is as follows :

(i) *Financing on a reimbursable basis of travel expenses of "extra" representatives to the General Assembly, the Councils and Commissions (sub-paragraph (c))*

At the request of Governments concerned, the United Nations makes travel arrangements for "extra" representatives of Members to the General Assembly, the Councils and Commissions, and, as a rule, to all United Nations organs for the meetings of which transportation fares are borne by Governments. In such cases Members reimburse the United Nations and the outstanding balance represents amounts due in this respect.

(ii) *Financing on a reimbursable basis of travel costs of staff loaned to Governments and other agencies or approved bodies (sub-paragraph (c))*

The nature of this activity as indicated results in amounts being due to the United Nations from time to time.

(iii) *Financing on a reimbursable basis of purchase and installation of furniture and equipment in the cafeteria and the lounges at the permanent Headquarters (sub-paragraph (c))*

Since these activities are revenue-producing activities, they are considered to be self-liquidating, eventually to be paid for out of revenue derived from the restaurant and related operations. The authorized amount of \$300,000 for the financial year 1952, reduced to \$226,000 in 1953—its presently recorded level—will be further reduced at the end of 1954.

(iv) *Financing on a reimbursable basis of repair and renovation of the villa "Le Bocage" (sub-paragraph (c))*

The villa, repaired and improved, is the subject of a ten-year lease agreement with GATT, at an annual rental of 20,000 Swiss francs. The revenue to be thus received will be applied to the extent of the amount drawn, as a repayment to the Working Capital Fund.

(v) *Financing on a reimbursable basis of certain expenditures in connexion with the Geneva Conference on Asian Problems (sub-paragraph (c))*

Expenditures for this Conference in excess of the amounts deposited by the chargeable Governments and pending finalization of the accounts have been financed on a reimbursable basis. The balance represents the amounts due in this respect.

(vi) *Financing of revolving funds to operate miscellaneous self-liquidating purchases and activities (sub-paragraph (c))*

The authorized advance is used to finance various miscellaneous revolving funds as approved from time to time.

(vii) *Financing of advance payments of insurance premiums for insurance coverage extending beyond the current year on the permanent Headquarters building (sub-paragraph (e))*

In accordance with normal practice of insurance companies, an advance premium payment for five-year coverage in respect of fire insurance was made in October 1953 for the period 1 January 1953-31 December 1957. The procedure is to charge to each year's budget the premium amount applicable for that year, thus reducing the amount of outstanding balance to the premium due for the unexpired period of the policy.

Part IV. Loans to specialized agencies

10. General Assembly resolution 788 (VIII), paragraph 4 (d), authorized the Secretary-General to advance from the Working Capital Fund,

"Loans to specialized agencies and preparatory commissions of agencies to be established by inter-governmental agreement under the auspices of the United Nations to finance their work, pending receipt by the agencies concerned of sufficient contributions under their own budgets. In making such loans, which shall normally be repayable within two years, the Secretary-General shall have regard to the proposed financial resources of the agency concerned, and shall obtain the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for any cash issues which would increase the aggregate balance outstanding (including amounts previously advanced and outstanding) at any one time to an amount in excess of \$3,000,000 and for any issue which would increase the balance outstanding (including amounts previously advanced and outstanding) in respect of any one agency to an amount in excess of \$1,000,000, provided that, notwithstanding the above provisions, the Interim Commission of the International Trade Organization shall be authorized to postpone until 31 December 1954 repayment of the outstanding balance of the loans made to the Interim Commission."

11. As at 30 September 1954, the only loan authorized under the above sub-paragraph (d) consisted of \$15,000 on behalf of the Preparatory Commission of the Inter-Governmental Maritime Consultative Organization, the balance outstanding as of the same date amounting to \$5,185 in respect of charges for services provided by the United Nations Secretariat. It will be noted that there is no outstanding advance to the Interim Commission of the International Trade Organization, which repaid its loan prior to 31 December 1953.

12. The following summarizes the outstanding balances of advances made from the Working Capital Fund as at 30 September 1954 under each of the four parts referred to above, viz :

	Dollars (US)
Part I. Unforeseen and extraordinary expenses	96,945
Part II. Financing of budgetary appropriations pending receipt of contributions	4,942,154
Part III. Revolving funds and recoverable advances	298,842
Part IV. Loans to specialized agencies	5,185
TOTAL	5,343,126

DOCUMENT A/2813

Twenty-fifth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[29 November 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/2792 and Corr.1) submitting the supplementary estimates for 1954.

2. The following table contains an analysis of the additional requirements for 1954, which the Secretary-General estimates at \$701,870:

	Dollars (US)
Amount appropriated for 1954 by the General Assembly [resolution 786 (VIII) of 9 December 1953]	47,827,110
<i>Additional requirements for 1954</i>	
A. (i) Estimated additional requirements in respect of activities covered by the 1954 appropriations	126,700
(ii) Estimated surpluses on the 1954 appropriations	(1,255,930)
Estimated net surplus to be surrendered	1,129,230
	46,697,880
B. Estimated additional requirements in respect of unforeseen and extraordinary expenses and other items not covered by the 1954 appropriations	1,831,100
Revised 1954 appropriation	48,528,980

3. In reporting during November 1953 on the organization of the Secretariat,² the Secretary-General expressed the hope that it would be possible during 1954 to achieve a reduction of one million dollars in the over-all budget of the United Nations. The actual net saving on activities covered by the appropriation resolution amounts to \$1,129,230. In the opinion of the Advisory Committee, the Secretary-General is to be commended for this satisfactory result.

4. The estimate of additional requirements under part B of the table in paragraph 2 above includes a sum of \$1,650,000 in respect of the reimbursement of national income taxation. The reduction of \$150,000 by comparison with the corresponding 1953 provision (\$1,800,000) is due to a decrease both in the taxable total of salaries and wages and in the rate of taxation imposed. The Advisory Committee has submitted a separate report (A/2799) on this general subject of tax reimbursement. While concurring in the provision proposed by the Secretary-General for the year 1954, the Committee

recommends that he should continue during 1955 his negotiations with Member States which have not acceded to the Convention on the Privileges and Immunities of the United Nations, or which do not in some other manner afford exemption from national income taxation, and that a report on such negotiations should be submitted to the General Assembly at its tenth session.

5. Supplementary requirements under part A (i) of the above table include a sum of \$65,000 in respect of section 26 (Publications), of which the greater part is attributable to the printing of additional volumes in the *Treaty Series*, thirty-nine volumes having been sent to the printers during 1954. In view of the provisions of General Assembly resolution 482 (V) of 12 December 1950, which require that all treaties and agreements should be published in their full and unabridged form, together with all annexes to such instruments, the Secretary-General is deprived of the effective control over this item of expenditure which the General Assembly calls upon him to exercise in respect of most other publications. The Advisory Committee accordingly recommends that on the second reading of the 1955 estimates in the Fifth Committee the provision for the printing of the *Treaty Series* during that year should be segregated and entered in a separate appropriation section, and that a similar procedure should be followed in subsequent years.

6. The surpluses surrendered include an amount of \$35,000 on section 3 (The Economic and Social Council, Commissions and Committees). The Advisory Committee notes with satisfaction that \$19,500 of this amount represents savings on the travel and subsistence of staff attending the 1954 Geneva session of the Council.

7. Subject to the observations in the foregoing paragraphs, the Advisory Committee recommends that the amount of \$47,827,110 appropriated for the financial year 1954 under General Assembly resolution 786 (VIII) of 9 December 1953 should be increased by \$701,870 to \$48,528,980.

8. The Committee also concurs in the Secretary-General's proposal that, notwithstanding the provisions of financial regulation 4.3, the appropriation of \$565,000 under section 19a (Improvements to premises) should remain available for twelve months from 31 December 1954, to the extent that the appropriation is required to discharge obligations under any contract entered into prior to that date.

DOCUMENT A/2839

Report of the Fifth Committee

[Original text: English]
[7 December 1954]

1. In accordance with the allocation of agenda items as decided by the General Assembly at its 478th meeting on 25 September 1954, the Fifth Committee considered, at its 472nd meeting held on 2 December 1954, the supplementary estimates for the financial year 1954. The Committee had before it the report of the Secretary-

General (A/2792 and Corr.1) and the twenty-fifth report of the Advisory Committee on Administrative and Budgetary Questions (A/2813).

2. According to the Secretary-General's estimates, unforeseen and extraordinary expenses during 1954 amounted to \$181,100. The cost of reimbursement of national income taxes, for which no provision had been made in the 1954 budget, amounted to \$1,650,000. Since savings of \$1,129,230 had, however, been achieved on

² See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 48, document A/2554, para. 27.

the original budget provisions for 1954, the net additional requirement for 1954 for which supplementary appropriations were requested by the Secretary-General amounted to \$701,870.

3. The Advisory Committee, in its report, drew attention to the savings which it had been found possible to achieve during 1954, and stated its opinion that the Secretary-General was to be commended for this satisfactory result. The Advisory Committee recommended that the amount of \$47,827,110 appropriated for the financial year 1954 under General Assembly resolution 786 (VIII) should, as proposed by the Secretary-General, be increased by \$701,870 to a total of \$48,528,980.

4. In his report, the Secretary-General explained the situation with regard to the expenditure of the appropriation of \$565,000 under section 19a of the 1954 budget (Improvements to premises), which provided for the cost of extending the cafeteria and the restaurant. He proposed that the 1954 appropriation should remain available for twelve months following the end of the financial year 1954 to the extent required to discharge obligations arising from contracts entered into prior to 31 December 1954. The Advisory Committee had stated its concurrence with this proposal.

5. In the course of the consideration of the item by the Fifth Committee, appreciation was expressed of the fact that the Secretary-General had achieved savings exceeding \$1,100,000 on the original appropriations for 1954. It was noted with satisfaction that the surplus included an amount of \$19,500 representing savings on the travel and subsistence of staff attending the 1954 Geneva session of the Economic and Social Council, a matter to which the Committee had drawn particular attention in previous sessions.

6. In response to questions raised by several representatives, further information on certain items in the estimates was given by the representative of the Secretary-General, who also gave details concerning the procedure followed in meeting unforeseen and extraordinary expenditures which occurred during the financial year.

7. Several delegations, among them the delegation of the Union of Soviet Socialist Republics, referring to the supplementary request of \$1,650,000, representing the estimated total to be reimbursed to staff members in respect of their income tax liability in 1954, reiterated their strong opposition to the appropriation of funds for this purpose. They considered it to be unwarranted that the General Assembly should be requested to appropriate the sum in question to reimburse income taxes paid by staff members, the great majority of whom were United States citizens. They pointed out that, as a consequence of the charge added to the United Nations budget as reimbursement for national income taxes, the benefit of the considerable savings which had been achieved during 1954 would be denied to Members generally. This would not have been the case if all Members had acceded to the Convention on the Privileges and Immunities of the United Nations and had given effect to its provisions.

8. Some delegations also stated their opposition to certain other provisions in the estimates, notably those for section 5a (Field Service) the activities of which they considered were not provided for by the Charter, and to the proposed increases under section 15a (Postal Administration) and section 26 (Publications).

9. The Committee approved, by 39 votes to 5, the draft appropriation resolution on the supplementary estimates for the financial year 1954 proposed by the Secretary-General in annex C of his report, and recommended by the Advisory Committee.

10. The representative of the Union of South Africa explained that the vote by his delegation in favour of the appropriations recommended should not be construed as approval by his delegation of the activities of the United Nations Commission on the Racial Situation in the Union of South Africa.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See document A/RESOLUTION/261 below.]

DOCUMENT A/RESOLUTION/261

[Resolution 881 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954

SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1954

The General Assembly

Resolves that for the financial year 1954 :

1. The amount of \$47,827,110 appropriated by resolution 786 (VIII), adopted on 9 December 1953, is increased by \$701,870 as follows :

	<i>Amount appropriated under resolution 786 (VIII) as adjusted</i>	<i>Supplementary appropriation, increase or decrease</i>	<i>Revised amounts of appropriation</i>
<i>Dollars (US)</i>			
A. UNITED NATIONS			
<i>Part. I. Sessions of the General Assembly, the Councils, Commissions and Committees</i>			
<i>Section</i>			
1. The General Assembly, Commissions and Committees	556,750	-	556,750
2. The Security Council, Commissions and Committees	-	58,800	58,800
3. The Economic and Social Council, Commissions and Committees	164,180	-(35,000)	129,180
3a. Permanent Central Opium Board and Drug Supervisory Body	21,400	-	21,400
3b. Regional Economic Commissions	72,000	-(20,000)	52,000
4. The Trusteeship Council, Commissions and Committees	50,000	2,000	52,000
TOTAL, PART I	864,330	5,800	870,130

	Amount appro- priated under resolution 786 (VIII) as adjusted	Supplementary appropriation, increase or decrease	Revised amounts of appropriation
	Dollars (US)		
<i>Part II. Investigations and inquiries</i>			
<i>Section</i>			
5. Investigations and inquiries	2,061,000	—(93,350)	1,967,650
5a. United Nations Field Service	566,300	39,700	606,000
TOTAL, PART II	<u>2,627,300</u>	<u>—(53,650)</u>	<u>2,573,650</u>
<i>Part III. Headquarters, New York</i>			
6. Executive Office of the Secretary-General	394,000	—(25,000)	369,000
6a. Library	479,130	—(8,000)	471,130
7. Department of Political and Security Council Affairs	758,500	—(65,000)	693,500
8. Military Staff Committee secretariat	136,900	—(20,000)	116,900
9. Technical Assistance Administration	386,700	—	386,700
10. Department of Economic Affairs	2,263,700	—(100,000)	2,163,700
11. Department of Social Affairs	1,704,000	—(20,000)	1,684,000
12. Department for Trusteeship and Information from Non-Self-Governing Territories	938,400	—(55,000)	883,400
13. Department of Public Information	2,713,400	—(139,600)	2,573,800
14. Legal Department	460,300	—(14,000)	446,300
15. Conference and General Services	9,399,700	—(264,700)	9,135,000
15a. United Nations Postal Administration	143,400	17,000	160,400
16. Administrative and Financial Services	1,590,000	—	1,590,000
17. Common staff costs	4,478,000	1,650,000	6,128,000
18. Common services	3,786,800	—	3,786,800
19. Permanent equipment	176,400	—	176,400
19a. Improvements to premises	565,000	—	565,000
TOTAL, PART III	<u>30,374,330</u>	<u>955,700</u>	<u>31,330,030</u>
<i>Part IV. European Office of the United Nations</i>			
<i>Section</i>			
20. European Office of the United Nations (excluding direct costs, chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body)	4,612,200	—(46,000)	4,566,200
Chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body	53,800	3,000	56,800
20a. Office of the United Nations High Commissioner for Refugees	685,000	—(16,000)	669,000
TOTAL, PART IV	<u>5,351,000</u>	<u>—(59,000)</u>	<u>5,292,000</u>
<i>Part V. Information centres</i>			
<i>Section</i>			
21. Information centres (other than information services, European Office of the United Nations)	877,400	—	877,400
TOTAL, PART V	<u>877,400</u>	<u>—</u>	<u>877,400</u>
<i>Part VI. Regional Economic Commissions (other than the Economic Commission for Europe)</i>			
22. Economic Commission for Asia and the Far East	1,123,900	—(50,000)	1,073,900
23. Economic Commission for Latin America	958,700	—(15,000)	943,700
TOTAL, PART VI	<u>2,082,600</u>	<u>—(65,000)</u>	<u>2,017,600</u>
<i>Part VII. Hospitality</i>			
24. Hospitality	20,000	—	20,000
TOTAL, PART VII	<u>20,000</u>	<u>—</u>	<u>20,000</u>
<i>Part VIII. Contractual printing</i>			
<i>Section</i>			
25. Official Records (excluding chapter V, Permanent Central Opium Board and Drug Supervisory Body)	718,300	—(83,500)	634,800
Chapter V, Permanent Central Opium Board and Drug Supervisory Body	12,500	—(1,500)	11,000
26. Publications	734,970	65,000	799,970
TOTAL, PART VIII	<u>1,465,770</u>	<u>—(20,000)</u>	<u>1,445,770</u>

	Amount appro- priated under resolution 786 (VIII) as adjusted	Supplementary appropriation, increase or decrease	Revised amounts of appropriation
Dollars (US)			
<i>Part IX. Technical programmes</i>			
27. Social activities	768,500	-	768,500
28. Economic development	479,400	-	479,400
29. Public administration	145,000	-	145,000
TOTAL, PART IX	1,392,900	-	1,392,900
<i>Part X. Special expenses</i>			
30. Transfer of the assets of the League of Nations to the United Nations	649,500	-	649,500
31. Amortization of the Headquarters construction loan	1,500,000	-	1,500,000
TOTAL, PART X	2,149,500	-	2,149,500
B. THE INTERNATIONAL COURT OF JUSTICE			
<i>Part XI. The International Court of Justice</i>			
32. The International Court of Justice	621,980	-(61,980)	560,000
TOTAL, PART XI	621,980	-(61,980)	560,000
GRAND TOTAL	47,827,110	701,870	48,528,980

2. Notwithstanding the provision of financial regulation 4.3, the appropriation provided under section 19a in respect of improvement to premises shall remain available for twelve months following the end of the financial year 1954 to the extent that it is required to discharge obligations arising from any contract entered into prior to 31 December 1954.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2839). For the final text, see document A/RESOLUTION/261 above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2624	Report of the Fifth Committee		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 38</i>
A/2792 and Corr.1	Report of the Secretary-General	1	
A/2813	Twenty-fifth report of the Advisory Committee on Administrative and Budgetary Questions	9	
A/2839	Report of the Fifth Committee	9	
A/C.5/584 and Corr.2	Use of income derived from the Staff Assessment Plan: report of the Secretary-General		<i>Ibid., Ninth Session, Annexes, agenda item 38</i>
A/C.5/L.318	Draft report of the Fifth Committee		Same text as A/2839
A/RESOLUTION/261	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	10	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 881 (IX)</i>



Agenda item 38 : Budget estimates for the financial year 1955

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DOCUMENT A/C.5/577

Statement of 1954 budget expenses to 31 August 1954 and of anticipated total requirements for 1954: report of the Secretary-General

[Original text: English]
[29 September 1954]

1. The attached statement showing the accrued expenses for eight months of the current financial year to 31 August 1954,¹ and also the anticipated total requirements for 1954, is submitted pursuant to the requests contained in the reports of the Fifth Committee to the General Assembly at its second and eighth regular sessions (A/495 and A/2622).

2. In order to facilitate a comparison between the anticipated total 1954 requirements and the estimates for 1955, figures for the 1954 appropriation and total 1954 requirements are shown as adjusted to the 1955 budget presentation.

3. Expenses for the first eight months of 1954 as shown in the attached statement total \$31,275,725 against total appropriations of \$47,827,110. Miscellaneous income for the same period is recorded at \$4,152,967 as compared with an estimated amount of \$6,760,000 included in the 1954 budget resolution (786 (VIII)).

4. Anticipated total 1954 requirements shown at \$46,720,414 forecast a saving of \$1,106,696 on the budgeted activities and purposes covered by the appropriations. It should be noted, however, that under the provisions of the resolution relating to unforeseen and extraordinary expenses (787 (VIII)), the following activities have been financed from the Working Capital Fund .

	Anticipated total 1954 requirements Dollars (US)
United Nations Truce Supervision Organization in Palestine (aircraft rental)	28,000
United Nations representative in India and Pakistan	36,800
United Nations Commission on the Racial Situation in the Union of South Africa	29,200
International Court of Justice, <i>ad hoc</i> Judges ..	3,250
European Office of the United Nations (maintenance of premises)	25,000
Sub-Committee of the Disarmament Commission	56,000
	178,250

5. In the supplementary estimates for the financial year 1954, to be submitted in due course, adjustments in the 1954 appropriation resolution will be proposed to take account of the savings and additional expenses noted above, as well as other items for which provision may have to be made, in accordance with the decisions of the Fifth Committee. In the supplementary estimates for 1954, where anticipated total requirements will be shown according to the sectional structure of the 1954 appropriation resolution, deficiencies in a number of accounts will be offset by surplus in other accounts within the same appropriation section. Some of the shortages in section totals, indicated in the present listing, will therefore not appear in the supplementary estimates.

STATEMENT OF 1954 BUDGET EXPENSES TO 31 AUGUST 1954² AND OF ANTICIPATED TOTAL REQUIREMENTS FOR 1954

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
Dollars (US)			
A. UNITED NATIONS			
PART I. SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES			
SECTION 1. THE GENERAL ASSEMBLY, COMMISSIONS AND COMMITTEES			
<i>Chapter I. The General Assembly session</i>			
(i) Travel of representatives	129,911	195,000	195,000
(ii) Travel and subsistence of staff	5,458	12,000	7,000
Total chapter I	135,369	207,000	202,000
<i>Chapter II. Advisory Committee on Administrative and Budgetary Questions</i>			
(i) Travel and subsistence of members ..	20,552	40,000	50,000
Total chapter II	20,552	40,000	50,000
<i>Chapter III. Committee on Contributions</i>			
(i) Travel and subsistence of members	8,296	8,500	10,000
Total chapter III	8,296	8,500	10,000

¹ Figures include only seven months' operations in respect of the regional economic commissions (other than the Economic Commission for Europe) and the Information Centres' locally administered expenses (except for Bogotá, New Delhi and Prague, which include six months' figures only).

² See footnote 1, above.

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
<i>Chapter IV. International Law Commission</i>			
(i) Travel and subsistence of members	45,502	53,000	53,550
(ii) Temporary assistance	—	19,000	15,000
(iii) Travel and subsistence of staff	5,386	5,400	—
(iv) Miscellaneous supplies and services	39	2,000	—
Total chapter IV	50,927	79,400	68,550
<i>Chapter V. Board of Auditors</i>			
(i) External audit costs	18,124	25,000	30,000
Total chapter V	18,124	25,000	30,000
<i>Chapter VI. Administrative Tribunal</i>			
(i) Travel and subsistence of members	2,261	7,500	10,000
(ii) Travel and subsistence of staff	2,449	2,500	—
Total chapter VI	4,710	10,000	10,000
<i>Special United Nations Fund for Economic Development</i>			
(i) Travel and subsistence of members	4,537	6,900	5,600
	4,537	6,900	5,600
<i>Ad Hoc Commission on Prisoners of War</i>			
(i) Travel and subsistence of members	4,263	4,550	5,500
(ii) Travel and subsistence of staff	3,391	5,000	1,100
	7,654	9,550	6,600
Claims related to previous years	2,367	2,400	—
TOTAL SECTION 1	252,536	388,750	382,750
SECTION 2. THE SECURITY COUNCIL, COMMISSIONS AND COMMITTEES	—	—	—
SECTION 3. THE ECONOMIC AND SOCIAL COUNCIL, COMMISSIONS AND COMMITTEES			
<i>Chapter I. The Economic and Social Council</i>			
(i) Travel and subsistence of staff	42,437	42,500	62,000
(ii) Communications services	8	2,500	3,500
(iii) Freight, cartage and express	—	—	1,700
(iv) Consultants	440	450	—
Total chapter I	42,885	45,450	67,200
<i>Chapter II. Commission on Human Rights</i>			
(i) Travel and subsistence of members	8,630	9,000	11,700
(ii) Consultants	80	100	900
Total chapter II	8,710	9,100	12,600
<i>Chapter III. Commission on Narcotic Drugs</i>			
(i) Travel and subsistence of members	11,474	11,900	9,750
(ii) Consultants	300	300	2,600
Total chapter III	11,774	12,200	12,350
<i>Chapter IV. Commission on the Status of Women</i>			
(i) Travel and subsistence of members	11,364	11,700	11,700
Total chapter IV	11,364	11,700	11,700
<i>Chapter V. Population Commission</i>	—	—	—
	—	—	—
<i>Chapter VI. Fiscal Commission</i>	—	—	—
	—	—	—
<i>Chapter VII. Transport and Communications Commission</i>	—	—	—
	—	—	—

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
Chapter VIII. Social Commission	-	-	-
Chapter IX. Statistical Commission			
(i) Travel and subsistence of members	9,108	9,700	13,750
(ii) Travel and subsistence of staff	4,009	4,050	-
Total chapter IX	13,117	13,750	13,750
Chapter X. Sub-Commission on Freedom of Information and of the Press	-	-	-
Chapter XI. Sub-Commission on Prevention of Discrimination and Protection of Minorities			
(i) Travel and subsistence of members	10,031	10,300	17,800
(ii) Consultants	1,258	1,300	950
Total chapter XI	11,289	11,600	18,750
Chapter XII. Additional expenses for Geneva sessions of functional commissions			
(i) Travel and subsistence of staff	-	-	-
Chapter XIII. Interim Co-ordinating Committee for International Commodity Arrangements			
(i) Travel and subsistence of members	-	2,650	2,650
(ii) Travel and subsistence of staff	-	1,380	1,380
Total chapter XIII	-	4,030	4,030
Chapter XIV. World Population Conference			
(i) Temporary assistance	7,588	11,000	13,200
(ii) Travel and subsistence of staff	7,275	8,500	6,300
(iii) Miscellaneous supplies and services	-	300	300
Total chapter XIV	14,863	19,800	19,800
Chapter XV. United Nations Congress on the Prevention of Crime and Treatment of Offenders			
(i) Travel and subsistence of staff	-	-	-
Chapter XVI. Ad Hoc Advisory Committee of Experts on the Prevention of Crime and Treatment of Offenders			
(i) Travel and subsistence of members	-	-	-
(ii) Travel and subsistence of staff	-	-	-
Conference on Customs Formalities			
(i) Travel and subsistence of staff	-	-	4,000
TOTAL SECTION 3	114,002	127,630	164,180
SECTION 3a. PERMANENT CENTRAL OPIUM BOARD AND DRUG SUPERVISORY BODY			
(i) Travel and subsistence of members	19,605	21,400	21,400
TOTAL SECTION 3a	19,605	21,400	21,400
SECTION 3b. REGIONAL ECONOMIC COMMISSIONS			
Chapter I. Economic Commission for Asia and the Far East			
(i) Travel and subsistence of staff	19,116	19,200	32,000
(ii) Communications services	1,306	1,310	1,000
(iii) Freight, cartage and express	2,968	2,970	1,500
(iv) Miscellaneous supplies and services	2,417	2,420	1,000
Total chapter I	25,807	25,900	35,500

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
<i>Chapter II. ECAFE sub-committees</i>			
(i) Travel and subsistence of staff	977	7,000	7,000
(ii) Communications services	21	400	400
(iii) Freight, cartage and express	—	—	—
(iv) Miscellaneous supplies and services	226	400	400
Total chapter II	1,224	7,800	7,800
<i>Chapter III. Economic Commission for Latin America</i>			
(i) Travel and subsistence of staff	710	730	4,900
(ii) Communications services	354	360	50
(iii) Freight, cartage and express	1,617	1,620	150
(iv) Miscellaneous supplies and services	415	420	500
(v) Temporary assistance	3,018	3,020	3,300
(vi) Rental and maintenance of premises	544	550	1,500
Total chapter III	6,658	6,700	10,400
<i>Chapter IV. Committee of Ministers of Economy of the Central American Countries</i>			
(i) Travel and subsistence of staff	—	3,500	3,500
(ii) Temporary assistance	—	1,000	1,000
(iii) Miscellaneous supplies and services	—	500	500
Total chapter IV	—	5,000	5,000
<i>Technical Conference of Water Resources Development</i>			
(i) Travel and subsistence of staff	4,413	4,420	6,300
(ii) Communications services	153	170	800
(iii) Miscellaneous supplies and services	208	210	800
	4,774	4,800	7,900
<i>Third Regional Conference of Statisticians</i>			
(i) Travel and subsistence of staff	1,732	1,740	4,600
(ii) Communications services	20	20	400
(iii) Miscellaneous supplies and services	132	140	400
	1,884	1,900	5,400
TOTAL SECTION 3b	40,347	52,100	72,000
SECTION 4. THE TRUSTEESHIP COUNCIL, COMMISSIONS AND COMMITTEES			
<i>Chapter I. The Trusteeship Council</i>	—	—	—
<i>Chapter II. Visiting missions</i>	23,266	50,000	50,000
TOTAL SECTION 4	23,266	50,000	50,000
TOTAL PART I	449,756	639,880	690,330
PART II. SPECIAL MISSIONS AND RELATED ACTIVITIES			
SECTION 5. SPECIAL MISSIONS AND RELATED ACTIVITIES			
<i>Chapter I. Advisory Council for the Trust Territory of Somaliland under Italian Administration</i>			
(i) Temporary assistance	19,683	30,000	29,600
(ii) Travel and subsistence of members	7,176	20,700	26,600
(iii) Travel and subsistence of staff	33,354	53,400	46,000
(iv) Communications services	1,076	1,600	3,000
(v) Alterations to premises	—	1,500	1,500
(vi) Maintenance of premises	3,214	4,700	4,900
(vii) Stationery and office supplies	955	1,500	1,200
(viii) Operation and maintenance of transportation equipment	1,912	3,200	4,200
(ix) Freight, cartage and express	1,607	2,400	3,000
(x) Insurance	493	1,000	1,000
(xi) Miscellaneous supplies and services	2,668	5,000	5,500
(xii) Furniture and fixtures	566	1,100	1,500
(xiii) Capital payments in respect of lands and structures	—	22,200	22,000
Total chapter I	72,704	148,300	150,000

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
<i>Chapter II. United Nations Tribunal in Libya</i>			
(i) Temporary assistance	51,327	78,500	73,300
(ii) Travel and subsistence of staff	12,644	20,000	22,000
(iii) Communications services	109	200	-
(iv) Rental and maintenance of premises and equipment	17	300	-
(v) Stationery and office supplies	4	200	-
(vi) Local transportation	80	400	-
(vii) Freight, cartage and express	271	500	-
(viii) Miscellaneous supplies and services	243	600	4,000
Total chapter II	64,695	100,700	99,300
<i>Chapter III. Other missions and related activities</i>			
<i>United Nations Tribunal for Eritrea</i>			
(i) Temporary assistance	8,509	8,509	14,400
(ii) Travel and subsistence of staff	2,573	2,573	4,700
(iii) Rental and maintenance of premises and equipment	1,035	1,035	2,400
(iv) Communications services	960	960	-
(v) Stationery and office supplies	-	-	-
(vi) Transportation equipment	173	173	-
(vii) Freight, cartage and express	460	460	-
(viii) Miscellaneous supplies and services	419	419	3,500
	14,129	14,129	25,000
<i>Military Observer Group in India and Pakistan</i>			
(i) Temporary assistance	13,291	20,000	36,200
(ii) Travel and subsistence of military observers	133,933	197,000	257,000
(iii) Travel and subsistence of staff	64,479	96,500	111,100
(iv) Communications services	1,088	1,600	2,400
(v) Rental and maintenance of premises and equipment	7,320	9,500	8,400
(vi) Stationery and office supplies	1,373	2,300	2,400
(vii) Local transportation	2,081	3,600	3,600
(viii) Operation and maintenance of transportation equipment	9,576	13,700	15,600
(ix) Freight, cartage and express	4,514	9,700	11,100
(x) Insurance	1,448	8,000	12,300
(xi) Miscellaneous supplies and services	8,334	14,800	16,200
(xii) Contractual support services	30,000	82,000	70,000
(xiii) Transportation equipment	13,290	13,300	12,900
(xiv) Miscellaneous equipment	2,003	3,000	5,300
	292,650	475,000	564,500
<i>Repatriation of Greek children</i>			
(i) Miscellaneous supplies and services	-	5,000	5,000
	-	5,000	5,000
<i>Truce Supervision Organization in Palestine</i>			
(i) Temporary assistance ..	63,580	97,000	97,200
(ii) Travel and subsistence of observers	97,493	163,000	129,700
(iii) Travel and subsistence of staff	105,092	172,700	153,500
(iv) Communications services	2,477	3,500	2,500
(v) Rental and maintenance of premises and equipment	9,109	14,000	17,000
(vi) Stationery and office supplies	2,420	4,000	3,700
(vii) Local transportation	927	1,500	1,000
(viii) Operation and maintenance of transportation equipment	21,182	25,000	32,000
(ix) Freight, cartage and express	9,131	15,000	8,600
(x) Insurance	1,003	7,000	3,900
(xi) Miscellaneous supplies and services	3,372	4,700	4,000
(xii) Transportation equipment	46,047	46,800	22,000
(xiii) Miscellaneous equipment	16,186	18,500	13,300
	378,019	582,700	488,400

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
<i>United Nations Commission for the Unification and Re- habilitation of Korea</i>			
(i) Temporary assistance	14,441	26,700	22,400
(ii) Travel and subsistence of members	29,353	50,300	47,600
(iii) Travel and subsistence of military observers	488	500	—
(iv) Travel and subsistence of staff	30,002	50,750	58,800
(v) Communications services	1,317	2,500	7,200
(vi) Rental and maintenance of premises and equipment	3,371	6,250	4,500
(vii) Alterations to premises	2,785	12,000	—
(viii) Stationery and office supplies	491	1,100	1,800
(ix) Local transportation	2,814	5,300	1,800
(x) Operation and maintenance of transportation equipment	3,919	5,900	4,800
(xi) Freight, cartage and express	3,202	7,600	8,400
(xii) Insurance	926	1,300	900
(xiii) Miscellaneous supplies and services	1,177	2,200	3,500
(xiv) Furniture and fixtures	145	5,000	1,000
(xv) Transportation equipment	—	8,000	—
(xvi) Miscellaneous equipment	1,614	4,600	2,000
	96,045	190,000	164,700
<i>United Nations Conciliation Commission for Palestine</i>			
(i) Temporary assistance	24,611	39,500	52,250
(ii) Travel and subsistence of staff	5,746	9,200	5,800
(iii) Miscellaneous supplies and services	1,028	2,300	2,000
(iv) Miscellaneous equipment	1,732	2,000	1,150
	33,117	53,000	61,200
<i>Korean service medals</i>			
(i) Miscellaneous expenses	152,315	159,000	343,000
	152,315	159,000	343,000
<i>United Nations Military Observers in Greece</i>			
(i) Temporary assistance	23,238	24,400	21,800
(ii) Travel and subsistence of observers	7,908	8,000	5,800
(iii) Travel and subsistence of staff	6,628	6,700	12,000
(iv) Communications services	348	400	500
(v) Rental and maintenance of premises and equipment	1,493	1,600	1,800
(vi) Operation and maintenance of transportation equipment	1,078	1,100	1,000
(vii) Freight, cartage and express	1,242	1,300	2,500
(viii) Insurance	7	10	1,000
(ix) Miscellaneous supplies and services	604	610	2,000
(x) Miscellaneous equipment	—	—	600
(xi) Local transportation	34	100	—
	42,580	44,220	49,000
TOTAL SECTION 5	1,146,254	1,772,049	1,950,100
SECTION 5a. UNITED NATIONS FIELD SERVICE			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	196,969	295,500	298,630
(ii) Overtime and night differential	3,000	3,000	5,000
(iii) Temporary assistance	10,648	23,200	—
Total chapter I	210,617	321,700	303,630
<i>Chapter II. Common staff costs</i>			
(i) Travel and removal of staff	14,845	16,700	11,000
(ii) Installation payments	1,200	2,300	4,800
(iii) Contributions—Joint Staff Pension Fund	22,585	38,200	32,400
(iv) Children's allowances	11,142	16,600	13,000
(v) Contributions—medical insurance	5,387	8,200	7,150
(vi) Travel on home leave	50,381	65,600	54,600
Total chapter II	105,540	147,600	122,950
<i>Chapter III. Other costs</i>			
(i) Miscellaneous supplies and services	6,736	12,200	12,600
(ii) Telecommunications equipment	—	3,000	3,000
(iii) Travel on official business	34	500	2,500
Total chapter III	6,770	15,700	18,100
TOTAL SECTION 5a	322,927	485,000	444,680
TOTAL PART II	1,469,181	2,257,049	2,394,780

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
PART III. HEADQUARTERS, NEW YORK			
SECTION 6. OFFICES OF THE SECRETARY-GENERAL			
<i>Chapter I. Executive Office of the Secretary-General</i>			
(i) Established posts	190,578	286,000	312,200
(ii) Overtime and night differential	3,630	6,600	3,000
(iii) Housing accommodation for the Secretary-General	12,119	15,000	15,000
Total chapter I	<u>206,327</u>	<u>307,600</u>	<u>330,200</u>
<i>Chapter II. Office of Legal Affairs</i>			
(i) Established posts	276,713	415,000	467,780
(ii) Overtime and night differential	450	1,300	700
Total chapter II	<u>277,163</u>	<u>416,300</u>	<u>468,480</u>
<i>Chapter III. Office of the Controller</i>			
(i) Established posts	448,766	670,500	656,000
(ii) Overtime and night differential	2,439	3,100	2,500
(iii) Miscellaneous supplies and services	1,098	1,700	1,700
(iv) Investments Committee	2,513	3,600	2,500
Total chapter III	<u>454,816</u>	<u>678,900</u>	<u>662,700</u>
<i>Chapter IV. Office of Personnel</i>			
(i) Established posts	308,626	463,500	490,120
(ii) Overtime and night differential	105	300	1,000
(iii) Miscellaneous supplies and services	2,180	4,200	5,000
(iv) International Civil Service Advisory Board	5,729	5,729	7,200
(v) Review Board	11,240	15,000	-
Total chapter IV	<u>327,880</u>	<u>488,729</u>	<u>503,320</u>
<i>Chapter V. Internal Audit Service</i>			
(i) Established posts	89,559	135,650	141,620
(ii) Overtime and night differential	120	150	100
Total chapter V	<u>89,679</u>	<u>135,800</u>	<u>141,720</u>
<i>Chapter VI. Health Service</i>			
(i) Established posts	48,799	74,500	77,200
Total chapter VI	<u>48,799</u>	<u>74,500</u>	<u>77,200</u>
TOTAL SECTION 6	<u><u>1,404,664</u></u>	<u><u>2,101,829</u></u>	<u><u>2,183,620</u></u>
SECTION 7. DEPARTMENT OF POLITICAL AND SECURITY COUNCIL AFFAIRS			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	443,751	667,000	747,000
(ii) Overtime and night differential	160	3,000	3,000
Total chapter I	<u>443,911</u>	<u>670,000</u>	<u>750,000</u>
TOTAL SECTION 7	<u><u>443,911</u></u>	<u><u>670,000</u></u>	<u><u>750,000</u></u>
SECTION 7a. SECRETARIAT OF THE MILITARY STAFF COMMITTEE			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	77,608	116,500	136,700
(ii) Overtime and night differential	-	-	100
Total chapter I	<u>77,608</u>	<u>116,500</u>	<u>136,800</u>
TOTAL SECTION 7a	<u><u>77,608</u></u>	<u><u>116,500</u></u>	<u><u>136,800</u></u>
SECTION 8. DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	2,517,915	3,767,000	3,863,550
(ii) Overtime and night differential	3,761	4,500	7,000
Total chapter I	<u>2,521,676</u>	<u>3,771,500</u>	<u>3,870,550</u>

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
<i>Chapter II. Ad Hoc Meetings of Experts</i>			
(i) Consultants	15,976	16,000	34,750
Total chapter II	<u>15,976</u>	<u>16,000</u>	<u>34,750</u>
TOTAL SECTION 8	<u>2,537,652</u>	<u>3,787,500</u>	<u>3,905,300</u>
SECTION 9. DEPARTMENT OF TRUSTEESHIP AND INFORMATION FROM NON-SELF-GOVERNING TERRITORIES			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	584,656	877,000	929,600
(ii) Overtime and night differential	1,696	2,500	1,800
Total chapter I	<u>586,352</u>	<u>879,500</u>	<u>931,400</u>
TOTAL SECTION 9	<u>586,352</u>	<u>879,500</u>	<u>931,400</u>
SECTION 10. DEPARTMENT OF PUBLIC INFORMATION			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	1,306,558	1,985,000	2,082,090
(ii) Overtime and night differential	1,128	6,000	6,000
Total chapter I	<u>1,307,686</u>	<u>1,991,000</u>	<u>2,088,090</u>
<i>Chapter II. Other departmental costs</i>			
(i) Photographic supplies and services	23,790	38,000	38,000
(ii) Motion picture supplies and services	107,702	172,700	172,700
(iii) Radio services	252,360	341,800	341,800
(iv) Teletype and telecommunication services	692	1,000	1,700
(v) Travel and subsistence of representatives of national and international organizations	10,595	13,000	13,000
(vi) Subscriptions to news agency services	1,260	1,300	1,300
Total chapter II	<u>396,399</u>	<u>567,800</u>	<u>568,500</u>
TOTAL SECTION 10	<u>1,704,085</u>	<u>2,558,800</u>	<u>2,656,590</u>
SECTION 11. DEPARTMENT OF CONFERENCE SERVICES			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	3,984,035	6,000,000	6,243,210
(ii) Overtime and night differential	52,970	93,600	93,600
Total chapter I	<u>4,037,005</u>	<u>6,093,600</u>	<u>6,336,810</u>
TOTAL SECTION 11	<u>4,037,005</u>	<u>6,093,600</u>	<u>6,336,810</u>
SECTION 11a. LIBRARY			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	307,836	460,320	460,320
(ii) Overtime and night differential	154	1,400	1,400
Total chapter I	<u>307,990</u>	<u>461,720</u>	<u>461,720</u>
<i>Chapter II. Contractual library services and supplies</i>			
(i) Contractual library services and supplies	22,804	23,800	13,000
Total chapter II	<u>22,804</u>	<u>23,800</u>	<u>13,000</u>
TOTAL SECTION 11a	<u>330,794</u>	<u>485,520</u>	<u>474,720</u>
SECTION 12. OFFICE OF GENERAL SERVICES			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	1,933,842	2,900,500	2,896,370
(ii) Overtime and night differential	102,107	163,000	123,900
Total chapter I	<u>2,035,949</u>	<u>3,063,500</u>	<u>3,020,270</u>

	<i>Expenses through 31 August 1954</i>	<i>Anticipated total 1954 requirements</i>	<i>Adjusted 1954 appro- priations</i>
	Dollars (US)		
<i>Chapter II. United Nations Postal Administration</i>			
(i) Established posts	44,968	67,800	65,000
(ii) Overtime and night differential	5,973	8,000	5,000
(iii) Printing of postage stamps	12,634	14,000	17,000
(iv) Miscellaneous supplies and services	2,355	4,000	2,000
Total chapter II	65,930	93,800	89,000
TOTAL SECTION 12	<u>2,101,879</u>	<u>3,157,300</u>	<u>3,109,270</u>
SECTION 13. TEMPORARY ASSISTANCE AND CONSULTANTS			
(i) Temporary assistance	304,561	565,750	670,230
(ii) Consultants	95,866	116,300	76,900
TOTAL SECTION 13	<u>400,427</u>	<u>682,050</u>	<u>747,130</u>
SECTION 14. TRAVEL OF STAFF			
(i) Travel on appointment, transfer and repatriation	145,541	215,000	223,500
(ii) Travel on home leave	852,544	860,000	974,000
(iii) Travel on official business	82,527	102,500	102,500
TOTAL SECTION 14	<u>1,080,612</u>	<u>1,177,500</u>	<u>1,300,000</u>
SECTION 15. COMMON STAFF COSTS			
<i>Chapter I. Pension and retirement costs</i>			
(i) Contributions—Joint Staff Pension Fund	1,345,094	2,020,000	2,092,800
(ii) Annual retirement allowance to former Secretaries-General ...	6,667	10,000	10,000
Total chapter I	<u>1,351,761</u>	<u>2,030,000</u>	<u>2,102,800</u>
<i>Chapter II. Installation and separation costs</i>			
(i) Removal of household goods	109,137	160,000	112,000
(ii) Installation payments	22,410	35,000	62,000
(iii) Separation payments	253,177	380,000	249,000
(iv) Repatriation grants	56,493	95,000	64,000
Total chapter II	<u>441,217</u>	<u>670,000</u>	<u>487,000</u>
<i>Chapter III. Other common staff costs</i>			
(i) Children's allowances	314,903	461,600	461,600
(ii) Contributions—medical and group life insurance	73,517	110,000	110,250
(iii) Compensatory payments	19,986	52,000	52,000
Total chapter III	<u>408,406</u>	<u>623,600</u>	<u>623,850</u>
<i>Chapter IV. Training and welfare</i>			
(i) Staff training	21,041	34,700	34,700
(ii) In-terne training	15,520	16,000	16,000
(iii) Losses on housing project	4,063	9,000	12,000
(iv) Staff welfare	2,192	4,000	4,000
(v) Grant to the International School	7,400	7,400	7,400
Total chapter IV	<u>50,216</u>	<u>71,100</u>	<u>74,100</u>
TOTAL SECTION 15	<u>2,251,600</u>	<u>3,394,700</u>	<u>3,287,750</u>
SECTION 16. COMMON SERVICES			
<i>Chapter I. Telephone, postal services, freight, cartage and express</i>			
(i) Telephone services (including long distance)	166,065	236,500	233,000
(ii) Cable, telegraph and wireless	16,811	23,000	21,000
(iii) Postal services	131,321	170,400	177,000
(iv) Freight, cartage and express	20,164	26,000	29,000
(v) Air freight	35,607	54,000	54,000
Total chapter I	<u>369,968</u>	<u>509,900</u>	<u>514,000</u>
<i>Chapter II. Rental and maintenance of premises</i>			
(i) Rental of premises	600	800	800
(ii) Supplies for maintenance of premises	230,653	280,500	263,500
(iii) Contractual services for maintenance of premises	840,926	1,241,900	1,214,900
(iv) Utilities	449,596	638,000	663,000
(v) Alterations to premises	7,194	25,000	25,000
Total chapter II	<u>1,528,969</u>	<u>2,186,200</u>	<u>2,167,200</u>

	<i>Expenses through 31 August 1954</i>	<i>Anticipated total 1954 requirements</i>	<i>Adjusted 1954 appro- priations</i>
	Dollars (US)		
<i>Chapter III. Stationery and supplies</i>			
(i) Stationery and office supplies	60,312	106,700	110,000
(ii) Internal reproduction supplies	153,534	214,900	221,550
Total chapter III	<u>213,846</u>	<u>321,600</u>	<u>331,550</u>
<i>Chapter IV. Rental and maintenance of equipment</i>			
(i) Telecommunication supplies	48,825	69,500	73,000
(ii) Operation and maintenance of telecommunication equipment ..	240,354	400,700	432,700
(iii) Rental of office and other equipment	22,326	23,750	22,100
(iv) Maintenance of office and other equipment	18,653	25,850	21,500
(v) Local transportation	1,238	3,000	3,000
(vi) Operation and maintenance of transportation equipment	7,143	9,600	13,000
Total chapter IV	<u>338,539</u>	<u>532,400</u>	<u>565,300</u>
<i>Chapter V. Other supplies and services</i>			
(i) Insurance	33,001	50,300	52,300
(ii) Miscellaneous supplies and services	38,518	53,400	32,000
(iii) Newspapers and periodicals	12,069	16,000	16,450
Total chapter V	<u>83,588</u>	<u>119,700</u>	<u>100,750</u>
<i>Chapter VI. Ex-gratia payments and miscellaneous</i>			
(i) Ex-gratia payments	3,510	10,000	10,000
(ii) Miscellaneous claims and adjustments	8,929	10,000	1,000
Total chapter VI	<u>12,439</u>	<u>20,000</u>	<u>11,000</u>
TOTAL SECTION 16	<u>2,547,349</u>	<u>3,689,800</u>	<u>3,689,800</u>
SECTION 17. PERMANENT EQUIPMENT			
<i>Chapter I. Furniture, fixtures and office equipment</i>			
(i) Furniture and fixtures	15,434	32,000	32,000
(ii) Office equipment	29,351	49,700	49,700
(iii) Telecommunication equipment	9,337	19,100	19,100
Total chapter I	<u>54,122</u>	<u>100,800</u>	<u>100,800</u>
<i>Chapter II. Library books and equipment</i>			
(i) Library books and maps	21,274	31,250	31,250
(ii) Library equipment	1,324	3,500	3,500
Total chapter II	<u>22,598</u>	<u>34,750</u>	<u>34,750</u>
<i>Chapter III. Information services equipment</i>			
(i) Photographic and motion picture equipment	4,910	7,000	7,000
Total chapter III	<u>4,910</u>	<u>7,000</u>	<u>7,000</u>
<i>Chapter IV. Other permanent equipment</i>			
(i) Transportation equipment	6,441	12,850	12,850
(ii) Miscellaneous equipment	7,466	21,000	21,000
Total chapter IV	<u>13,907</u>	<u>33,850</u>	<u>33,850</u>
TOTAL SECTION 17	<u>95,537</u>	<u>176,400</u>	<u>176,400</u>
Items for which no corresponding provision is made in 1955 estimates :			
(a) Salaries and allowances of the Assistant Secretary-General for administrative and financial services, One principal officer and one secretary (former section 16)	20,773	28,600	50,540
(b) Improvements to premises (former section 19a)	48,000	565,000	565,000
	<u>68,773</u>	<u>615,540</u>	<u>593,600</u>
TOTAL PART III	<u>19,668,248</u>	<u>29,564,599</u>	<u>30,301,130</u>

	<i>Expenses through 31 August 1954</i>	<i>Anticipated total 1954 requirements</i>	<i>Adjusted 1954 appro- priations</i>
	Dollars (US)		
PART IV. EUROPEAN OFFICE OF THE UNITED NATIONS			
SECTION 18. EUROPEAN OFFICE OF THE UNITED NATIONS			
Chapter I. General services			
(i) Established posts	1,420,829	2,136,500	2,108,400
(ii) Consultants	1,609	3,000	4,000
(iii) Temporary assistance	105,939	128,000	120,300
(iv) Overtime and night differential	5,414	9,500	17,000
(v) Casual labour	34,541	52,200	55,000
(vi) Travel on official business	1,439	4,500	4,600
Total chapter I	1,569,771	2,333,700	2,309,300
Chapter II. Information services			
(i) Established posts	61,303	92,300	85,500
(ii) Temporary assistance	1,327	1,900	500
(iii) Overtime and night differential	43	100	100
(iv) Travel on official business	37	500	1,000
(v) Photographic supplies and services	229	300	500
(vi) Radio services	2,641	5,800	5,800
(vii) Miscellaneous supplies and services	15	400	400
Total chapter II	65,595	101,300	93,800
Chapter III. Secretariat of the Permanent Central Opium Board and Drug Supervisory Body			
(i) Established posts	33,672	50,300	50,300
(ii) Temporary assistance	2,427	5,500	1,000
(iii) Travel on official business	273	700	2,500
Total chapter III	36,372	56,500	53,800
Chapter IV. Economic Commission for Europe			
(i) Established posts	604,443	903,200	933,500
(ii) Consultants	592	2,600	5,000
(iii) Temporary assistance	2,464	6,600	14,000
(iv) Overtime and night differential	713	1,000	1,000
(v) Travel on official business	13,838	21,400	22,000
Total chapter IV	622,050	934,800	975,500
Chapter V. Common staff costs			
(i) Travel and removal of staff and dependants	19,365	29,500	40,000
(ii) Installation payments	12,659	17,100	20,000
(iii) Separation payments	15,260	21,900	25,000
(iv) Contributions—Joint Staff Pension Fund	248,321	376,400	400,000
(v) Repatriation grants	11,973	18,300	20,000
(vi) Children's allowances	68,732	101,800	102,500
(vii) Contributions—medical insurance	9,469	14,600	17,000
(viii) Travel on home leave	17,593	28,700	32,000
(ix) Staff training	3,031	6,100	7,500
(x) Staff welfare	568	1,000	1,000
(xi) Contributions—social insurance	—	2,500	1,400
(xii) Professional accidents	823	—	—
Total chapter V	407,794	617,900	666,400
Chapter VI. Common services			
(i) Telephone services	13,785	21,300	19,000
(ii) Cable, telegraph, wireless and long-distance telephone	6,316	16,000	10,500
(iii) Postal services	32,280	56,100	53,000
(iv) Contractual services for maintenance of premises	48,408	70,800	71,000
(v) Utilities	28,214	54,500	61,000
(vi) Stationery and office supplies	15,113	30,300	36,000
(vii) Internal reproduction supplies	92,173	96,300	92,000
(viii) Telecommunication supplies	1,865	4,200	5,000
(ix) Rental of office and other equipment	11,811	16,500	17,000
(x) Operation and maintenance of transportation equipment	1,226	2,900	4,200
(xi) Freight, cartage and express	8,300	11,700	12,000
(xii) Air freight	477	1,000	2,500
(xiii) Insurance	6,370	6,500	6,000
(xiv) Cafeteria	812	2,000	2,500
(xv) Miscellaneous supplies and services	3,506	3,600	2,500
(xvi) Medical supplies	4,309	6,600	7,000
Total chapter VI	274,965	400,300	401,200

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
<i>Chapter VII. Permanent equipment</i>			
(i) Furniture and fixtures	21,480	33,000	34,000
(ii) Office equipment	23,026	28,200	29,000
(iii) Telecommunication equipment	2,776	3,900	23,300
(iv) Library books and maps	21,340	21,400	22,000
(v) Transportation equipment ..	1,725	2,000	2,000
(vi) Improvement to premises	13,285	21,900	46,700
(vii) Miscellaneous equipment	3,541	8,700	9,000
Total chapter VII	87,173	119,100	166,000
TOTAL SECTION 18	3,063,720	4,563,600	4,666,000
SECTION 19. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES *			
<i>Chapter I. Headquarters Office of the High Commissioner</i>			
(i) Established posts	187,818	283,500	267,000
(ii) Consultants	2,780	4,500	5,600
(iii) Temporary assistance	891	1,500	2,000
(iv) Overtime and night differential	28	100	100
(v) Travel on official business	16,376	20,200	22,000
Total chapter I	207,893	309,800	296,700
<i>Chapter II. Branch offices</i>			
(i) Established posts	160,948	246,400	260,000
(ii) Consultants	—	800	1,000
(iii) Temporary assistance	1,117	2,200	3,000
(iv) Overtime and night differential	377	700	200
(v) Travel on official business	10,524	21,900	25,000
(vi) Travel and removal of staff and dependants	2,718	3,900	4,000
(vii) Installation payments	1,352	1,900	2,500
(viii) Separation payments	799	1,900	1,000
(ix) Contributions—Joint Staff Pension Fund ..	16,497	26,800	30,000
(x) Children's allowances	3,591	5,800	6,000
(xi) Contributions—medical insurance	1,899	3,400	3,000
(xii) Travel on home leave	2,493	3,300	2,500
(xiii) Communications services	5,227	10,500	12,000
(xiv) Rental and maintenance of premises	7,774	15,400	20,700
(xv) Stationery and office supplies	1,228	2,500	5,000
(xvi) Operation and maintenance of transportation equipment	2,605	5,200	5,400
(xvii) Miscellaneous supplies and services	1,212	3,000	5,000
(xviii) Miscellaneous equipment	726	1,500	2,000
Total chapter II	221,087	357,100	388,300
TOTAL SECTION 19	428,980	666,900	685,000
TOTAL PART IV	3,492,700	5,230,500	5,351,000
PART V. INFORMATION CENTRES			
SECTION 20. INFORMATION CENTRES			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	281,604	439,000	468,500
(ii) Temporary assistance	12,400	23,500	20,500
(iii) Overtime and night differential	1,000	2,800	2,600
(iv) Casual labour	17,555	32,800	32,000
Total chapter I	312,559	498,100	523,600
<i>Chapter II. Common staff costs</i>			
(i) Travel and removal of staff and dependants	7,923	11,500	3,000
(ii) Contributions—Joint Staff Pension Fund ..	31,179	46,600	54,400
(iii) Repatriation grants	—	4,000	1,000
(iv) Children's allowances	7,841	13,700	11,300
(v) Travel on home leave	13,959	16,800	14,200
(vi) Contributions—medical and social insurance	761	1,900	1,600
(vii) Installation and separation payments	3,401	11,500	2,500
Total chapter II	65,064	106,000	88,000

* Details will be available in due course, if required.

	<i>Expenses through 31 August 1954</i>	<i>Anticipated total 1954 requirements</i>	<i>Adjusted 1954 appro- priations</i>
	<i>Dollars (US)</i>		
<i>Chapter III. Other costs</i>			
(i) Travel on official business	20,822	35,500	30,500
(ii) Postal services	14,439	27,800	25,500
(iii) Communications services	9,769	21,500	20,400
(iv) Radio, photographic and motion picture supplies and services ..	3,561	6,700	7,300
(v) Rental and maintenance of premises and equipment	31,190	58,000	63,000
(vi) Stationery and office supplies	5,678	13,500	16,500
(vii) Internal reproduction supplies	8,135	19,500	20,900
(viii) Operation and maintenance of transportation equipment	3,822	8,200	8,700
(ix) Freight, cartage and express	9,162	19,200	21,500
(x) Miscellaneous supplies and services	28,294	50,600	40,500
Total chapter III	<u>134,872</u>	<u>260,500</u>	<u>254,800</u>
<i>Chapter IV. Permanent equipment</i>			
(i) Furniture and fixtures	3,412	8,300	6,800
(ii) Library books and maps	1,197	2,950	2,600
(iii) Transportation equipment	-	-	-
(iv) Radio, photographic and motion picture equipment	1,076	1,550	1,600
Total chapter IV	<u>5,685</u>	<u>12,800</u>	<u>11,000</u>
TOTAL SECTION 20	<u>518,180</u>	<u>877,400</u>	<u>877,400</u>
TOTAL PART V	<u>518,180</u>	<u>877,400</u>	<u>877,400</u>
 PART VI. SECRETARIAT OF THE REGIONAL ECONOMIC COMMISSIONS *			
 SECTION 21. SECRETARIAT OF THE ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST *			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	413,786		739,700
(ii) Consultants	7,592		39,000
(iii) Temporary assistance	9,369		17,000
(iv) Overtime and night differential	943		2,800
Total chapter I	<u>431,690</u>		<u>798,500</u>
<i>Chapter II. Common staff costs</i>			
(i) Travel and removal of staff and dependants	22,173		23,000
(ii) Contributions—Joint Staff Pension Fund	40,688		85,000
(iii) Repatriation grants	6,041		3,000
(iv) Children's allowances	27,084		35,000
(v) Contributions—medical insurance	2,469		4,800
(vi) Travel on home leave	15,603		25,000
(vii) Staff training	-		500
(viii) Staff welfare	192		500
(ix) Installation and separation payments	14,614		13,000
Total chapter II	<u>128,864</u>		<u>189,800</u>
<i>Chapter III. Common services</i>			
(i) Travel on official business	16,572		42,000
(ii) Communications services	5,149		21,600
(iii) Rental of premises	1,297		6,000
(iv) Contractual services for maintenance of premises	1,128		6,000
(v) Stationery and office supplies	3,619		23,000
(vi) Operation and maintenance of transportation equipment	2,462		6,500
(vii) Freight, cartage and express	3,901		14,000
(viii) Miscellaneous supplies and services	2,108		6,000
Total chapter III	<u>36,236</u>		<u>125,100</u>
<i>Chapter IV. Permanent equipment</i>			
(i) Furniture and fixtures	4,881		6,500
(ii) Library books and maps	2,547		4,000
(iii) Transportation equipment	-		-
Total chapter IV	<u>7,428</u>		<u>10,500</u>
TOTAL SECTION 21	<u>604,218</u>	<u>1,123,900 *</u>	<u>1,123,900</u>

* Estimates of 1954 requirements not yet received.

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
SECTION 22. SECRETARIAT OF THE ECONOMIC COMMISSION FOR LATIN AMERICA *			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	276,007		592,260
(ii) Consultants	47,738		98,640
(iii) Temporary assistance	16,227		15,000
(iv) Overtime and night differential	811		1,500
Total chapter I	340,783		707,400
<i>Chapter II. Common staff costs</i>			
(i) Travel and removal of staff and dependants	11,998		15,000
(ii) Contributions—Joint Staff Pension Fund	32,242		65,000
(iii) Repatriation grants	1,102		1,000
(iv) Children's allowances	10,319		20,500
(v) Contributions—medical insurance	2,055		2,500
(vi) Travel on home leave	15,877		37,500
(vii) Staff welfare	723		1,000
(viii) Installation and separation payments	6,204		8,000
Total chapter II	80,520		150,500
<i>Chapter III. Common services</i>			
(i) Travel on official business	20,773		40,000
(ii) Communications services	8,276		10,800
(iii) Rental and maintenance of premises	9,163		23,500
(iv) Stationery and office supplies	2,714		6,000
(v) Operation and maintenance of transportation equipment	199		800
(vi) Freight, cartage and express	4,769		7,200
(vii) Miscellaneous supplies and services	4,113		2,000
Total chapter III	50,007		90,300
<i>Chapter IV. Permanent equipment</i>			
(i) Furniture and fixtures	5,790		7,000
(ii) Library books and maps	2,361		3,500
(iii) Transportation equipment	—		—
(iv) Improvement to premises	243		—
Total chapter IV	8,394		10,500
TOTAL SECTION 22	479,704	958,700 *	958,700
TOTAL PART VI	1,083,922	2,082,600 *	2,082,600
 PART VII. HOSPITALITY			
SECTION 23. HOSPITALITY	6,147	20,000	20,000
TOTAL SECTION 23, TOTAL PART VII	6,147	20,000	20,000
 PART VIII. CONTRACTUAL PRINTING			
SECTION 24. OFFICIAL RECORDS			
<i>Chapter I. The General Assembly, Commissions and Committees</i>	242,713	482,000	476,820
<i>Chapter II. The Security Council, Commissions and Committees</i>	34,915	63,000	88,720
<i>Chapter III. The Economic and Social Council, Commissions and Committees</i>	60,695	90,000	62,820
<i>Chapter IV. The Trusteeship Council, Commissions and Committees ..</i>	33,625	40,000	38,520
<i>Chapter V. Permanent Central Opium Board and Drug Supervisory Body</i>	1,193	12,000	12,500
<i>Chapter VI. Official Records (backlog 1946-1949)</i>	—	18,000	51,420
TOTAL SECTION 24	373,141	705,000	730,800

* Estimates of 1954 requirements not yet received.

	Expenses through 31 August 1954	Anticipated total 1954 requirements	Adjusted 1954 appro- priations
	Dollars (US)		
SECTION 25. PUBLICATIONS			
<i>Chapter I. Publications of Headquarters Departments</i>			
Offices of the Secretary-General (excluding Office of Legal Affairs)	822	1,500	1,500
Office of Legal Affairs	66,938	99,470	74,370
Department of Political and Security Council Affairs	-	6,000	5,700
Department of Economic and Social Affairs	143,068	230,000	243,700
Department of Trusteeship and Information from Non-Self-Governing Territories	8,639	18,000	15,300
Department of Public Information	148,507	226,000	226,000
Library	5,390	10,800	11,600
Office of General Services	7,090	10,000	7,700
Sales promotion	15,873	19,000	14,000
Total chapter I	396,327	620,770	599,870
<i>Chapter II. Publications of the European Office of the United Nations</i>	29,310	62,000	72,700
<i>Chapter III. Publications of the Office of the High Commissioner for Refugees</i>	285	6,500	2,300
<i>Chapter IV. Publications of the Economic Commission for Asia and the Far East</i>	18,073	38,500	30,700
<i>Chapter V. Publications of the Economic Commission for Latin America</i>	14,880	33,000	29,400
TOTAL SECTION 25	458,875	760,770	734,970
TOTAL PART VIII	832,016	1,465,770	1,465,770
PART IX. TECHNICAL PROGRAMMES			
SECTION 26. TECHNICAL ASSISTANCE ADMINISTRATION			
Global contribution towards administrative expenditures	257,800	386,700	386,700
SECTION 27. ECONOMIC DEVELOPMENT			
Global contribution	319,600	479,400	479,400
SECTION 28. SOCIAL ACTIVITIES			
Global contribution	512,333	768,500	768,500
SECTION 29. PUBLIC ADMINISTRATION			
Global contribution	96,667	145,000	145,000
TOTAL PART IX	1,186,400	1,779,600	1,779,600
PART X. SPECIAL EXPENSES			
SECTION 30. TRANSFER OF THE ASSETS OF THE LEAGUE OF NATIONS TO THE UNITED NATIONS			
(i) Capital payments in respect of lands and structures	649,466	649,466	649,500
SECTION 31. AMORTIZATION OF THE HEADQUARTERS CONSTRUCTION LOAN			
(i) Capital payments in respect of lands and structures	1,500,000	1,500,000	1,500,000
TOTAL PART X	2,149,466	2,149,466	2,149,500
PART XI. JOINT STAFF PENSION BOARD AND UNITED NATIONS STAFF PENSION COMMITTEE			
SECTION 32. JOINT STAFF PENSION BOARD AND UNITED NATIONS STAFF PENSION COMMITTEE			
<i>Chapter I. Salaries and wages</i>			
(i) Established posts	33,782	50,800	48,470
(ii) Consultants	23,008	25,700	25,500
(iii) Temporary assistance	3,345	6,000	4,750
(iv) Overtime and night differential	493	500	-
Total chapter I	60,628	83,000	78,720

	<i>Expenses through 31 August 1954</i>	<i>Anticipated total 1954 requirements</i>	<i>Adjusted 1954 appro- priations</i>
	<i>Dollars (US)</i>		
<i>Chapter II. Common staff costs</i>			
(i) Travel and removal of staff and dependants	—	—	1,000
(ii) Separation payments	—	—	1,000
(iii) Repatriation grants	—	—	800
(iv) Contributions—Joint Staff Pension Board	4,620	7,000	6,800
(v) Children's allowances, education grants and related travel	1,015	1,500	600
(vi) Contributions—medical insurance	165	250	100
(vii) Travel on home leave	—	—	—
Total chapter II	5,800	8,750	10,300
<i>Chapter III. Other costs</i>			
(i) Travel and subsistence of members	801	1,200	4,000
(ii) Travel and subsistence of staff	—	—	—
(iii) Miscellaneous supplies and services	—	3,000	—
Total chapter III	801	4,200	4,000
TOTAL SECTION 32, TOTAL PART XI	67,229	95,950	93,020

B. THE INTERNATIONAL COURT OF JUSTICE

PART XII. THE INTERNATIONAL COURT OF JUSTICE

SECTION 33. THE INTERNATIONAL COURT OF JUSTICE

Chapter I. Salaries and expenses of members of the Court

(i) Salaries and allowances of the President, the Vice-President and the Judges	190,856	287,800	307,800
(ii) Contributions—Pension Fund	5,833	13,850	13,850
(iii) Travel on official business	—	550	2,250
(iv) Annual journeys and journeys on leave	9,733	14,000	18,000
(v) Travel and removal expenses of members of the Court and dependants	—	200	1,000
(vi) Miscellaneous supplies and services	—	—	200
Judges <i>ad hoc</i>	—	—	—
Total chapter I	206,422	316,400	343,100

Chapter II. Salaries, wages and expenses of the Registry

(i) Established posts	84,391	130,900	158,300
(ii) Temporary assistance	17,151	20,000	20,000
(iii) Overtime	127	150	500
(iv) Travel and removal of staff and dependants	917	1,200	600
(v) Installation payments	—	700	700
(vi) Contributions—Joint Staff Pension Fund	10,377	18,600	21,250
(vii) Children's allowances, education grants and related travel	1,842	3,000	5,900
(viii) Contributions—medical insurance	483	750	1,000
(ix) Compensatory payments	—	—	150
(x) Travel on home leave	2,447	3,000	3,000
(xi) Staff welfare	9	100	200
(xii) Travel on official business	1,880	3,500	3,500
Total chapter II	119,624	181,900	215,100

Chapter III. Common services

(i) Contribution to the Carnegie Foundation	9,000	18,000	18,000
(ii) Amortization of cost of installation of new premises	1,316	2,640	2,640
(iii) Supplementary amortization of cost of new premises	1,316	2,640	2,640
(iv) Cost of distribution of documents	596	1,200	1,500
(v) Telephone services	384	900	900
(vi) Cable, telegraph and wireless	386	1,000	1,800
(vii) Postal services	973	1,500	1,500
(viii) Stationery and office supplies	2,307	5,900	7,500
(ix) Contractual printing	8,275	20,000	20,000
(x) External audit costs	—	—	500
(xi) Miscellaneous supplies and services	123	320	700
(xii) Miscellaneous expenses (Nürnberg archives)	—	—	100
Total chapter III	24,676	54,100	57,780

Chapter IV. Permanent equipment

(i) Furniture and installation of additional fittings	397	3,000	3,000
(ii) Library	1,361	2,200	3,000
Total chapter IV	1,758	5,200	6,000
TOTAL SECTION 33	352,480	557,600	621,980
TOTAL PART XII	352,480	557,600	621,980
GRAND TOTAL	31,275,725	46,720,414	47,827,110

DOCUMENT A/C.5/582 and Corr.1

Revised estimates for sections 3 and 18 : report of the Secretary-General

[Original text : English]
[12 October 1954]

	Section 3. Economic and Social Council, Commissions and Com- mittees	Section 18. European Office of the United Nations
	Dollars (US)	
1955 original budget estimates (A/2647)	159,500	4,722,000
Recommended by Advisory Committee (A/2688)	150,000	4,682,100
Supplementary estimates now submitted (decrease)	(6,900)	(10,700)
Advisory Committee recommendations as adjusted by the Secretary-General's supplementary appropriations	143,100	4,671,400
1954 appropriation	164,180	4 666,000
1953 expenses	232,141	4,669,542

1. The following revised estimates for sections 3 and 18 of the 1955 budget estimates are submitted in accordance with General Assembly resolution 533 C (VI) and show the implications of decisions taken by the Economic and Social Council at its eighteenth session. None of the actions of the seventeenth session are expected to require additional budgetary provision. Should the Second or Third Committee, in considering the report of the Council to the General Assembly, propose to modify any action of the Council upon which these estimates are based, the Secretary-General would revise the estimates accordingly.

2. Economic and Social Council resolution 548 D (XVIII) referred to the General Assembly, for consideration in connexion with its review of the Secretary-General's reorganization proposals, the question of the establishment of a United Nations narcotics laboratory. Information relating to the establishment of such a laboratory will be submitted to the General Assembly in a separate paper.

Council resolution 532 A (XVIII)—relating to the establishment of a special United Nations fund for economic development and recommending that the General Assembly extend the appointment of Mr. Raymond Scheyven in order that he might continue his consultations with Governments on the establishment of the Fund—also is not dealt with in the present revised estimates; this question may come before the Fifth Committee at a later stage according to the results of the Second Committee's consideration.

Resolution 557 F (XVIII) provides for the immediate constitution of the Commission on International Commodity Trade. Under the terms of paragraph 3 (h) of the resolution, neither travel nor subsistence expenses of the representatives of members of the Commission shall be paid out of United Nations funds. Under paragraph 3 (e), the Commission is authorized to meet as frequently as it considers necessary to discharge its work efficiently; the Commission will meet only when specific items have been proposed for discussion. Under paragraph 4 of the resolution, the Commission may, subject to prior authorization by the Council and in accordance with decisions of the General Assembly, hold meetings away from Headquarters when it considers this to be in the best interests

of its work. The first session of the Commission is scheduled for January 1955 at Headquarters, and the Secretary-General assumes that no additional funds will be required in respect of such meetings at Headquarters. Should the Council authorize the Commission to meet away from Headquarters, the matter would be considered in accordance with the Council's rules of procedure concerning financial implications, and any additional costs would be dealt with by the normal procedures at the appropriate time.

SECTION 3 : THE ECONOMIC AND SOCIAL COUNCIL, COMMISSIONS AND COMMITTEES

SECTION 18 : EUROPEAN OFFICE OF THE UNITED NATIONS

3. The original budget estimates (section 3, chapter XI) provide \$16,250 for a three-week session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Council, taking note of the resolution of the Commission on Human Rights³ and its own previous resolution 502 A (XVI) regarding future sessions of the Sub-Commission, decided in resolution 545 F (XVIII) that the Sub-Commission's 1955 session should be of four weeks' duration. The cost of extending the session for one more week is estimated at \$2,300, covering an additional seven days' subsistence for twelve members and the representative of the Commission on the Status of Women.

4. In resolution 556 (XVIII), the Council decided to hold a regional cartographic conference for Asia and the Far East in India in February or early March 1955 and requested the Secretary-General to complete the necessary arrangements for the holding of the conference.

The Government of India will act as host of the conference and will provide all conference and technical facilities. The language interpretation service will be provided by staff of the Economic Commission for Asia and the Far East (ECAFE).

Assuming that (a) the Government of India will provide the above-mentioned facilities, including local clerical and secretarial assistance, (b) the expenses of representatives will be borne by their Governments, and (c) the duration of the proposed conference will not exceed two weeks, the cost to the United Nations is estimated as follows :

<i>Travel and subsistence of staff</i>	<i>Dollars (US)</i>
Four interpreters and one administrative officer from ECAFE (\$1,375 for round-trip travel and \$875 for per diem for 14 days at \$12.50)	2,250
Two substantive staff members from Headquarters (\$3,250 for round-trip travel and \$500 for per diem for 20 days at \$12.50)	3,750
	6,000

5. At its 830th meeting, the Council, in approving the calendar of conferences for 1955, decided that the functional commission to meet in Geneva in 1955 should be the Commission on Human Rights. The original budget estimates assumed that the Commission on Human Rights would meet at Headquarters for four weeks, and

³ See *Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 7*, para. 518.

an amount of \$12,600 was provided for travel and subsistence of members and of a representative of the Commission on the Status of Women (section 3, chapter II). With respect to the meeting of a functional commission in Geneva, an amount of \$4,000 was provided in section 3, chapter XII, for travel and subsistence of Headquarters staff, and \$18,000 was provided under chapter I of section 18 (European Office of the United Nations), for temporary assistance requirements for three weeks.

The Secretary-General will endeavour to meet the costs falling upon section 3 in 1955 from the combined provision of chapters II and XII, amounting to \$16,600. As regards temporary assistance, an additional \$6,000 will be needed at the European Office to cover the requirements of the additional week.

6. In resolution 557 B II (XVIII), the Council decided that it would hold two regular sessions each year and that the second regular session would last not longer than four weeks. The Council also decided, at its 830th meeting, that the second session would be held at Geneva commencing in July.

On the assumption that the Geneva session would last six weeks, as in previous years, the original estimates provided \$45,900 for travel and subsistence of Head-

quarters staff (section 3, chapter I). The Secretary-General has taken note of the Advisory Committee recommendations (A/2688) regarding a saving of \$8,500 in chapters I and XII of section 3, and will endeavour to effect this saving by limiting the number of staff attending the Geneva session. The decision of the Council to shorten the duration of the Geneva session to four weeks would, on the basis of this limitation, make it possible to reduce the Advisory Committee's recommendations by an additional \$5,450.

At the European Office, the Council's decision to have a four-week session will make it possible to reduce the temporary assistance provision (chapter I of section 18) by \$16,700, in addition to the reduction recommended by the Advisory Committee regarding temporary assistance for visiting conferences in Geneva.

7. At its 829th meeting (resolution 557 C II (XVIII)), the Council decided to discontinue the activity of the Fiscal Commission. Accordingly, the provision of \$9,750 made in section 3, chapter VI, of the original estimates for a 1955 meeting can be deleted.

8. As a result of the above decisions of the Council, the estimates for sections 3 and 18 as recommended by the Advisory Committee are revised as follows:

	Section 3		Section 18	
	Increase	Decrease	Increase	Decrease
	Dollars (US)			
(a) Extension of the meeting of the Sub-Commission on Prevention of Discrimination and Protection of Minorities from three weeks to four weeks (para. 3 above)	2,300			
(b) United Nations Regional Cartographic Conference for Asia and the Far East (para. 4 above)	6,000			
(c) Meeting of Commission on Human Rights in Geneva (para. 5 above)			6,000	
(d) Shortening of summer session of ECOSOC in Geneva to four weeks (para. 6 above)		5,450		16,700
(e) Discontinuance of Fiscal Commission (para. 7 above)		9,750		
	8,300	15,200	6,000	16,700
Net reduction in Secretary-General's estimate taking into account the Advisory Committee's recommendations (see para. 6)	6,900		10,700	

DOCUMENT A/C.5/584 and Corr.2

Use of income derived from the Staff Assessment Plan: report of the Secretary-General

[Original text: English]
[15 October 1954]

INTRODUCTION

1. The general problem of national income taxation levied on the salaries and emoluments paid by the United Nations to its officials has engaged the attention of the General Assembly ever since its first session. During the eighth session of the General Assembly, the Fifth Committee reverted to this question and concurred in a recommendation made by the Advisory Committee on Administrative and Budgetary Questions that the Secretary-General be requested to submit to the General Assembly at its ninth session a report aimed towards a solution of the problem.

2. The Secretary-General accordingly submits the following report.

THE STAFF ASSESSMENT PLAN

3. The General Assembly, by resolution 22 A (I) adopted on 13 February 1946, approved the Convention on the Privileges and Immunities of the United Nations and proposed that every Member of the Organization accede to it. The Convention provided, in article V, section 18 (b), that officials of the United Nations shall be "exempt from taxation on the salaries and emoluments paid to them by the United Nations". During the second part of its first session, the General Assembly furthermore in resolution 78 (I)—Tax Equalization—requested Members which had not yet completely exempted from taxation salaries and allowances paid out of the budget of the Organization to take early action in the matter "in order

to achieve full application of the principle of equity among Members and equality among personnel of the United Nations”.

4. At its second session, the General Assembly in resolution 160 (II) reaffirmed the principles set forth in the two resolutions cited above; requested the Secretary-General to prepare and submit to its third session a staff contributions plan; and requested Member States, pending tax exemption, to grant relief from double taxation to their nationals employed by the United Nations.

5. Pursuant to this decision, a staff contributions plan was prepared by the Secretary-General with the assistance of a group of tax experts; and following consideration of the Secretary-General's proposals together with the observations thereon of the Advisory Committee on Administrative and Budgetary Questions, the General Assembly adopted at its third session under the title “Staff Assessment Plan” a scheme of assessment on salaries and emoluments of United Nations staff members, as set out in resolution 239 (III).

6. The General Assembly reiterated at the same time (resolution 239 C (III)) the principles of equity among the Member States and equality among members of the staff of the Organization and made a further request to Members which had not acceded to the Convention on Privileges and Immunities or which had acceded to it with reservations as to its section 18 (b) to take the necessary action, legislative or other, to exempt their nationals employed by the United Nations from national income taxation with respect to their salaries and emoluments paid to them by the United Nations, or in any other manner to grant relief from double taxation to such nationals.

7. The Staff Assessment Plan approved by the General Assembly in resolution 239 (III) has been in effect since 1 January 1949. In the light of experience, certain minor changes of a technical character in the Staff Assessment Plan were approved by the General Assembly at its fourth session (resolution 359 (IV)). Under the plan, all salaries and emoluments paid by the United Nations are subject to an assessment in accordance with specified rates and conditions. The assessment is collected by the United Nations by withholding it from salaries. In accordance with article 7 of resolution 239 A (III), the revenue derived from the assessment shall be applied as an appropriation-in-aid of the budget. Accordingly, the sum total of the assessments withheld from payments to staff members is credited to miscellaneous income. The total amount of miscellaneous income estimated for a particular year is deducted from the total gross budget approved by the General Assembly for that year, thus providing, together with other statutory adjustments, a reduced net amount upon which the actual assessment upon Members is calculated in accordance with the scale of contributions approved by the General Assembly. The deduction of the miscellaneous income from the total gross budget before arriving at the assessable amount has the effect of giving the benefit of the miscellaneous income to all the Member States in the same proportions as their assessments.

EQUALITY AMONG STAFF MEMBERS

8. Not all Member States have granted either tax exemption under the Convention on Privileges and Immunities or relief from double taxation. In order, therefore, to provide equal treatment among staff members, the General Assembly has on an annual basis authorized the Secretary-General to reimburse national income taxes paid by staff members in respect of salaries and emolu-

ments received from the United Nations. To meet this expenditure, an appropriation for reimbursement of national income tax has been provided in the budget every year.

EQUITY AMONG MEMBER STATES

9. While the application of one important principle, that of equality among staff members, has thus been achieved in the manner described above, the other important principle of equity among Member States has not been achieved. A Member State which has not granted either tax exemption or relief from double taxation to its nationals who are staff members benefits twice: first from the national taxes it levies on such nationals, and secondly, from the income derived from the Staff Assessment Plan. On the other hand, a Member State which has granted tax exemption or relief from double taxation to its nationals who are staff members shoulders an additional burden in contributing to the budget appropriation for reimbursement of national income tax levied by other Member States. In respect of the years up to and including 1953, a total amount of \$8,895,862 has been expended or obligated for such tax reimbursement.

10. As a possible solution to the important problem of achieving equity among Member States the Secretary-General offers the following plan:

OUTLINE OF THE PLAN

11. A tax equalization fund should be established to which would be credited the income from the Staff Assessment Plan hitherto credited to the account of miscellaneous income. The Organization would continue to withhold month by month from the current earnings of staff members the amount due under the Staff Assessment Plan.

12. The Tax Equalization Fund would comprise an account for each Member State, to which its share of the total amount of staff assessment income would be credited in accordance with the scale of assessment approved by the General Assembly. The share of any Member State in the Fund would be used in the first instance to provide for relief from double taxation in the form of reimbursement of national income taxes levied by that Member State on members of the staff of the United Nations.

13. The estimated amounts expected to be available at the end of the year as credits on each Member State's account in the Fund would be applied as an initial reduction of the contributions assessable against that Member State in respect of the same year, in the same way as reduction is currently made for estimated miscellaneous income for the year. A further adjustment in line with the actual amounts for the year would be made against the next following year, as is also the current practice in respect of miscellaneous income.

14. In the case of a Member State which has granted tax exemption or relief from double taxation to staff members in respect of their earnings from the Organization, the whole of its share in the Fund would be available as a reduction in its contribution since no reimbursement of national income tax would arise. As the miscellaneous income under the new plan, plus the credits to the Tax Equalization Fund in respect of staff assessment income, together would represent the same total amount as is currently credited as miscellaneous income under the present system, a Member State which has granted tax exemption or relief from double taxation would benefit in the same total amount under the new plan as at present.

15. On the other hand, in the case of a Member State which has levied taxes on staff members, its proportionate share in the Fund would be reduced by the estimated amount of national tax reimbursement in respect of these staff members. Any estimated credit balance in its share of the Fund at the end of the year would be available as a reduction in its contribution, in addition to its share of the miscellaneous income. Should, however, the total amount of tax reimbursement paid in respect of a Member State exceed its share in the Fund, the Member State would not receive any benefit from the Fund, that is, from staff assessment income. In such case provision would also have to be made in the annual budget to cover the difference between the two amounts involved.

16. The effect of the plan would therefore be a considerable reduction of the annual budget appropriations for reimbursement of national income taxes without affecting the credits in respect of miscellaneous income and income from the Staff Assessment Plan for Member States which have granted tax exemption or relief from double taxation. At the same time, a Member State which has not granted tax exemption or relief from double taxation would not benefit from staff assessment income as long as the income derived by it for any year from taxation of staff members equalled or exceeded its share from staff assessment income for the same year. The plan would, therefore, mean a large step towards achieving equity among Member States.

17. As the staff assessment income for 1954 has been taken into account in determining Member States' contributions for this year, the plan would have no effect on the budget for 1954.

FINANCING PAYMENTS

18. In order to enable the Fund to meet current commitments at any time during the year, the Secretary-General would suggest that he should be authorized to make necessary advances from the Working Capital Fund in order to finance payments from the Tax Equalization Fund pending receipt of income to the latter Fund.

19. Should the General Assembly approve the plan outlined above, the actions required are shown in the annex hereto.

ANNEX

SPECIFIC ACTIONS REQUIRED

1. The provisions of resolution 359 (IV) would require to be amended along the following lines:

(a) Provision of new article:

Staff members whose income is subject to national income taxation by a Member State shall be entitled to double taxation relief equal to the amount of such taxes paid by way of a refund claim paid to the staff member.

(b) Change in article 7:

(i) There shall be established a Tax Equalization Fund to which shall be credited the amounts withheld from staff members on account of the staff assessment and to which the refund claims paid in respect of double taxation relief shall be charged;

(ii) The Tax Equalization Fund shall comprise a separate account for each Member State, and the credits shall be distributed over these accounts in accordance with the scale of assessments of contributions; the charges in respect of refund claims paid in respect of double taxation relief shall be charged to the account of the respective Member States levying the taxes which give rise to the claims for relief;

(iii) Balances remaining to the credit of Member States shall be credited against their contributions;

(iv) All amounts paid in respect of double taxation relief claims in excess of any Member State's credit in the Tax Equalization Fund shall be charged to the regular budget of the United Nations.

2. A new article should be included in the resolution on the Working Capital Fund;

"Authorizes the Secretary-General to make necessary advances to the Tax Equalization Fund established under resolution... in order to enable that Fund to meet current commitments pending accumulation of credits."

DOCUMENT A/C.5/585

Revised estimates for section 5 : Military Observer Group in India and Pakistan : report of the Secretary-General

[Original text : English]

[20 October 1954]

Dollars (US)	Dollars (US)		
1955 estimates	462,000	Temporary assistance	23,700
1954 appropriation	564,500	Travel and subsistence of observers	166,000
1953 expenditure	611,851	Travel and subsistence of staff	97,700
		Communications services	1,300
		Rental and maintenance of premises and equipment	9,000
		Stationery and office supplies	2,400
		Local transportation	3,600
		Operation and maintenance of transportation equipment	12,000
		Freight, cartage and express	9,600
		Insurance	6,100
		Miscellaneous supplies and services	13,300
		Contractual support services (aircraft)	108,700
		Transportation equipment	5,600
		Miscellaneous equipment	3,000
		TOTAL	462,000

1. At its 470th meeting, on 14 March 1950, the Security Council adopted a resolution (S/1469) requesting, *inter alia*, that the Governments of India and Pakistan take all necessary precautions to ensure that their agreements regarding the cease fire continue to be faithfully observed. A United Nations Military Observer Group was established to assist the parties in maintaining the cease fire. The Secretary-General considers it necessary that budgetary provision be made for 1955 to provide for the continuance of this Group.

2. Estimates for the continuance of the Military Observer Group in India and Pakistan in 1955 are as follows:

3. Under "temporary assistance", provision is made for the salary of the Chief Military Observer (\$16,200) and wages of local staff at an average total cost of \$625 per month (\$7,500).

4. Under "travel and subsistence of observers", provision is made in the amount of \$113,500 for subsistence at \$10 a day for 35 military observers, less 10 per cent for delay in assignment (provision was made for 46 military observers and 5 air crew in 1954). Provision is also made in the amount of \$52,500 for travel on replacement of observers on the basis of 30 journeys at an average of \$1,750 each (provision was made in 1954 for 47 similar journeys at an average of \$1,900 each).

5. Under "travel and subsistence of staff", provision is made for \$8,000 to cover travel New York/Delhi and return for replacement of one Headquarters staff member and for transfer of Field Service staff and dependants to other missions. Provision of \$89,700 is made to cover subsistence allowance for the Chief Military Observer, 30 married staff members and 13 single staff members. Staff members receive a mission subsistence allowance which varies with location and dependency status. Staff members with dependants receive \$9.00 per day for the first six months then \$180 per month in India and Pakistan, and \$7.50 per day then \$150 per month in Kashmir. Staff members without dependants receive

\$6.00 per day for the first six months then \$120 per month in India and Pakistan, and \$4.50 per day then \$100 per month in Kashmir.

6. Under "contractual support services" provision of \$108,700 is made to cover rental of a commercial aircraft at \$4,060 per month, plus hourly flying charges at a rate of \$5,000 per month.

7. The estimates for other items are based upon the pattern of expenditures for 1954 with allowance for some reduction in respect of most items.

8. The Secretary-General requests that in order to cover the activities of the Military Observer Group in India and Pakistan in 1955, a credit of \$462,000 be approved under section 5 of the 1955 budget.

9. Income in 1955 from the activities of the Military Observer Group is estimated at \$7,000, of which \$4,600 will accrue from staff assessment and \$2,400 from the sale of 3 vehicles.

10. The above estimate is one of a series submitted in substitution for the total provision of \$1,665,000 tentatively included in the original estimates, under chapter III of section 5, to assist in the over-all appraisal of the 1955 budget.

ANNEX

UNITED NATIONS MILITARY OBSERVER GROUP IN INDIA AND PAKISTAN
1955 manning table

Number of posts		Functional title	Internationally recruited	Detailed from established offices	Category
1954	1955				
1	1	Chief Military Observer	1		D/1
1	1	Administrative officer		1	P/4
1	1	Assistant administrative officer ..		1	P/2
1	1	Finance officer		1	P/1
2	-	Secretarial and clerical			
42	40	Field Service personnel		40	
<u>48</u>	<u>44</u>		<u>1</u>	<u>43</u>	

DOCUMENT A/C.5/586

Requirements for the "Ad Hoc" Commission on Prisoners of War: note by the Secretary-General

[Original text: English]
[19 October 1954]

1. In its resolution 741 (VIII), the General Assembly requested the *Ad Hoc* Commission on Prisoners of War "to continue its efforts to assist in a solution of the problem of prisoners of war under the terms of reference contained in General Assembly resolution 427 (V) of 14 December 1950".

The *Ad Hoc* Commission has now transmitted a progress report to the Secretary-General (A/AC.46/17), which has been made available to Governments of Members and in which there is a reaffirmation of the intention of the Commission "to pursue its efforts in a humanitarian way until the question assigned to it is finally settled" (see annex I).

2. As no information is available as to where and for what periods of time the *Ad Hoc* Commission is likely

to meet in 1955, the Secretary-General proposes that the draft resolution relating to unforeseen and extraordinary expenses submitted by the Advisory Committee for the financial year 1955 (A/2688, part one, appendix II) be amended to enable the Secretary-General to meet any necessary expenses of the *Ad Hoc* Commission, on the same terms as paragraph (d) of General Assembly resolution 787 (VIII), which made such provision for 1954.

AMENDMENT TO THE DRAFT RESOLUTION RELATING TO UNFORESEEN AND EXTRAORDINARY EXPENSES

After paragraph (a), insert the following new paragraph:

"(b) Such additional commitments as are required for the *Ad Hoc* Commission on Prisoners of War".

DOCUMENT A/C.5/587

Revised estimates for sections 1 and 18 : holding of the 1955 session of the International Law Commission at Geneva : report of the Secretary-General

[Original text : English]
[19 October 1954]

	Section 1. Sessions of the General Assembly, Commissions and Com- mittees	Section 18 European Office of the United Nations
	Dollars (US)	
1955 original budget estimates (A/2647)	373,000	4,722,000
Recommended by Advisory Committee (A/2688)	373,000	4,682,100
Supplementary estimates submitted in A/C.5/582	-	—(10,700)
Supplementary estimates now submitted	14,300	12,500
Advisory Committee recommendations as adjusted by the Secretary-General's supplementary estimates	387,300	4,683,900
1954 appropriation	382,750	4,666,000
1953 expenses	423,755	4 469,542

1. The 1955 budget estimates (section 1) include a provision of \$50,000 for an eight-week session of the International Law Commission at Headquarters.

2. The Commission, at its sixth session, decided that its next session in 1955 should be held in Geneva, Switzerland, for a period of ten weeks commencing 20 April 1955. This decision would entail an overlap of ten days with the Commission on Human Rights, which is scheduled to meet in Geneva from 31 March to 30 April. The Secretary-General therefore suggests, and the Chairman of the International Law Commission concurs, that the Commission should meet in Geneva commencing 2 May 1955, rather than 20 April. On the basis of a ten-week session as proposed by the Commission, the session would end on 8 July; and, in conformity with General Assembly resolution 694 (VII) on programme of conferences, there would be no overlap with the summer session of the Economic and Social Council.

3. The cost involved in convening a session of ten weeks' duration at Geneva rather than at Headquarters,

and of providing simultaneous interpretation from and into Spanish as requested by the Commission (para. 76 of A/2693), is as follows :

	Dollars (US)
(a) Travel and subsistence of members	57,350
This represents an increase of \$7,350 to cover an additional two weeks' subsistence.	
(b) Travel and subsistence of staff	6,950
Provision for travel (\$3,200) and subsistence (\$3,750) of three substantive officers and two Spanish interpreters from Headquarters to Geneva for 75 days (one on home leave). Concerning the number of substantive officers, the Fifth Committee last year decided to rely upon the discretion of the Secretary-General to use up to three; experience has validated the Secretary-General's view that this number is required.	
(c) Temporary assistance	12,500
This amount is based on 1953 experience.	
TOTAL COST	76,800

4. The above cost would be divided between sections 1 and 18 of the 1955 budget as follows :

	Dollars (US)
<i>Section 1 (chapter IV)</i>	
(i) Travel and subsistence of members ..	57,350
(ii) Travel and subsistence of staff	6,950
	<hr/> 64,300
<i>Section 18 (chapter I)</i>	
(i) Temporary assistance	12,500

5. The requirements under section 1 represent an increase of \$14,300 in the estimates for an eight-week session in New York and the estimate for that section is increased accordingly.

6. The amount of \$12,500 for temporary assistance to be borne in section 18 (European Office of the United Nations) offsets the saving of \$10,700 proposed in A/C.5/582, and the total requirements for the section are accordingly adjusted to \$4,683,900.

DOCUMENT A/C.5/589

Revised estimates for section 5 : repatriation of Greek children

[Original text : English]
[20 October 1954]

	Dollars (US)
1955 estimates	5,000
1954 appropriation	5,000
1953 expenditure	9,187

1. General Assembly resolution 618 (VII), adopted on 17 December 1952, discontinued the Standing Committee on the Repatriation of Greek Children established by General Assembly resolution 382 C (V). It nevertheless requested the International Committee of the Red Cross and the League of Red Cross Societies to continue their work in Yugoslavia until all children had been repatriated.

2. Reimbursements made to the above-mentioned organi-

zations through 30 September for expenses incurred by them in 1954 in connexion with this work amounted to \$5,161.

3. The Secretary-General believes that budgetary provision for an appropriation in the amount of \$5,000 should be made to reimburse the International Committee and the League for similar expenses which may be incurred by them in 1955.

4. The above estimate is another in the series submitted under section 5 in substitution for the total provision of \$1,665,000 tentatively included in the original estimates under chapter III of section 5.

DOCUMENT A/C.5/590

Revised estimates for section 5: United Nations Conciliation Commission for Palestine

[Original text: English]
[22 October 1954]

	Dollars (US)
1955 estimate	52,100
1954 appropriation	61,200
1953 expenditure	38,059

1. The functions and responsibilities of the United Nations Conciliation Commission for Palestine are set forth in General Assembly resolutions 194 (III), 394 (V) and 512 (VI). The major function which will engage the Commission in 1955 is expected to be the examination of individual property holdings on which compensation claims might be based, as recommended in the Commission's twelfth progress report (A/2216).

2. The Commission will require a supporting staff comprising one first officer, one second officer, one associate officer and six secretarial and clerical staff. Of these, one officer will continue to serve as Liaison Representative in the area to carry out the Commission's instructions with regard to blocked accounts and questions of compensation, and to keep the Commission and the Truce Supervision Organization informed on those activities of either of them which are of interest to the other (A/2629). A chief clerk and two clerks, recruited in the area, will comprise the staff of the Land Records Sub-Office in Jerusalem. One officer and three secretarial and clerical staff will carry on with the land evaluation programme at Headquarters. The associate officer will assist the Principal Secretary and the Commission at Headquarters. Thus the staff proposed for 1955 will consist of six internationally recruited staff and three locally

recruited staff, as against the ten internationally recruited staff contemplated for 1954.

3. On this basis, estimates for the continuance of the Commission in 1955 are:

	Dollars (US)
Temporary assistance	41,300
Travel and subsistence of staff	9,500
Miscellaneous supplies and services	1,300
	52,100

4. The Secretary-General requests that, in order to cover the activities of the Conciliation Commission for Palestine in 1955, a credit of \$52,100 be approved under section 5 of the 1955 budget.

5. It is assumed that the seat of the Commission will remain at Headquarters and the present estimates of 1955 requirements are prepared on that basis. Should it prove necessary for the Commission to meet away from Headquarters, the Secretary-General would propose to meet any additional expenses by advances from the Working Capital Fund as commitments relating to the maintenance of peace and security.

6. The revenue to derive from staff assessment applied to salaries of the internationally recruited staff is estimated at \$6,300 for 1955.

7. The above estimate is another in the series currently submitted under section 5 in substitution for the provision of \$1,665,000 tentatively included in the original estimates under chapter III of section 5.

ANNEX

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

Number of posts		Functional title	Internationally recruited	Detailed from established offices	Category
1954	1955				
1	1	Political Affairs officer	1	-	P-4
2	1	Political Affairs officer	1	-	P-3
1	1	Political Affairs officer	1	-	P-2
1	-	Political Affairs officer	-	-	-
5	3	Secretarial and clerical	3	-	-
10	6		6	-	-

DOCUMENT A/C.5/592

Revised estimates for section 5: United Nations Truce Supervision Organization in Palestine

[Original text: English]
[26 October 1954]

	Dollars (US)
1955 estimate	644,000
1954 appropriation	488,400
1953 expenses	456,921

1. At its 642nd meeting, on 24 November 1953, the Security Council adopted a resolution (S/3139/Rev.2) requesting, *inter alia*, the Secretary-General to consider

with the Chief of Staff the best ways of strengthening the Truce Supervision Organization in Palestine and to furnish such additional personnel and assistance as the Chief of Staff might require for the performance of his duties. After careful review of the situation, the Secretary-General found it necessary to increase the number of military observers from 35 to 45 and the staff from 59 to 72. Communication facilities for the Truce

Supervision Organization were also greatly improved. The motor vehicle fleet was increased from 57 to 75 vehicles and an aircraft was chartered. This expansion of operations and resultant increase in staff, equipment and facilities will entail the expenditure of an estimated \$610,700 for 1954 or \$122,300 in excess of the appropriation. It is now proposed to replace four enlisted men, heretofore included in the group of military observers, by four Field Service personnel. As a consequence, the number of military observers will be reduced to 41 and the staff increased to 76.

2. Estimates for the continuance of the Truce Supervision Organization in Palestine in 1955 are as follows :

	<i>Dollars (US)</i>
Temporary assistance	111,300
Travel and subsistence of observers	160,800
Travel and subsistence of staff	192,500
Communications services	5,000
Rental and maintenance of premises and equipment	18,000
Stationery and office supplies	5,400
Local transportation	1,000
Operation and maintenance of transportation equipment	45,000
Freight, cartage and express	10,600
Insurance	7,000
Miscellaneous supplies and services	5,300
Contractual support services (aircraft)	42,000
Transportation equipment	25,100
Miscellaneous equipment	15,000
	644,000

3. Under "Temporary assistance", provision is made for the salary of six internationally recruited staff (\$80,100) and wages for a total of 23 locally recruited staff (\$31,200).

4. Under "Travel and subsistence of observers", provision is made in the amount of \$149,600 for subsistence at \$10 per day for 41 observers. On the basis of experience, no reduction is made for delays in assignment. Provision is also made in the amount of \$11,200 for travel on replacement on the basis of 14 journeys at an average of \$800 each.

5. Under "Travel and subsistence of staff", provision is made for \$25,200 to cover travel of the Chief of Staff to New York and return and for travel on replacement of 20 staff members. Provision is also made of \$167,300 to cover subsistence allowances for the Chief of Staff, the Special Adviser and 14 other staff members, less 5 per cent for absences from the mission area. Subsistence allowances in Israel and Jordan are set at \$10 per day for the first six months (\$7,000 for staff members without dependants), then at \$200 a month (\$135 for staff members without dependants). The rates in other countries in the mission area are set at \$8.00 or \$5.00 per day for the first six months, then at \$150 or \$100 per month.

6. Under "Operation and maintenance of transportation equipment", a provision of \$45,000 is made to cover operation and maintenance costs of the 75 vehicles currently authorized. The \$10,000 increase over the 1954 estimated expenditure (\$35,000) is partially due to the increased size of the fleet and partially to an increase of 40 per cent in the cost of gasoline in the mission area.

7. Under "Transportation equipment" provision is made to cover the cost of replacement of 13 obsolete vehicles with one eight-passenger station wagon (\$2,300) and 12 jeep station wagons (\$22,800).

8. Provisions made under other accounts generally follow the pattern of expenditures established in 1954. The increases shown reflect the needs of the expanded operations of the Truce Supervision Organization.

9. The Secretary-General requests that, in order to cover the activities of the Truce Supervision Organization in Palestine in 1955, a credit of \$644,000 be approved under section 5 of the 1955 budget.

10. Income in 1955 from the activities of the Truce Supervision Organization is estimated at \$43,500, of which \$19,300 will accrue from Staff Assessment, \$11,000 from the sale of vehicles and \$13,200 from payment by the United Nations Relief and Works Agency for Palestine Refugees in the Near East in respect of services performed by two Field Service radio officers.

11. The above estimate is one of a series currently submitted in substitution for the total provision of \$1,665,000 tentatively included in the original estimates under chapter III of section 5.

ANNEX

UNITED NATIONS TRUCE SUPERVISION ORGANIZATION IN PALESTINE 1955 manning table

1954	1955	Functional title	Internationally recruited	Detailed from Headquarters	Category
1	1	Chief of Staff	1		P-D
1	1	Special adviser	1		D-2
1	1	Legal adviser		1	
1	1	Administrative officer		1	
1	1	Political adviser	1		P-5
1	1	Interpreter	1		P-3
1	1	Finance officer	1		P-3
2	-	Interpreters			
-	1	Information officer	1		P-4
1	1	General Service officer		1	
6	7	Secretarial and clerical		7	
43	60	Field Service personnel		60	
59	76		6	70	

DOCUMENT A/C.5/593

Revised estimates for section 5: Korean service medals

[Original text: English]
[26 October 1954]

	<i>Dollars (US)</i>
1955 estimate	215,000
1954 appropriation	343,000
1953 expenditure	172,776

1. General Assembly resolution 483 (V) of 12 December 1950 provided that arrangements be made for the design and award, under regulations prescribed by the Secretary-General, of a distinguished service medal or other insignia for personnel who have participated in Korea in the defence of the principles of the Charter.

2. As of 31 December 1953, a total of 2,838,800 persons were entitled to receive the medals. By the end of 1954, a total of 1,607,200 medals and ribbons, or equivalents, will have been delivered at a total cost of \$605,300. A total of 1,231,600 additional medals will still be required to meet entitlements through 31 December 1953.

3. Detailed estimates of requirements and costs are as follows:

	<i>Dollars (US)</i>
1,232,000 medals at \$0.265	326,480
2,042,500 bars at \$0.016	32,680
213,600 yards of ribbon at \$0.072	15,380
Shipping charges	5,460
	380,000

It will be noted that this total will still be increased by the 1954 requirements which, for the most part, have not yet been made known by the Governments concerned.

4. Tentative arrangements have been made to meet known requirements over a two-year period. Under these arrangements, costs to be met in 1955 would be as follows:

	<i>Dollars (US)</i>
620,000 medals at \$0.265	164,300
2,042,500 bars at \$0.016	32,680
213,600 yards of ribbon at \$0.072 per yard	15,380
Shipping charges	2,640
	215,000

The balance (\$165,000) would be required in 1956.

5. In order to finalize the arrangements made, the Secretary-General requests, under the 1955 budget, credits in the amount of \$215,000.

6. In order to enter into commitments for the purchase of the medals to be delivered in 1956, the Secretary-General also requests that the following paragraph be added to the draft resolution relating to Unforeseen and Extraordinary Expenses—"Such commitments not exceeding a total of \$165,000 as are required for the purchase of Korean service medals".

7. The above estimate is one of a series currently submitted in substitution for the total provision of \$1,665,000 tentatively included in the original estimates under chapter III of section 5.

DOCUMENT A/C.5/597

Reimbursement rates for services rendered by the European Office of the United Nations to the specialized agencies: report of the Secretary-General

[Original text: English]
[3 November 1954]

In the course of its 397th meeting, held on 27 October 1953, the Fifth Committee requested the Secretary-General to review the situation with regard to reimbursement by the specialized agencies and other bodies for services and facilities provided by the European Office of the United Nations and to report thereon at the ninth session of the General Assembly.

Pursuant to this request, the United Nations Secretariat undertook a review of the principles applied in the formulation of rates for various facilities and services

rendered to the specialized agencies and submitted a preliminary report on the question which was discussed with the Advisory Committee at its spring session in 1954.

Negotiations with the specialized agencies concerned were subsequently initiated in order to reach agreement on possible modifications in the methods of calculating reimbursement rates in Geneva. These negotiations are still in progress. The Secretary-General is therefore unable at the present session of the General Assembly to report on the outcome of these negotiations.

DOCUMENT A/C.5/600

Report of the Secretary-General

[Original text: English]
[4 November 1954]

1. Pursuant to the consideration by the Fifth Committee of the question of salaries and allowances of Under-Secretaries or officials of equivalent rank, and in accordance with the action taken at its 449th meeting, the necessary adjustments in the budget estimates for 1955 are listed below. The adjusted amounts will provide

for a salary of \$18,000 gross and an allowance of \$3,500 for each post in that category.

The transfer of one post of Deputy Under-Secretary from the Department of Economic and Social Affairs to the Department of Conference Services, in accordance with the Secretary-General's statement at the 443rd meeting, is also reflected in the following figures:

Section	Recommended by the Advisory Committee	Reduction or (Increase)	Revised
			estimate
			Dollars (US)
6 Offices of the Secretary-General	2,117,900	850	2,117,050
6a Office of Under-Secretaries without portfolio	85,000	8,350	76,650
8 Department of Economic and Social Affairs	3,717,000	30,000	3,687,000
9 Department of Trusteeship and Information from Non-Self-Governing Territories	867,700	8,500	859,200
10 Department of Public Information	2,542,500	8,500	2,534,000
11 Department of Conference Services	6,168,300	+(13,000)	6,181,300
12 Office of General Services	2,976,000	+(150)	2,976,150
	TOTAL REDUCTION		43,050

2. As a result of this reduction as far as it applies to salaries, income to be derived from Staff Assessment will be reduced by an amount of \$12,500.

3. In order to give effect to the decision of the Fifth Committee in respect of additional payments to be made

to Under-Secretaries and officials of equivalent rank, pursuant to paragraph 2 of annex I of the staff regulations as revised, a new section is required as follows:

Section 23a. Special payments under annex I, paragraph 2, of the staff regulations \$50,000

DOCUMENT A/C.5/601

Grant to the United Nations International School: report of the Secretary-General

[Original text: English]
[5 November 1954]

1. In its second report to the ninth session of the General Assembly (A/2688), the Advisory Committee recommended that provision of a subsidy to the United Nations International School for the financial year 1955 should be made the subject of a specific decision of the General Assembly (para. 142). The Secretary-General therefore confirms the request contained in his budget estimates for 1955 that a sum of \$7,400, the same as that included in the appropriations for 1953 and 1954, should be granted to the International School towards rental of premises, since without the subsidy the continued existence of the School would be in jeopardy.

2. The present financial position of the School is described below. In addition, material on the operation of the School, bringing up to date the report (A/C.5/549) which was presented to the General Assembly at its eighth session, is given in the attached annex.

3. The budget requirements of the School for 1954-1955 are as given below:

Item	Current operations	Estimate
		Dollars (US)
Salaries:		
Director (post now vacant) ..		12,000
Staff—16 members of faculty ..		67,000
Housekeeping		13,000
		<hr/> 92,000
Rentals		10,750
Food		10,000
Supplies and services		8,250
Equipment		1,500
		<hr/> 122,500
	Total	
	Development costs	8,000
		<hr/> 130,500
	GRAND TOTAL	

4. The Board of Trustees has estimated that, of the \$130,500 required for the coming school year, and apart from that portion of the United Nations grant provided for the calendar year 1954 which relates to the school year 1954-1955, some \$94,300 will be collected as revenue from the following sources :

	<i>Dollars (US)</i>
Regular tuition fees	90,000
Annual membership fees	1,200
Initial admission fees	800
Miscellaneous income	2,300
	94,300

5. A special fund-raising programme is planned ; however, it is envisaged that a deficit in current operations of \$12,500 is possible. It is to be noted that, although the school has not become self-supporting as yet, it has grown and developed to meet more fully the specific needs of the United Nations international staff without an increase in financial aid by the United Nations.

6. It is the Secretary-General's recommendation that a subsidy of \$7,400 for the calendar year 1955 be appropriated. One-half of this sum (\$3,700) would apply to the school year 1954-1955 and the balance to the succeeding scholastic year.

7. For 1955 therefore it is proposed that the amount of \$3,385,000 recommended by the Advisory Committee on Administrative and Budgetary Questions for section 15, Common staff costs, be increased by \$7,400 to \$3,392,400, the amount originally requested by the Secretary-General in the budget estimates for 1955.

ANNEX

DEVELOPMENT AND COMPOSITION OF THE UNITED NATIONS INTERNATIONAL SCHOOL

The International School has grown from a nursery school with two groups into a school comprising a Nursery Division with one nursery and one kindergarten group, and a Primary Division of six grades (including two first and second grades) in 1954. An integrated international curriculum is taught at present in three United Nations official languages : English, French and Spanish.

This year the International School has been granted a permanent charter under the Board of Regents of New York State University permitting it to provide secondary education.

I. Children in attendance :

<i>Scholastic year</i>	<i>Number of students</i>
1947/48	20
1948/49	40
1949/50	55
1950/51	70
1951/52	80
1952/53	107
1953/54	147
1954/55	180 ^a

II. Nationalities of students

(1954/55) 31 ^b

III. Bilingual students

(1954/55) 82 ^c

IV. UN students

(1954/55) : ^d
 Primary division 59 per cent
 Higher grades ^e 70 per cent

V. Faculty

(1954/55) 16 members

^a In terms of present physical facilities, the School has reached full capacity, and had a waiting list of over 50 at the beginning of the scholastic year.

^b One or more students of the following nationalities : 1. Belgium, 2. Brazil, 3. Canada, 4. Chile, 5. China, 6. Denmark, 7. Dominican Republic, 8. Egypt, 9. France, 10. Greece, 11. Haiti, 12. India, 13. Iran, 14. Israel, 15. Italy, 16. Japan, 17. Lebanon, 18. Mexico, 19. Netherlands, 20. Pakistan, 21. Paraguay, 22. Peru, 23. Poland, 24. Switzerland, 25. Union of South Africa, 26. Union of Soviet Socialist Republics, 27. United Kingdom, 28. United States of America, 29. Uruguay, 30. Venezuela, 31. Yugoslavia.

^c Including 6 trilingual students.

^d Including delegations, accredited press and diplomatic corps.

^e Fourth, fifth and sixth grades.

The Acting Director is of French nationality ; of the 15 teachers now employed, 7 teachers are United States citizens (3 native-born and 4 of European origin), 2 are French, 1 British, 1 Burmese, 1 Chinese, 1 Pakistani, 1 Bulgarian and 1 Spanish. Most of the faculty members have academic degrees from institutions of higher learning in more than one country.

DOCUMENT A/C.5/602

Estimates for section 18, chapter III: note by the Secretary-General transmitting a cablegram from the President of the Permanent Central Opium Board

[Original text : English]
 [16 November 1954]

The Secretary-General has received from the President of the Permanent Central Opium Board the following cablegram for transmission to the General Assembly :

"Permanent Central Opium Board in session gravely disturbed by [first reading] vote Fifth Committee against appointment of Board's Deputy Secretary. 1953 Opium Protocol is highly complex instrument necessitating extensive preparatory work to enable it to be implemented when it comes into force. In expectation that present temporary Deputy Secretary provided by Secretary-General would be made permanent Board has engaged in this work. If post suspended work will have to be stopped and Protocol will

remain dead letter for perhaps three years or even longer after coming into force. In this connexion please refer to Economic and Social Council's resolution 548 B II (XVIII), paragraph 2, and recommendation 505 G (XVI), paragraph (b). Moreover absence Deputy Secretary would impede Board's work under existing conventions which is continuously increasing, particularly in view ever growing number of synthetic drugs. Grateful if copy foregoing could be communicated President Economic and Social Council.

GREENFIELD
 President, Permanent Central Opium Board "

DOCUMENT A/C.5/603

Visitors' Service: memorandum by the Secretary-General

[Original text: English]
[16 November 1954]

1. When the United Nations Headquarters was opened to the general public, the Organization was faced with the problem of handling an increasingly large number of visitors. In view of the fact that the great majority of these were American (at present 95 per cent of the visitors are from the United States and Canada), a contract was granted to the American Association for the United Nations (AAUN) to establish a guided tour service financed from the proceeds of the service itself. The net income from this operation was credited to the account for miscellaneous income in the United Nations budget.

2. The AAUN has carried out the responsibility entrusted to it in a most helpful manner. It has established an organization which has rendered valuable service to the visiting public and to the United Nations, and which has operated smoothly and efficiently.

3. Experience with the initial arrangements has emphasized two factors:

(a) The number of visitors has continued to increase and now ranges between 2,000 and 5,000 a day, more than a million persons a year. Many of these come in large groups in connexion with various conventions held in New York City.

(b) The interest of the visitors has consistently gone beyond the architectural features of the building into organization and programme aspects of the work of the United Nations. The types of questions directed to the guides demand thorough knowledge of the United Nations and tact in imparting information. Questions are frequently asked concerning the substance of the work of the Security Council and the General Assembly, the scope and organization of technical assistance, of the Economic and Social Council and its Commissions, and the Trusteeship system.

4. This development raises a serious question of principle which was touched on briefly by the Secretary-General in his statement to the Fifth Committee on 23 October 1954 (A/C.5/591), namely, whether so vital a part of the total public relations programme of the United Nations should continue to be handled by a non-governmental organization of a Member State. The Secretary-General considers that the time has come for this responsibility to be assumed directly by the Secretariat of the United Nations.

5. This step presents, in the opinion of the Secretary-General, an opportunity for attempting to combine the guide service with the student interne programme, which has been operated by the United Nations for the last seven years. Promising results have already been obtained from such an approach. During the past two summers, with a view to broadening the multi-national character of the regular guides, a group of students from various countries was included in the guide service. Experience with student-guides demonstrated that the qualifications which it is desirable for the guides to possess are similar in many respects to the qualifications required for participation in the United Nations student interne programme.

6. The interne programmes, each of about eight weeks' duration, were established with the broad purpose of developing an understanding of the work of the Organi-

zation among persons of two main categories: national civil servants at junior and intermediate levels whose functions in their own countries were related to United Nations programmes; and students, for the most part at graduate level, whose future professional careers were likely to benefit from direct experience of work in the Secretariat and whose subsequent professional activities could be of value to the United Nations from the point of view of public understanding of its work. The interne programmes have provided an opportunity to study the United Nations from temporary working posts within the Secretariat, and have included daily lectures and discussion periods led by senior officials from all departments.

7. The plan now recommended would require the selection of persons for combined interne experience and for service as guide-lecturers for the period of one year. The number selected in the initial stage would be about 40, or enough to provide 20 working guides daily; eventually it is hoped that the number may be increased until the total number of guide-internes is up to an optimum ratio to the number of professional guides. Suitable candidates would be students of either sex who have completed their undergraduate studies and who intend to take up careers in education, journalism, the diplomatic and consular services, public relations, personnel administration, and other activities involving the handling of groups of people. In addition to basic academic qualifications, they should possess personality traits necessary for meeting the public, fluency in English, and a demonstrated interest in the United Nations.

8. In selecting guide-internes it would be necessary to alter the existing procedure for selection to the student interne programme and to include personal interviews conducted largely by the overseas office of the United Nations. It would be made clear at the very outset that service as a guide-interne is not a path to recruitment into the Secretariat.

9. The time of guide-internes would be divided between the two programmes. It is envisaged that the interneship would commence with an approximate two-month period of orientation and training, which would include instruction specifically directed to the techniques of guiding and lecturing; about half the working time would be given to exploratory assignments for later working posts. During the remainder of the interneship, the group would be divided equally, so that one half would be doing full-time guiding and lecturing, while the other half would be working in interne posts. In addition to the task of guide-lecturer, the programme would include seminars in which experiences in guiding would be shared. For their work in the Secretariat, internes would be placed in appropriate departments following the placement patterns of normal interne programmes, which take into account both the interests and abilities of the individual interne and the working needs of the departments concerned. Formal instruction would include lectures, discussions and seminars on United Nations organization, programmes and problems.

10. The main advantage to the United Nations of this feature of the proposal is that it would make an important aspect of the total public relations programme of the Organization more nearly representative of the

varied membership of the United Nations. At the same time, the programme would provide an opportunity for the study of international relations and organization to students who would not otherwise have the means of financing a year's residence abroad. Furthermore, the effectiveness of the guide service itself would be enhanced by the inclusion of persons who are intrinsically interested in the task itself and in the acquisition of knowledge and techniques which would contribute materially to their future careers.

11. As indicated above, under the present contractual arrangement, the costs of operating the Guided Tour Service are paid by the AAUN from receipts of the service, and the net revenue is paid to the United Nations and credited as miscellaneous income. United Nations income from this source was \$215,792 in 1953.

	1953	1954 <i>(estimated)</i>
	<i>Dollars (US)</i>	
Total receipts	475,660	600,000
Operating expenses paid by AAUN	259,868	365,000
INCOME TO UNITED NATIONS	215,792	235,000

12. If the present proposal is approved, the Secretary-General would require authorization from the General Assembly to make all expenditures necessary to the operation of the service, including the cost of the guide-internes. Assuming the transition to take place on 1 April 1955, this authorization would have to cover the remaining nine months of that year.

13. For 1955, the Secretary-General proposes that this authorization be given by including an additional section in the appropriation resolution as follows:

Section 10a. Visitors' Service \$349,000

This amount would cover expenses of the Visitors' Service (heretofore the Guided Tour Service) at their present

level, for the period April-December, plus the additional expenses of inaugurating the guide-interne programme, as shown in the annexed statement. It is anticipated that the first group of guide-internes would be assembled about 1 July 1955.

14. The estimate for miscellaneous income from this source would need to be adjusted from the present amount of \$225,000 as follows:

	<i>Dollars (US)</i>
For the period 1 January to 31 March, on a net basis	45,000
For the period 1 April to 31 December, on a gross basis	480,000
TOTAL 1955	525,000

15. The introduction of the guide-interne programme will make it possible to eliminate the present provision for student internes, included in section 15 (Common staff costs), in the amount of \$10,000. The budget section can be reduced accordingly.

16. Finally, the transfer of the guide service personnel to direct United Nations employment will bring them under the Staff Assessment Plan. Revenue from this source during 1955 is estimated at \$40,000.

17. For future years, the Secretary-General may wish to propose a somewhat different type of authorization for the Visitors' Service, as well as for some other revenue-producing activities.

18. A more commercial type budget and financial authorization may be necessary in order to permit the necessary flexibility of operations to meet changing demands, as well as to enable a more comprehensive and meaningful presentation to the General Assembly of the full financial consequences of the activity. The Secretary-General wishes to give this matter further study, however, before making definite proposals.

ANNEX

VISITORS' SERVICE—1955

	<i>Full year 1955</i>	<i>1 January to 31 March Dollars (US)</i>	<i>1 April to 31 December</i>
I. Estimated receipts	600,000	120,000	480,000
II. Estimated expenses:			
(a) Expenses at present level			
i. Salaries, wages and related expenses	325,000	65,000	260,000
ii. Uniforms and uniform maintenance	8,000	2,000	6,000
iii. Guide-books (for visitors)	14,000	3,500	10,500
iv. Printing and stationery	3,000	750	2,250
v. Equipment	4,000	1,000	3,000
vi. Other expenses	11,000	2,750	8,250
	<hr/> 365,000	<hr/> 75,000	<hr/> 290,000
(b) Additional expenses for 40 guide-internes for 6 months			
i. Stipends (\$50 per week)			52,000
ii. Travel expenses (\$500 average)			20,000
iii. Recruitment expenses			1,500
iv. Uniforms and uniform maintenance			5,500
			<hr/> 79,000
			TOTAL
			<hr/> 79,000
			Less savings in present guide corps
			<hr/> 20,000
			Net additional cost
			<hr/> 59,000
			<hr/> TOTAL APPROPRIATION REQUIRED, 1955
			<hr/> 349,000

DOCUMENT A/C.5/604

Permanent headquarters at Geneva of the International Telecommunication Union and the World Meteorological Organization: report of the Secretary-General

[Original text: English]

[17 November 1954]

1. The International Telecommunication Union (ITU) and the World Meteorological Organization (WMO) are both at present accommodated in Geneva in temporary and inadequate quarters. ITU occupies cramped quarters, scattered in several buildings, including the Palais Wilson. For its larger conferences in Geneva it uses the Bâtiment électoral of the Canton of Geneva, smaller meetings being held in a temporary building erected some 25 years ago near the Palais Wilson. WMO is housed at present in temporary huts near the Palais des Nations.

2. The question of the construction of permanent headquarters for the two organizations has been under consideration for some years. The plenipotentiary conference of ITU in 1952 had authorized the Administrative Council of ITU to settle the problem of obtaining satisfactory headquarters on condition that (a) other things being equal, the most economical solution would be adopted, and (b) the rental of the new premises would not exceed 140,000 Swiss francs a year. The Executive Committee of WMO also in 1952 took a similar decision, stating that the rent payable by the Organization should not exceed 50,000 Swiss francs a year at the scale of building costs then prevailing.

3. On the bases of these decisions, various solutions have been envisaged and abandoned until by the spring of 1954 ITU received offers from the Canton of Geneva for the erection of a new building near the site of the Palais Wilson. The building would be erected by, and at the cost of, the Canton of Geneva, and would be rented to ITU at 3 per cent of the capital costs, but not to exceed 140,000 Swiss francs, per annum. The Canton would bear the cost of the main structural maintenance of the building, but the cost of all other maintenance and services would fall on ITU. Later, the Canton indicated its willingness to extend a similar offer to WMO, either through the erection on the Place des Nations of a single building to house ITU and WMO jointly or through the erection of a separate building.

4. Under these proposals both WMO and ITU would be in a position to establish their permanent headquarters for an indefinite period of time in modern buildings, set up in accordance with their specifications and needs for an annual rent equivalent to 3 per cent of the costs of construction. The buildings, however, would be erected outside the precincts of the Palais des Nations, as the Canton is understood to be unwilling to bear the cost of further building on United Nations land, which, of course, is extra-territorial.

5. The above plans could not fail to appear most advantageous to the agencies, the disadvantage that ownership is vested in the Canton being offset by the guarantee of indefinite occupancy. However, when informed of the solutions envisaged, the Secretary-General realized that the arrangements contemplated would effectively and permanently prevent the installation of the agencies on United Nations ground and thus render more difficult the realization of the policy repeatedly urged by the Advisory Committee on Administrative and Budgetary Questions and the General Assembly concerning the development of common services by the United Nations and the specialized agencies. The Secretary-General also realized that, in the absence of any action on his part, the matter was likely to be settled before the General Assembly had an opportunity to express its views on the subject.

6. Accordingly, the Secretary-General, while in Geneva in May 1954, informed the Secretaries-General of ITU and of WMO that if these agencies were for their part willing to envisage the establishment of their permanent headquarters on the Ariana site and to enter into an agreement on common services with the United Nations on the lines of the agreement between the United Nations and the World Health Organization, he would undertake to consult the General Assembly on its willingness eventually to consider financing construction of the necessary accommodation from United Nations funds. The actual request for credits would be made at a later stage and would be dependent on the elaboration of a suitable plan or plans acceptable to ITU, WMO and to the United Nations itself. Such plans would include not only full details of the premises to be erected but also agreed proposals concerning the financing of the construction as well as common services.

7. The Administrative Council of ITU in May 1954 authorized its Secretary-General to study this alternative in comparison with the offer of the Canton of Geneva, which remains open, meanwhile deferring its decision until it received a detailed report in 1955. The WMO Executive Committee, in August 1954, took similar action, deciding to refer the whole question to the Second WMO Congress in April 1955.

8. In the meantime, preliminary studies and discussions between the agencies concerned have been made on the feasibility and cost of various alternative projects. As a result of these studies and discussions, preliminary plans have been prepared and submitted to the Secretaries-General of the two organizations. These plans, which represent only a first attempt to solve the problem under consideration economically and efficiently, would call for expenditures estimated approximately at between \$1,750,000 and \$2,500,000.

9. There would seem to be no doubt that unless the United Nations is prepared to finance the construction itself, the headquarters of ITU and WMO will not be built on United Nations ground. The Secretary-General thus wishes to ask the General Assembly whether it is willing to give at this stage an assurance that it would, in principle, be prepared at its next regular session to approve expenditures of the magnitude indicated in paragraph 8 above to finance the erection of a building or buildings on United Nations ground in Geneva to accommodate the headquarters of ITU and WMO, provided that, in the meantime, the Administrative Council of ITU at its ninth session (May 1955) and the Second WMO Congress (April 1955) had agreed to suitable plans and to reasonable arrangements in the matters of finance and common services.

10. The Secretary-General wishes to make it clear that his principal object in raising the question at this juncture, in spite of the fact that it is not yet possible to ascertain the exact cost of the construction or the financial benefits for the three organizations involved, has been to secure consideration of a matter in which both the Advisory Committee and the General Assembly have repeatedly expressed the keenest interest before certain developments, now pending, reached an irrevocable stage.

11. The declaration of intention now requested from the General Assembly would, of course, leave to the General Assembly its freedom of action, were the final plans and other proposed arrangements not to meet with its approval.

DOCUMENT A/C.5/605

Pension entitlement of the Registrar of the International Court of Justice: memorandum by the Secretary-General

[Original text: English]
[22 November 1954]

1. The attention of the Secretary-General has recently been drawn, by the President of the International Court of Justice, to a situation which has arisen with respect to the pension entitlement of the Registrar of the Court.

2. Paragraph 7 of Article 32 of the Statute of the Court provides that:

“Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar ...”.

3. In application of this provision, the General Assembly adopted, by resolution 86 (I), a pension scheme which at present applies only to the members of the Court. At the same session (second part of the first session) the General Assembly adopted by resolution 82 (I) the provisional regulations for the United Nations Joint Staff Pension Scheme, under which the Registrar of the Court was included among the persons entitled to participation. The participation of the Registrar and of other officials of the Court, in the Pension Fund applicable to United Nations staff members, was maintained in the revised regulations at present in force, as follows:

“ARTICLE II

“Participation

“1. Every full-time member of the staff of each member organization shall become a participant in the United Nations Joint Staff Pension Fund if he enters employment under a contract for one year or more, or when he has completed one year of employment, provided that he is under sixty years of age at the time of entering such employment and that his participation is not excluded by his contract of employment.

“2. The foregoing provision shall apply to the Registrar and every full-time officer of the Registry of the International Court of Justice.”

4. A difficulty as to the pension entitlement of the Registrar of the Court arose following the election by the Court, on 23 October 1953, of the present Registrar, whose age at the time of the election was 62 and who was, therefore, excluded from participation in the United Nations Joint Staff Pension Fund under article II of the regulations quoted above.

5. The President of the Court pointed to various factors which, apart from the age of the present Registrar, indicated in the opinion of the Court the desirability of carrying out the intention of the framers of the Statute by regarding the Registrar's pension as comparable to the Judges's pension and suggested that the Assembly might wish to deal with the Registrar's pension in a similar, though not necessarily identical, manner. These factors were: (a) unlike that of members of the staff of the Court, the office of the Registrar is an elective one, the election being governed by the Statute and the Rules of the Court; (b) the election is for a limited period, seven years, and upon the expiry of that period the Registrar may or may not be re-elected; (c) there

is no mention of any age-limit; (d) finally, there is no retiring age for the Registrar, whereas the retiring age of members of the staff of the Court is 60.

6. Following further consultations with representatives of the Court and an examination of various aspects of the problem, the Secretary-General wishes to make the following recommendations which are based on the assumption that, had the present Registrar become a participant in the Pension Fund, he would have contributed 7 per cent of his pensionable remuneration to the Fund, and the United Nations would have contributed to the Fund an amount equal to 14 per cent of the Registrar's pensionable remuneration.

7. The Secretary-General would recommend that, since in the circumstances of the particular case the Pension Fund regulations are not applicable, the following special pension provisions should apply to the present incumbent:

(a) The Registrar shall contribute an amount equal to 7 per cent of his pensionable remuneration;

(b) The United Nations (International Court) shall contribute an amount equal to 14 per cent of the Registrar's pensionable remuneration;

(c) The amounts contributed under (a) and (b) shall be deemed to earn interest at 2½ per cent per annum (rate assumed for operations under the Joint Staff Pension Fund);

(d) Upon retirement (including separation as a result of disability of the Registrar), retirement provision shall be as follows:

(i) by payment of the amount accrued under (a), (b) and (c) in one lump sum; or

(ii) by payment of an annuity, with one-half survivorship annuity for spouse, which is the actuarial equivalent of the lump sum, based on the mortality tables for the Joint Staff Pension Fund; the election between (i) and (ii) to be made by the Registrar at the time of such retirement.

In the case of death of the Registrar in office, the amount accrued under (a), (b) and (c) shall be paid in one lump sum to his spouse, except that, if such spouse shall have predeceased the Registrar, there shall be paid to the Registrar's estate the amount of his own contributions plus accrued interest at 2½ per cent per annum thereon.

ANNOTATION

Approximate accumulated contributions with interest, and annual benefit (as an annuity with one-half survivorship annuity for spouse), for each completed year of service in the case of the present Registrar.

End of year of service	Accumulated contributions with interest	Annual benefit (½ for surviving spouse)
1	2,625.00	172.13
2	5,316.00	358.80
3	8,073.00	561.40
4	10,900.00	781.70
5	13,798.00	1,021.54
6	16,768.00	1,282.74
7	19,812.00	1,567.90

DOCUMENT A/C.5/606

Revised estimates for section 18 : purchase of a ratio transmitter and auxiliary equipment in Geneva : report of the Secretary-General

[Original text : English]
[22 November 1954]

	Dollars (US)
Estimate approved for section 18 by the Fifth Committee (first reading)	4,693,400
Supplementary estimates now submitted	27,900
Revised estimates	4,721,300

1. On the basis of the proposals made by the Secretary-General (A/C.5/559) and in accordance with the recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/2557), the General Assembly, at its eighth session, approved the establishment and operation by the United Nations of a direct telecommunication link between Headquarters and Geneva. Consequently, the General Assembly approved, as part of the 1954 appropriation for section 19 (Permanent Equipment) and section 20 (European Office of the United Nations), credits in the amounts of \$10,000 and \$51,000, respectively required in New York and in Geneva for the acquisition of the necessary radio transmitters and auxiliary equipment.

2. Owing to difficulties encountered in obtaining the necessary frequencies and in procuring governmental and ITU authorization for their use by the United Nations, it proved impossible to inaugurate the project at the beginning of the year as originally expected. Whereas the transmitter to be used at the New York end has been purchased, it now appears that the purchases and installations required in Geneva will not be completed before the end of 1954. Expenditures under section 20 for that year will be limited to \$23,100. Further expenditures in the amount of \$27,900 will be required in 1955.

3. The Secretary-General therefore proposes that the estimate for section 18, approved at \$4,693,400 by the Fifth Committee at the first reading of the 1955 budget, be increased by \$27,900 and approved at a total of \$4,721,300. It is anticipated that equivalent savings will be realized in 1954, as noted in document A/2792 and Corr.1, Supplementary Estimates for 1954.

DOCUMENT A/C.5/611

Holding of an international conference on olive oil in 1955 : report of the Secretary-General

[Original text : English]
[29 November 1954]

In accordance with resolutions 296 (XI) and 557 (XVIII) of the Economic and Social Council, the Council of the Food and Agriculture Organization (FAO) has requested the Secretary-General to convene an international conference on olive oil. The Secretary-General will, in accordance with these resolutions, place the request before the Interim Co-ordinating Committee for International Commodity Arrangements and, if the request is endorsed by the latter, will arrange to hold the conference at a suitable place and time. The question will be considered by the Committee at its forthcoming session in Geneva commencing on 7 December 1954.

The Secretary-General is not in a position to submit to the present session of the General Assembly a precise estimate of the costs for holding such a conference. He therefore proposes for the consideration of the General Assembly an amendment to the draft resolution relating to unforeseen and extraordinary expenses submitted by the Advisory Committee⁴ for the financial year 1955.

This amendment, which is identical to that adopted by the General Assembly in resolution 675 (VII) for an international sugar conference, is intended to meet the expenses of the proposed international conference on olive oil.

AMENDMENT TO THE DRAFT RESOLUTION RELATING TO UNFORESEEN AND EXTRAORDINARY EXPENSES

Insert the following new sub-paragraph :

“Such commitments not exceeding a total of \$25,000 as are occasioned by the holding of an inter-governmental commodity conference”.

The uncertainty as to whether this conference will in fact be held in 1955 and, if it is held, where it would be held and what contribution might be expected from any host government, has prevented the Secretary-General from submitting any estimate at this stage.

DOCUMENT A/C.5/612

Increase in the dependency credit under the Staff Assessment Plan for the staff at Headquarters : report of the Secretary-General

[Original text : English]
[1 December 1954]

1. The United Nations Staff Assessment Plan⁵, which was installed on 1 January 1949, provides, *inter alia*, that credit for dependants shall be granted on the following basis :

(a) a credit at the rate of \$200 per annum shall be

granted for either a wife, or a dependent husband, or a dependent child ;

(b) a credit at the rate of \$100 per annum shall be granted for either a dependent parent, brother, sister, or incapacitated child over 16 years of age ;

(c) a credit shall not be granted under both paragraph (a) and paragraph (b) above ;

(d) the amount of the credit may be reduced in cases where salaries are paid at locality rates which diverge widely from the Headquarters salary scales.

⁴ See document A/2688, chapter I, appendix II.

⁵ See *Official Records of the General Assembly, Third Session, Part I, Resolutions*, resolution 239 (III), and *Ibid.*, *Fourth Session, Resolutions*, resolution 359 (IV).

2. Thus, a staff member who is married receives a dependency credit which gives him a net salary after staff assessment amounting to \$200 more per annum than if he were single. For a staff member supporting a secondary dependant the difference is \$100. The Plan provides merely for a dependency credit of a flat amount for staff members with dependants and does not take account of the specific number of dependants in each case. In addition to the provisions for dependency credit, a children's allowance of \$200 is payable under the United Nations salary system in respect of each dependent child.

3. An explanation for the relatively low dependency credit which is provided under the Staff Assessment Plan can be found from a review of the history of the United Nations salary system. At the time the Staff Assessment Plan was installed on 1 January 1949, the salary system included various allowances which provided greater benefits to staff members with dependants than to those without dependants. Thus the expatriation allowance and the Headquarters rental allowance, along with the dependency credit, provided for a difference in net take-home pay of about \$600 at Headquarters (including Washington, D.C.) and \$450 at all other established offices for staff members with dependants.

4. One of the primary objectives of the Committee of Experts on Salary, Allowance and Leave Systems, which met in 1949, was to simplify the system of remuneration of members of the staff of the United Nations then in force. Following this line, the Committee recommended the elimination of various allowances, including those which provided extra benefits to staff members with dependants. While it is agreed that the salary system should be as simple as possible and that the action taken in eliminating certain allowances was well conceived, it is not evident that full consideration was given at that time as to the probable adequacy or inadequacy of the dependency credit under the Staff Assessment Plan following the elimination of the allowances.

5. From the experience gained during the period of my office in the United Nations, I have reached the conclusion, as I stated in the foreword to the budget estimates for the year 1955 (A/2647, para. 25), that the dependency credit granted under the Staff Assessment Plan does not provide a sufficient relief for staff members with dependants. Although I am not in a position to make specific proposals at this time covering all United Nations offices, I consider that the situation at Headquarters makes it necessary to take some immediate remedial action.

6. As was pointed out above, the distinction in remuneration between staff members with and without dependants has been reduced by virtue of the elimination of certain allowances. This has produced the result that the burden of cost of living has fallen with undue severity on staff members with children, and I am most anxious that something be done for them. The added cost of housing for staff members with children is particularly burdensome since the cost of housing tends to increase in direct proportion to the size of the housing accommodations required. Necessary expenditures for such items as medical and dental care, household help (including child care) and transportation are also very substantial for staff members with dependants.

7. The committee of experts which is being appointed by the Secretary-General after consultation with the executive heads of the specialized agencies would be expected to go into this whole question and to consider all of the relevant factors, not only for United Nations

Headquarters but for other areas as well. However, as in the course of the study of the general problem the situation to which I have drawn attention has emerged as an anomaly which should be at least provisionally corrected irrespective of any more comprehensive review, I have felt that, if possible, steps should be taken at once to improve the conditions. In view of the link between the dependency credit problem and the general question of dependency allowances, I have not been in a position to report on the issue before now. I am aware that the report is submitted at a very late stage, but in view of the fact that an adjustment of the present rules would go some way to alleviate various hardship cases, I consider that, on balance, it is appropriate to bring the matter to the attention of the General Assembly. In order to provide help in existing hardship cases without unnecessary delay, I therefore propose as a temporary measure to meet the present situation at Headquarters and in Washington that—pending a comprehensive review by the Committee of Experts—the present dependency credit under the Staff Assessment Plan be increased effective 1 January 1955 as follows:

<i>Present dependency credit</i>	<i>Proposed dependency credit</i>
(a) A credit at the rate of \$200 per annum shall be granted for either a wife, or a dependent husband, or a dependent child;	(a) A credit at the rate of \$200 per annum shall be granted for either a wife, a dependent husband, or a dependent parent, brother or sister, or a dependent child or a mentally or physically incapacitated child over 16 years of age;
(b) a credit at the rate of \$100 per annum shall be granted for either a dependent parent, brother, sister or incapacitated child over 16 years of age;	(b) an additional credit at the rate of \$100 per annum shall be granted for each additional dependent child, for whom credit has not been granted under paragraph (a) above.
(c) a credit shall not be granted under both paragraph (a) and paragraph (b) above.	

This proposal would go some way toward restoring the difference in net remuneration between staff members with and without dependants which existed before the introduction of the revised system of remuneration in 1950.

8. The effect of the above proposal on the United Nations budget would be to decrease the total income from staff assessment by approximately \$220,000. There would be no change in the gross budget.

9. As nothing should be done in the United Nations which would cause embarrassment to the other international organizations or jeopardize their salary policies. I have reported to the heads of the Specialized Agencies, during the nineteenth session of the Administrative Committee on Co-ordination, my plans for proposing to the General Assembly that the dependency credit under the United Nations Staff Assessment Plan be brought more nearly to reflect the difference in living costs as between staff members with and without dependants. The heads of the various Agencies, while pointing out that a change in the dependency credit for United Nations staff might have implications for their own salary systems, as presently established and applied in various areas of the world, understood the basis for my proposals and did not wish to stand in the way of them.

10. The following draft resolution is submitted for consideration by the General Assembly:

"The General Assembly

"Resolves that notwithstanding article 4 of resolution

359 (IV), the following dependency credits shall be given as of 1 January 1955 to staff members stationed at Headquarters or at Washington, D.C.

“(i) A credit at the rate of \$200 per annum shall be granted for either a wife, a dependent husband, or a dependent parent, brother or sister, or a dependent

child, or a mentally or physically incapacitated child over 16 years of age;

“(ii) an additional credit at the rate of \$100 per annum shall be granted for each additional dependent child, for whom credit has not been granted under paragraph (i) above.”

DOCUMENT A/C.5/613

Revised estimates for section 5: United Nations Commission for the Unification and Rehabilitation of Korea

[Original text: English]
[3 December 1954]

	Dollars (US)
1955 estimates	163,000
1954 appropriation	164,700
1953 expenditure	163,057

1. At its 294th meeting held on 7 October 1950, the General Assembly adopted resolution 376 (V), which established the United Nations Commission for the Unification and Rehabilitation of Korea, and requested the Secretary-General to provide adequate staff and facilities, including technical advisers, as required by the Commission. It also authorized the Secretary-General to pay expenses and per diem of a representative and alternate from each of the States members of the Commission.

2. The Secretary-General requests that provision be made in the 1955 budget estimates for an appropriation in the amount of \$163,000 based upon the pattern of expenditures actually incurred during 1954. This amount is estimated as follows:

	Dollars (US)
Temporary assistance	21,000
Travel and subsistence of members	48,000
Travel and subsistence of staff	43,700
Communications services	4,400
Rental and maintenance of premises and equipment	12,300
Stationery and office supplies	1,800
Local transportation	4,000
Operation and maintenance of transportation equipment	4,800
Freight, cartage and express	7,800
Insurance	1,300
Miscellaneous supplies and services	2,500
Furniture and fixtures	1,000
Miscellaneous equipment	2,000
Transportation equipment	8,400
TOTAL	163,000

3. The provision requested under “Temporary assistance” covers the salaries of locally recruited staff, estimated at approximately \$1,750 per month.

4. Under “Travel and subsistence of members”, provision is made for travel (\$7,200) and for subsistence of seven representatives at \$20 per day less approximately 20 per cent for absences from the mission area (\$40,800).

5. Under “Travel and subsistence of staff”, provision is made to cover replacement travel of staff (\$14,000). Provision is also made to cover subsistence of the Principal Secretary at \$12.50 per day, six staff members with dependants at \$8.00 per day, and six staff members without dependants at \$5.00 per day, less 10 per cent for absences from the mission area (\$29,700). Consideration is being given to the application of the monthly allowance system to this mission early in 1955.

6. Under “Rental and maintenance of premises and equipment”, provision is made to cover rental, refurbishing, maintenance and heating of two buildings in Seoul.

7. Under “Transportation equipment”, provision is made to cover costs of four new vehicles to replace an obsolescent one-third of the motor vehicle fleet.

8. The Secretary-General requests that, in order to cover the activities of the Commission for the Unification and Rehabilitation of Korea in 1955, a credit of \$163,000 be approved under section 5 of the 1955 budget.

9. Income to be derived in 1955 from the activities of the Commission for the Unification and Rehabilitation of Korea is estimated at \$10,500—\$8,000 from the sale of four motor vehicles and \$2,500 from the rental of living quarters to staff members.

10. The above estimate is one of a series currently submitted under section 5, in substitution for the total provision of \$1,665,000 tentatively included in the original estimates, under chapter III of section 5, to assist in the over-all appraisal of the 1955 budget.

ANNEX

UNITED NATIONS COMMISSION FOR THE UNIFICATION AND REHABILITATION OF KOREA Manning table—1955

1954	1955	Functional title	Internationally recruited	Detailed from established offices
1	1	Principal Secretary	—	1
1	1	Political Affairs officer	—	1
1	1	Administrative officer	—	1
1	1	Information officer	—	1
1	1	Cameraman	—	1
1	—	Secretarial and clerical	—	—
13	8	Field Service personnel	—	8
19	13		—	13

DOCUMENT A/C.5/614/Rev.1

Summary of the budget situation : report of the Secretary-General

[Original text : English]
[13 December 1954]

1. The summary of the budget situation as outlined in document A/C.5/614 has been affected by the various decisions taken by the Fifth Committee subsequent to its 474th meeting.

At the conclusion of the Committee's 482nd meeting, the total of the 1955 budget (annex A) was provisionally estimated at \$47,026,300 gross

1955 miscellaneous income (annex B) was provisionally estimated at .. 6,832,600

The anticipated net requirements for 1955 would thus amount to \$40,193,700

In accordance with financial regulation 5.2, the 1955 assessment to Members is estimated as follows :

Contribution required to finance the 1955 estimates Dollars (US) 40 193,700

Adjustments in accordance with financial regulation 5.2:

Add: 5.2 (a) Supplementary appropriation for the financial year 1954 not previously assessed, as recommended by the Advisory Committee (A/

3813) and approved by the Fifth Committee at its 472nd meeting Dollars (US) 701,870

Dollars (US)

40,895,570

Deduct 5.2 (d) balance of appropriation to be surrendered under financial regulations 4.3 and 4.4 in respect of the financial year 1953 :

(i) balance standing to the credit of surplus account as at 31 December 1953 (A/2649) 892,242

(ii) anticipated savings on liquidation of outstanding 1953 obligations ... 300,000

1,192,242

Members' assessments for the financial year 1955 are provisionally estimated at 39,703,328

as against \$41,300,000 assessed for the financial year 1954.

ANNEX A

BUDGET ESTIMATES FOR 1955

Sections	1955 estimates approved by the Fifth Committee at its first reading		Anticipated requirements for 1955
		Adjustments	
Dollars (US)			
1. The General Assembly, Commissions and Committees	387,300 ¹	177,900 [*]	565,200
2. The Security Council, Commissions and Committees	-	-	-
3. The Economic and Social Council, Commissions and Committees	143,100 ²	-	143,100
3a. Permanent Central Opium Board and Drug Supervisory Body	27,200 ³	-	27,200
3b. Regional Economic Commissions	101,700	-	101,700
4. The Trusteeship Council, Commissions and Committees	50,000	50,000 [†]	100,000
5. Special missions and related activities	1,776,100 ⁴	-	1,776,100
5a. United Nations Field Service	484,000 ⁵	-	484,000
6. Offices of the Secretary-General	2,117,050 ⁶	-	2,117,050
6a. Office of Under-Secretaries without portfolio	76,650 ⁷	-	76,650
7. Department of Political and Security Council Affairs	657,300	-	657,300
7a. Secretariat of the Military Staff Committee	109,200	-	109,200
8. Department of Economic and Social Affairs	3,687,000 ⁸	-	3,687,000
9. Department of Trusteeship and Information from Non-Self-Governing Territories	859,200 ⁹	-	859,200
10. Department of Public Information	2,534,000 ¹⁰	-	2,534,000
10a. Visitors' service	290,000 ¹¹	-	290,000
11. Department of Conference Services	6,181,300 ¹²	55,500 [*]	6,236,800
11a. Library	489,000 ¹³	-	489,000
12. Office of General Services	2,976,150 ¹⁴	-	2,976,150
13. Temporary assistance and consultants	510,000	-	510,000
14. Travel of staff	980,000	7,500 [†]	987,500
15. Common staff costs	3,424,400 ¹⁵	13,000 [*]	3,437,400
16. Common services	3,625,000	-	3,625,000
17. Permanent equipment	170,100	1,500 [†]	171,600
18. European Office of the United Nations	4,721,300 ^{16 g}	-	4,721,300
19. Office of the United Nations High Commissioner for Refugees	685,000	-	685,000
20. Information centres	905,100	-	905,100

Sections	1955 estimates approved by the Fifth Com- mittee at its first reading	Adjustments	Anticipated requirements for 1955
	Dollars (US)		
21. Secretariat of the Economic Commission for Asia and the Far East . . .	1,152,800 ¹⁷	-	1,152,800
22. Secretariat of the Economic Commission for Latin America	970,700 ¹⁸	-	970,700
23. Hospitality	20,000	-	20,000
23a. Special payments under annex I, paragraph 2, of the staff regulations . .	50,000 ¹⁹	-	50,000
24. Official Records	700,000	16,100 ^h	716,100
25. Publications	700,000	-	700,000
26. Technical Assistance Administration	386,700	-	386,700
27. Economic development	479,400	-	479,400
28. Social activities	768,500	-	768,500
29. Public administration	145,000	-	145,000
30. Transfer of the assets of the League of Nations to the United Nations . .	649,500	-	649,500
31. Amortization of the Headquarters construction loan	2,000,000	-	2,000,000
32. Joint Staff Pension Board and United Nations Staff Pension Committee . .	117,600	-	117,600
33. The International Court of Justice	600,450	-	600,450
34. Global reductions in respect of upgradings of established posts	-(3,000)	-	-(3,000)
TOTAL	46,704,800	321,500	47,026,300

FOOTNOTES TO ANNEX A

¹ Amount originally recommended by the Advisory Committee (A/2688) augmented by \$14,300 in respect of the 1955 session of the International Law Commission at Geneva (A/2766).

² Amount originally recommended by the Advisory Committee (A/2688) reduced by \$6,900 as a result of decisions taken by the Economic and Social Council at its eighteenth session (A/2763).

³ Amount originally recommended by the Advisory Committee (A/2688) increased by payments of honoraria in the amount of \$4,800 (A/2780).

⁴ Relates to provision for:	Dollars (US)
Military Observer Group in India and Pakistan (A/2787)	462,000
Repatriation of Greek children (A/2768)	5,000
United Nations Conciliation Commission for Palestine (A/2790)	52,100
Korean service medals (A/2802)	215,000
United Nations Truce Supervision Organization in Palestine (A/2791)	644,000
United Nations Advisory Council for Somaliland under Italian administration (A/2824) . .	130,500
United Nations Tribunal in Libya (A/2823)	104,500
United Nations Commission for the Unification and Rehabilitation of Korea (A/2851)	163,000
	1,776,100

⁵ As recommended by the Advisory Committee (A/2850).

⁶ Amount originally recommended by the Advisory Committee (A/2688) reduced by \$850 resulting from decisions taken by the Fifth Committee in the matter of salaries and allowances of Under-Secretaries or officials of an equivalent rank (A/C.5/L.293 and A/C.5/600).

⁷ Amount originally recommended by the Advisory Committee (A/2688) reduced by \$8,350, resulting from decisions taken by the Fifth Committee in the matter of salaries and allowances of Under-Secretaries or officials of an equivalent rank (A/C.5/L.293 and A/C.5/600).

⁸ Amount originally recommended by the Advisory Committee (A/2688) reduced by \$8,500 resulting from decisions taken by the Fifth Committee in the matter of salaries and allowances of Under-Secretaries or officials of an equivalent rank (A/C.5/L.293) and \$21,500 in connexion with the deletion of one post of Deputy Under-Secretary (A/C.5/600).

⁹ Amount originally recommended by the Advisory Committee (A/2688) reduced by \$8,500 resulting from decisions taken by the Fifth Committee in the matter of salaries and allowances of Under-Secretaries or officials of an equivalent rank (A/C.5/L.293 and A/C.5/600).

¹⁰ Amount originally recommended by the Advisory Committee (A/2688) reduced by \$8,500 resulting from decisions taken by the Fifth Committee in the matter of salaries and allowances of Under-Secretaries or officials of an equivalent rank (A/C.5/L.293 and A/C.5/600).

¹¹ As recommended by the Advisory Committee (A/2811).

¹² Amount originally recommended by the Advisory Committee (A/2688) reduced by \$8,500 resulting from decisions taken by the Fifth Committee in the matter of salaries and allowances of Under-Secretaries or officials of an equivalent

rank (A/C.5/L.293) and increased by \$21,500 in respect of the inclusion of one post of Deputy Under-Secretary (A/C.5/600).

¹³ Amount originally recommended by the Advisory Committee (A/2688) increased by \$14,000 as decided by the Fifth Committee at its 454th meeting.

¹⁴ Amount originally recommended by the Advisory Committee (A/2688) increased by \$150 resulting from decisions taken by the Fifth Committee in the matter of salaries and allowances of Under-Secretaries or officials of an equivalent rank (A/C.5/L.293 and A/C.5/600).

¹⁵ Amount originally recommended by the Advisory Committee (A/2688) increased by \$7,400 in respect of a grant to the United Nations International School (A/C.5/601) as decided by the Fifth Committee at its 454th meeting, and \$32,000 in respect of expansion of the interne programme as decided by the Fifth Committee at its 478th meeting.

¹⁶ Amount originally recommended by the Advisory Committee (A/2688) increased by \$9,500 in respect of chapter IV as decided by the Fifth Committee at its 456th meeting, as well as \$12,500 for the 1955 session of the International Law Commission at Geneva (A/2766), and \$27,900 for the purchase of a radio transmitter and auxiliary equipment (A/2828), while a reduction of \$10,700 was approved as a result of decisions taken by the Economic and Social Council at its eighteenth session (A/2763).

¹⁷ Amount originally recommended by the Advisory Committee (A/2688) increased by \$15,500 as decided by the Fifth Committee at its 456th meeting.

¹⁸ Amount originally recommended by the Advisory Committee (A/2688) increased by \$10,700 as decided by the Fifth Committee at its 456th meeting.

¹⁹ In accordance with decisions taken by the Fifth Committee at its 449th meeting in the matter of salaries and allowances of Under-Secretaries or officials of an equivalent rank (A/C.5/L.293 and A/C.5/600).

^a Financial implications (\$15,400) of draft resolution adopted by the Second Committee concerning United Nations fund for economic development (A/2819) as well as \$161,300 in respect of the financial implications in connexion with the commemoration of the tenth anniversary of the United Nations in 1955 (A/2864).

^b Financial implication of draft resolution A/C.4/L.388 adopted by the Fourth Committee.

^c Estimated salaries and wages required for translation into the Arabic language (A/C.5/579).

^d Estimated cost of travel on recruitment in connexion with translation into the Arabic language (A/C.5/579).

^e Estimated common staff costs in connexion with translation into the Arabic language (A/C.5/579).

^f Estimated cost of books and equipment in connexion with the translation into the Arabic language (A/C.5/579).

^g No adjustment has been made to these estimates, pending action by the Fifth Committee, on the cable received from the President of the Permanent Central Opium Board (A/C.5/602).

^h Financial implications (\$5,100) of draft resolution adopted by the Second Committee concerning United Nations fund for economic development (A/2819), and \$11,000 estimated for printing requirements of documents translated into the Arabic language (A/C.5/579).

ANNEX B

ESTIMATE OF MISCELLANEOUS INCOME FOR 1955

	Dollars (US)
1. Estimate originally recommended by the Advisory Committee (A/2688)	6,783,100
2. Adjustments in income from Staff Assessment in respect of salaries and wages, as follows:	
(i) <i>To be added</i> :	
Detailed estimates under section 5:	Dollars (US)
United Nations Advisory Council for Somaliland under Italian Administration (A/2824)	17,000
United Nations Tribunal in Libya (A/2823)	3,200
Military Observer Group in India and Pakistan (A/2787)	4,600
United Nations Conciliation Commission for Palestine (A/2790)	6,300
United Nations Truce Supervision Organization in Palestine (A/2791)	19,300
	<hr/> 50,400
Visitors' Service (A/2811)	40,000
Staff required for translation into the Arabic language (A/C.5/579)	8,500
International Law Commission (A/2766)	2,000
	<hr/> 100,900
(ii) <i>To be deducted</i> :	
Approved reductions in salaries and wages proposed by the Advisory Committee (A/2688)	4,200
Salaries and allowances of Under-Secretaries or officials of an equivalent rank (A/2781)	12,500
Decisions of the Economic and Social Council (A/2763)	1,800
Increase in dependency credits (A/2845)	220,000
Special Indemnity Fund (A/2837)	250,000
	<hr/> 488,500
Net decrease	<hr/> —(387,600)
	<hr/> 6,395,500
3. Additional provision for rental income: in respect of the United Nations Commission for the Unification and Rehabilitation of Korea (A/2851)	2,500
4. Additional provision for reimbursement for staff and services furnished to specialized agencies and others (A/2791)	13,200
5. Additional provision for sale of used office transportation and other equipment (A/2787, A/2791, A/2851)	21,400
6. Additional estimate in respect of Visitors' Service (A/2811)	300,000
7. Estimate related to contemplated financing of paper requirements by an advance from the Working Capital Fund, with a consequential initial outlay thereof for stocks on hand	100,000
	<hr/> TOTAL 6,832,600

DOCUMENT A/C.5/615

Estimates for section 18, chapter III: note by the Secretary-General transmitting a letter from the President of the Permanent Central Opium Board

[Original text: English]
[8 December 1954]

The Secretary-General has received from the President of the Permanent Central Opium Board the following letter for transmission to the General Assembly:

"I have the honour to say that, during the course of its current session in Geneva, the Permanent Central Opium Board learned that the Fifth Committee of the General Assembly, in its first reading of the budget, had approved the Advisory Committee figure for section 18, chapter III, which means in effect that it decided against the proposal to reinstate the post of Deputy Secretary in the Board's secretariat.

"This decision caused considerable dismay in the Board. If the decision is maintained it will cut right across the Board's present programme of work.

"I may recall that the Board, which consented with great reluctance to the suspension of this post on the retirement of Mr. A. E. Felkin in December 1951, thereafter found that in practice it could not manage without

the post, and repeatedly urged its reinstatement; and that in its resolution 548 B IV (XVIII), paragraph 4, the Economic and Social Council supported this request of the Board. Thereafter it was agreed between the Board and yourself that the post would be reinstated in the budget for 1955 and that in the meantime the Board might recruit and appoint a Deputy Secretary on the strength of funds provided by the Secretary-General from within the general budget, in accordance with authority given by the General Assembly in connexion with the budget estimates for 1954.

"This decision was taken because of the Board's pressing need, and, in particular, to enable the Board to undertake the difficult and detailed preparatory work which must of necessity be completed in the course of this year and the next if the 1953 Opium Protocol is to be effectively implemented when it comes into force, as it is expected to do in January 1956.

"The Advisory Committee posed two questions, namely (1) whether the work might not be postponed until after the coming into force of the 1953 Opium Protocol, and (2) whether some assistance might not be afforded by the Narcotics Division after its transfer to Geneva.

"In October, the President of the Board appeared before the Committee in person, and, after explaining how the situation had arisen, stated that the answer to both questions is in the negative. The reasons are, firstly, that the preparatory work must be done at once, failing which there would be a serious delay before the 1953 Opium Protocol could be implemented after coming into force and, secondly, because the Narcotics Division is not expected to be transferred to Geneva before next June, and because it is separate from the secretariat of the Board and any sharing of their functions is precluded by the fact that responsibilities assigned to the Board are different and distinct from those assigned to organs of the United Nations which are served by the Narcotics Division.

"Having, on the strength of the special provision made by the Secretary-General, recruited and partially trained a Deputy Secretary, the Board has begun the preparatory work for the 1953 Opium Protocol, and intended to pursue this throughout the coming year. If the post were now to be suspended, this work would have at once to be stopped. A further consequence would be that, without this essential reinforcement of their staff, the Board and the Supervisory Body would be unable to assume the functions which the Opium Protocol seeks to lay upon them.

"Inevitably, then, there would be serious delay in implementing this Protocol.

"If, after ratification of the Protocol, the post of Deputy Secretary were provided in the budget on a permanent footing, and if the Board and Supervisory Body then agreed to accept the duties assigned to them by this treaty, the incumbent would first have to be recruited and trained before the preparatory work could begin. Before this preparatory work is completed, and it will take considerable time, the Opium Protocol cannot be implemented, even after its coming into force; there would inevitably be a delay of perhaps three years or even more. When the situation in regard to opium production is such as to cause the nations of the world to agree to adopt a protocol of this kind, it would ill serve their intentions if so great a delay were to be allowed to occur between the ratification of the Protocol and its coming into practical effect; and it would be a sorry state of affairs if such a delay were due simply to failure to provide the necessary staff in time.

"Moreover, as the President of the Board explained in person to the Fifth Committee in October, the work of the Board under the existing Conventions has for some years been steadily increasing, owing in particular to the ever-growing number of synthetic drugs which are being brought under international control, and this fact is in itself a reason for strengthening the Board's secretariat in the way proposed.

"The Board would be failing in its duty if it did not ask you to be good enough to put these facts before the General Assembly and the Economic and Social Council so that the position may, if possible, be remedied even at this late hour.

"(Signed) Harry GREENFIELD

"President of the Permanent Central Opium Board"

DOCUMENT A/C.5/L.315

Use of income derived from the Staff Assessment Plan: note by the Secretary-General

*[Original text: English]
[1 December 1954]*

1. In the attached annex, the Secretary-General submits the comparative information requested at the 471st meeting of the Fifth Committee.

2. The data used in this comparison relate to the year 1953, as they would have been adjusted in subsequent financial years under the plan described in document A/C.5/584. For purposes of simplicity, the calculations are based on a single contribution scale. The scale used is that approved for 1954.

ANNEX

Member States	Under present practice				Under plan described in A/C.5/584				
	Scale of assessments	Initial assessment	Supplementary appropriation for tax reimbursement	Total contribution required	Initial assessment	Share in Tax Equalization Fund	Required for tax reimbursement		
							From Tax Equalization Fund	Supplementary appropriation	Total contribution required
Dollars (US)									
1. Afghanistan	0.08	35,321	1,320	36,641	39,028	3,707		85	35,406
2. Argentina	1.40	618,115	23,100	641,215	682,986	64,870		1,479	619,595
3. Australia	1.75	772,644	28,875	801,519	853,732	81,088		1,848	774,492
4. Belgium	1.38	609,285	22,770	632,055	673,229	63,944		1,458	610,743
5. Bolivia	0.06	26,491	990	27,481	29,271	2,780		63	26,554
6. Brazil	1.40	618,115	23,100	641,215	682,986	64,870		1,479	619,595
7. Burma	0.13	57,396	2,145	59,541	63,420	6,024		137	57,533
8. Byelorussian Soviet Socialist Republic	0.50	220,755	8,250	229,005	243,923	23,168		528	221,283
9. Canada	3.50	1,456,986	54,450	1,511,436	1,609,894	152,908		3,486	1,460,472
10. Chile	0.33	145,699	5,445	151,144	160,989	15,291		349	146,047
11. China	5.62	2,481,291	92,730	2,574,021	2,741,699	260,408		5,936	2,487,227
12. Colombia	0.41	181,020	6,765	187,785	200,017	18,998		433	181,452
13. Costa Rica	0.04	17,660	660	18,320	19,514	1,853		42	17,703
14. Cuba	0.34	150,114	5,610	155,724	165,868	15,754		359	150,473
15. Czechoslovakia	1.05	463,586	17,325	480,911	512,239	48,653		1,109	464,695
16. Denmark	0.78	344,379	12,870	357,249	380,521	36,142		824	345,203
17. Dominican Republic	0.05	22,076	825	22,901	24,392	2,317		53	22,128
18. Ecuador	0.04	17,660	660	18,320	19,514	1,853		42	17,703
19. Egypt	0.47	207,510	7,755	215,265	229,288	21,778		496	208,006
20. El Salvador	0.06	26,491	990	27,481	29,271	2,780		63	26,554
21. Ethiopia	0.10	44,151	1,650	45,801	48,785	4,634		106	44,257
22. France	5.75	2,538,688	94,875	2,633,563	2,805,119	266,431		6,074	2,544,762
23. Greece	0.21	92,717	3,465	96,182	102,448	9,731		222	92,939
24. Guatemala	0.07	30,906	1,155	32,061	34,149	3,244		74	30,979
25. Haiti	0.04	17,660	660	18,320	19,514	1,853		42	17,703
26. Honduras	0.04	17,660	660	18,320	19,514	1,853		42	17,703
27. Iceland	0.04	17,660	660	18,320	19,514	1,853		42	17,703
28. India	3.40	1,501,137	56,100	1,557,237	1,658,679	157,542		3,591	1,504,728
29. Indonesia	0.60	264,907	9,900	274,807	292,708	27,802		634	265,540
30. Iran	0.28	123,623	4,620	128,243	136,597	12,974		296	123,919
31. Iraq	0.12	52,981	1,980	54,961	58,542	5,560		127	53,109
32. Israel	0.17	75,057	2,805	77,862	82,934	7,877		180	75,237
33. Lebanon	0.05	22,076	825	22,901	24,392	2,317		53	22,128
34. Liberia	0.04	17,660	660	18,320	19,514	1,853		42	17,703
35. Luxembourg	0.06	26,491	990	27,481	29,271	2,780		63	26,554
36. Mexico	0.75	331,133	12,375	343,508	365,885	34,752		792	331,925
37. Netherlands	1.25	551,889	20,625	572,514	609,809	57,920		1,320	553,209
38. New Zealand	0.48	211,925	7,920	219,845	234,166	22,241		507	212,432
39. Nicaragua	0.04	17,660	660	18,320	19,514	1,853		42	17,703
40. Norway	0.50	220,755	8,250	229,005	243,923	23,168		528	221,283
41. Pakistan	0.75	331,133	12,375	343,508	365,885	34,752		792	331,925
42. Panama	0.05	22,076	825	22,901	24,392	2,317		53	22,128
43. Paraguay	0.04	17,660	660	18,320	19,514	1,853		42	17,703
44. Peru	0.18	79,472	2,970	82,442	87,812	8,341		190	79,661
45. Philippines	0.45	158,680	7,425	166,105	175,531	16,851		475	165,155
46. Poland	1.73	763,814	28,545	792,359	843,975	80,161		1,827	765,641
47. Saudi Arabia	0.07	30,906	1,155	32,061	34,149	3,244		74	30,979
48. Sweden	1.65	728,493	27,225	755,718	804,947	76,454		1,743	730,236
49. Syria	0.08	35,321	1,320	36,641	39,028	3,707		85	35,406
50. Thailand	0.18	79,472	2,970	82,442	87,812	8,341		190	79,661
51. Turkey	0.65	286,982	10,725	297,707	317,100	30,118		687	287,669
52. Ukrainian Soviet Socialist Republic	1.88	830,041	31,020	861,061	917,152	87,111		1,986	832,027
53. Union of South Africa	0.78	344,379	12,870	357,249	380,521	36,142		824	345,203
54. Union of Soviet Socialist Republics	14.15	6,247,379	233,475	6,480,854	6,903,032	655,653		14,946	6,262,325
55. United Kingdom of Great Britain and Northern Ireland	9.80	4,326,807	161,700	4,488,507	4,780,898	454,092		10,351	4,337,157
56. United States of America	33.33	14,715,558	549,945	15,265,503	16,259,933	1,544,375	1,544,375	35,205	16,295,138
57. Uruguay	0.18	79,472	2,970	82,442	87,812	8,341		190	79,661
58. Venezuela	0.39	172,189	6,435	178,624	190,260	18,071		412	172,601
59. Yemen	0.04	17,660	660	18,320	19,514	1,853		42	17,703
60. Yugoslavia	0.44	194,265	7,260	201,525	214,653	20,388		465	194,730
	100.00	44,151,089	1,650,000	45,801,089	48,784,678	4,633,589	1,544,375	105,625	45,801,089

DOCUMENT A/2763 and Corr.1

Eighth report of the Advisory Committee on Administrative and Budgetary Questions: revised estimates for section 3 (The Economic and Social Council, Commissions and Committees) and section 18 (European Office of the United Nations)

[Original text: English]
[20 October 1954]

1. The Secretary-General has submitted in document A/C.5/582 and Corr.1 revised estimates for appropriation section 3 (The Economic and Social Council, Commissions and Committees) and section 18 (European Office of the United Nations) showing a total net reduction of \$17,600 in the amount recommended by the Advisory Committee in its report⁶ on the Secretary-General's original estimates. This reduction, which arises out of decisions taken by the Economic and Social Council at its eighteenth session (July-August 1954), comprises \$6,900 under section 3 and \$10,700 under section 18.

2. The decision of the Economic and Social Council (resolution 557 B II (XVIII) of 5 August 1954) to restrict the duration of its second regular session in each year to a maximum of four weeks beginning in the second week of July was prompted by two main considerations: (a) the advisability of distributing the Council's work more evenly over the year, and (b) the importance of so arranging its schedule of sessions that the attendance of high-level representatives and experts of Member States may be facilitated. As regards the year 1955, the effect of this decision is to reduce the estimated cost of the summer session by a total of over \$22,000, in addition to the reductions already recommended by the Advisory Committee (A/2688, paras. 54 and 170).

3. Both the purpose and the financial implications of this decision, if examined in isolation, would obviously command general approval. Therefore, the Advisory Committee desires to touch on only one aspect of the proposed arrangements. By resolution 694 (VII) of 20 December 1952, the General Assembly adopted a fixed programme of conferences for an experimental period of four years, 1954 to 1957. The programme was based, among other considerations, on the assumption that the Geneva session of the Council would last for some six to seven weeks and, during 1953, certain staff transfers of French and Spanish translators were accordingly effected from Headquarters to the European Office, though not, of course, for the sole, or indeed principal, purpose of serving Geneva sessions of the Economic and Social Council and its functional commissions. In view of the

substantial reduction in the workload for the Geneva session of the Council, the full employment of the translators in question can be assured only by means of a corresponding increase in the volume of translation work allotted to them from Headquarters or other sources, and the Advisory Committee does not doubt that this matter will receive careful attention. From a wider point of view, the rearrangement of the calendar of Council sessions (decided in the initial phase of the experimental period) may present some difficulty; the fixing of a long-term pattern of conferences was intended, among other advantages, to permit of a fuller use of conference space and facilities at Geneva, and as regards the temporary staff for visiting conferences, to enable a regular and qualified reserve of such staff to be built up.

4. As regards the Commission on International Commodity Trade, established under Economic and Social Council resolution 557 F (XVIII), it may be noted that, since neither travel nor subsistence of representatives of members of the Commission is chargeable to United Nations funds, the first session, to be held at Headquarters during January 1955, will not entail an addition to the budget of that year. The resolution does, however, provide that the Commission may hold meetings away from Headquarters when it considers this to be in the best interests of its work. Any such meetings are subject to prior authorization by the Council and to the relevant decisions of the General Assembly. The Advisory Committee was informed that financial provision for meetings away from Headquarters would normally be included in the budget estimates, and that in any case where this proved impracticable for reasons of urgency, the prior concurrence of the Advisory Committee would be sought.

5. Subject to what is said above, the Advisory Committee has no further comment to offer on the report of the Secretary-General, and it accordingly concurs in the proposed adjustments which are set forth in paragraph 8 of that report. Revised appropriations are therefore recommended for sections 3 and 18 of the 1955 budget estimates to amounts of \$143,100 and \$4,671,400, respectively.

DOCUMENT A/2766

Tenth report of the Advisory Committee on Administrative and Budgetary Questions: holding of the 1955 session of the International Law Commission at Geneva

[Original text: English]
[25 October 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has considered a report of the Secretary-General (A/C.5/587) submitting revised estimates for the International Law Commission under section 1, chapter IV, and under section 1, chapter I (iii), of the 1955 budget estimates.⁷

2. In his original 1955 submission (A/2647, p. 29), the Secretary-General proposed that the International Law Commission, as a Headquarters-based body, should meet during 1955 at New York, at a cost estimated for a session of eight weeks' duration, at \$50,000. The Advisory Committee, in its second report (A/2688, para. 52), concurred in this proposal.

3. At its sixth session (1954), however, the International Law Commission, relying on article 12 of its Statute

⁶ See *Official Records of the General Assembly, Ninth Session, Supplement No. 7, A/2688*, paras. 57 and 186.

⁷ *Ibid.*, Supplement No. 5, A/2647.

and on a permissive clause in the General Assembly resolution relating to the fixed programme of conferences (resolution 694 (VII) of 20 December 1952, paragraph 1 (c)), proposed that the 1955 session should be transferred to Geneva. This proposal, if approved by the General Assembly, would result in the Commission's meeting away from Headquarters six times consecutively within a period of seven years, only the first of its annual sessions (1949) having been held at New York.

4. The Advisory Committee understands that the Commission was duly informed of the financial implications of its proposal, and that, more generally, the Secretary-General has on several occasions during recent years made representations to the Commission regarding the desirability of its meeting at the seat of the Commission. In particular, attention has been called to the wording of article 12 of the Statute,⁸ as well as to the measures of administrative economy recommended by the Fifth Committee and the Advisory Committee.

5. For 1955 the substitution of Geneva for New York as the meeting-place represents an increase in estimated costs of over \$19,000 (allowing for the necessary adjustment in respect of the extension of the session by two weeks (A/C.5/587, paras. 1 and 2), as shown in the following comparative figures :

	Headquarters session Dollars (US)	Geneva session Dollars (US)
Travel and subsistence of members (10 weeks)	57,350	57,350
Travel and subsistence of staff	-	6,950
Temporary assistance	-	12,500
TOTAL	57,350	76,800
Additional cost of Geneva session	19,450	

6. It is the view of the Advisory Committee that any appreciable addition to meeting costs can be justified only if offset by a substantial advantage in respect of conference facilities or services or, in certain cases, in respect of public information or opinion. The present case appears, on the contrary, to offer certain distinct drawbacks. In the first place, the Commission adopted in 1954 a resolution⁹ requesting the Secretary-General to arrange for the introduction as from the 1955 session

of simultaneous interpretation from and into Spanish. This service is not available at the European Office, and Spanish interpreters will have to be assigned from Headquarters. In the second place, for reasons of economy, only three of the ten substantive officers in the Division for the Development and Codification of International Law are assigned to sessions away from Headquarters. The choice of Geneva as a meeting-place therefore deprives the Commission, on the one hand, of the assistance which it could otherwise receive from the full substantive staff of the Division at Headquarters directly associated with the Commission's studies, and deprives that Division, on the other hand, of the opportunity of active participation and training in the work of the Commission.

7. Accordingly, the Advisory Committee, in view of its function as an administrative and budgetary committee, recommends that the requested appropriation, as an item of avoidable expenditure, should not be approved. The Committee, however, would report that, if the Assembly should see advantage in the choice of Geneva as the venue for the 1955 session of the International Law Commission, the under-mentioned amounts, as estimated by the Secretary-General, would constitute a reasonable provision :

	<u>Appropriation sections</u>	
	Section 1	Section 18
	Dollars (US)	
Additional provision in respect of: (a) the transfer of the session to Geneva, and (b) the increase in duration from eight to ten weeks	14,300	12,500
Amounts previously recommended by the Advisory Committee for the sections as a whole	373,000	4,671,400
TOTAL	387,300	4,683,900

8. In the alternative event that the General Assembly should concur in the view that the session should be held at Headquarters, the Advisory Committee would recommend that the original estimate of \$50,000 for chapter IV of section 1 should be increased by \$7,350, with a corresponding adjustment in the global appropriations recommended for sections 1 and 18 to the respective figures of \$380,350 and \$4,671,400. The net saving in holding the session at Headquarters instead of Geneva would amount to \$19,450.

DOCUMENT A/2768

Eleventh report of the Advisory Committee on Administrative and Budgetary Questions: revised estimates for section 5: repatriation of Greek children

[Original text: English]
[26 October 1954]

The Advisory Committee on Administrative and Budgetary Questions concurs in the proposal of the Secretary-General that \$5,000 should be appropriated under chapter III of section 5 of the 1955 budget estimates for the purpose indicated in the Secretary-General's report on the repatriation of Greek children (A/C.5/589).

⁸ "The Commission shall sit at the Headquarters of the United Nations. The Commission shall, however, have the right to hold meetings at other places after consultation with the Secretary-General."

⁹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 9, A/2693, para. 76.*

DOCUMENT A/2787

Fourteenth report of the Advisory Committee on Administrative and Budgetary Questions : detailed estimates for section 5 : Military Observer Group in India and Pakistan

[Original text : English]

[15 November 1954]

1. For 1955, the Secretary-General has submitted an estimate (A/C.5/585) of \$462,000 in respect of the Military Observer Group in India and Pakistan, which was established during 1950 following the adoption by the Security Council of a resolution (S/1469 of 14 March 1950) on the subject of the cease-fire agreements between the Governments of India and Pakistan. Although provision for this Group as a separate entity was first included in the 1952 budget, the use of military observers was authorized as from 1 January 1949 and their services financed out of the 1949 budget of the United Nations Commission for India and Pakistan.

2. This latter Commission was established on 20 January 1948, enlarged on 21 April 1948, and terminated on 14 March 1950, at which time its responsibilities were transferred to the United Nations Representative in India and Pakistan. For 1950, expenditure for the Commission and the Representative, including military observers, was charged to the same budget; a similar procedure was followed in 1951 as regards the Representative and the observers. Since 1952, however, separate provision for the Military Observer Group has been made under section 5 of the budget estimates, while expenditure incurred by the Representative in India and Pakistan has been financed out of the Working Capital Fund as a commitment relating to the maintenance of peace and security.

3. The following table shows the total expenses incurred for these various purposes :

Year	<i>Expenses</i> Dollars (US)
1948	231,309
1949	679,512
1950	688,780
1951	637,791
1952 (Military Observer Group)	780,492
1952 (Representative in India and Pakistan)	62,330
	842,822
1953 (Military Observer Group)	611,851
1953 (Representative in India and Pakistan)	41,095
	652,946
1954 (Military Observer Group)	564,500 ^a
1954 (Representative in India and Pakistan)	36,800 ^b
	601,300
TOTAL, 1948-1954	4,334,460
1955 estimate in respect of Military Observer Group	462,000
GRAND TOTAL	4,796,460

^a Appropriation.

^b Estimate for year ending 31 December 1954.

4. Most of the items comprising the 1955 estimate of \$462,000 are lower than the corresponding 1954 figures. Under "contractual support services", however, the estimate of \$108,700 shows an increase of \$38,700, due mainly to the fact that the aircraft charter for the year 1955 includes the services of air crew members, for whom provision was previously made under "travel and subsistence of military observers". But even allowing for this factor of increase, the figure of \$108,700 is still extremely high in relation to the total costs. The Advisory Committee therefore suggests that the possibility of alternative arrangements should be further examined. The principal purposes for which the aircraft is required are : (a) to provide for the necessary observation over the area ; (b) to transport observers from one side of the cease-fire line to the other on rotating tours of duty ; (c) to facilitate the travel of the Chief Military Observer in the area ; and (d) to evacuate sick or disabled personnel to distant hospitals. The Committee was informed that, while an aircraft of smaller seating capacity would be well suited to these purposes, the high altitude at which the flights are made necessitates the use of a heavy aircraft equipped with superchargers.

5. The Committee also understands that it has not so far been possible to enter into an arrangement similar to that whereby the Truce Supervision Organization for Palestine has the use of an aircraft provided by the Government of a Member State on terms far more advantageous than those offered by any commercial organization.

6. It is the practice in this, as in other missions financed under section 5 of the budget, to provide for a mission subsistence allowance payable to staff members at a daily rate during the first six months of service and thereafter at a reduced monthly rate. The question of the appropriate length of the initial period, which, as at present fixed, the Advisory Committee considers to be unduly liberal, is to be reviewed during 1955. As regards the present mission, the difference between the two rates (which vary according to location and dependency status) amounts to between \$35 and \$90 approximately per month.

7. Subject to what is said in the foregoing paragraphs, the Advisory Committee recommends for approval the estimate in respect of the Military Observer Group in India and Pakistan as submitted by the Secretary-General at the figure of \$462,000.

8. The provisional appropriation already recommended by the Advisory Committee (A/2688, paras. 66 to 68) for chapter III of section 5 amounts to \$1,665,000. The estimate in document A/C.5/585 was the second of a series to be submitted as detailed justification for this tentative figure.

DOCUMENT A/2789**Sixteenth report of the Advisory Committee on Administrative and Budgetary Questions: requirements for the "Ad Hoc" Commission on Prisoners of War**

[Original text: English]
[16 November 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/586) on the subject of the 1955 requirements for the *Ad Hoc* Commission on Prisoners of War, which was established by General Assembly resolution 427 (V) of 14 December 1950.

2. In view of the fact that neither the place nor the duration of the 1955 sessions can at present be known, the Secretary-General proposed the inclusion in the draft resolution for 1955 relating to unforeseen and extraordinary expenses (A/2688, part one, appendix II) of the following additional clause:

"(b) Such additional commitments as are required for the *Ad Hoc* Commission on Prisoners of War".

[Existing paragraphs (b) and (c) to become paragraphs (c) and (d)].

3. The Advisory Committee concurs in this proposal.

DOCUMENT A/2790**Seventeenth report of the Advisory Committee on Administrative and Budgetary Questions: revised estimates for section 5: United Nations Conciliation Commission for Palestine**

[Original text: English]
[16 November 1954]

1. The provision of \$52,100 proposed by the Secretary-General for 1955 in respect of the United Nations Conciliation Commission for Palestine (A/C.5/590) shows a decrease, by comparison with the 1954 appropriation, of \$9,100, due principally to a reduction in the number of posts. For 1954, ten internationally recruited posts were authorized (five posts of Political Affairs Officer and five secretarial and clerical posts), whereas the establishment proposed for 1955 consists of six internationally recruited posts (three Political Affairs Officers and three secretarial and clerical posts) and a further three secretarial and clerical posts for the Land Records Sub-Office in Jerusalem which are to be filled by local recruitment.

2. The estimate is based on the assumption that, as in 1954, the Commission will sit at Headquarters, and that

should it be necessary to hold a session elsewhere, this would be financed out of the Working Capital Fund as a commitment relating to the maintenance of peace and security.

3. On this basis the Advisory Committee recommends for approval the estimate in respect of the United Nations Conciliation Commission for Palestine as submitted by the Secretary-General at the figure of \$52,100.

4. The provisional appropriation already recommended by the Advisory Committee (A/2688, paras. 66 to 68) for chapter III of section 5 amounted to \$1,665,000. The estimate in document A/C.5/590 was the third of a series to be submitted as detailed justification for this tentative figure.

DOCUMENT A/2791**Eighteenth report of the Advisory Committee on Administrative and Budgetary Questions: revised estimates for section 5: United Nations Truce Supervision Organization in Palestine**

[Original text: English]
[16 November 1954]

1. The estimate of \$644,000 submitted by the Secretary-General (A/C.5/592) for 1955 in respect of the United Nations Truce Supervision Organization in Palestine exceeds by \$155,600 the amount authorized for 1954. It was however, indicated in the Secretary-General's report (A/C.5/592, para. 1) that a supplementary appropriation of about \$122,000 would be required for the current year, thus raising the authorized total to almost \$611,000.

2. The item "Travel and subsistence of staff" (\$192,500) included provision for the payment of subsistence allowances to staff members in the mission area on the basis

of a daily rate during the first six months of service and subsequently on the basis of a reduced monthly rate. The question of a possible curtailment of this initial period, to which the Advisory Committee has referred in an earlier report (A/2787, para. 6), will be reviewed by the Secretary-General during 1955, both as regards the present mission and other missions financed under this section of the budget estimates.

3. The Advisory Committee considers that, in general, the various items are reasonably estimated in the light of the conditions prevailing in the mission area and, since

any substantial saving can result only from a change in the actual situation, the Committee concurs in the Secretary-General's proposal and accordingly recommends for approval the estimate in respect of the United Nations Truce Supervision Organization in Palestine at the figure of \$644,000.

4. The provisional appropriation already recommended by the Advisory Committee (A/2688, paras. 66 to 68) for chapter III of section 5 amounted to \$1,665,000. The estimate in document A/C.5/592 was the fourth of a series to be submitted as detailed justification for this tentative figure.

DOCUMENT A/2799

Nineteenth report of the Advisory Committee on Administrative and Budgetary Questions: use of income derived from the Staff Assessment Plan

[Original text: English]
[29 November 1954]

1. In its report of 28 November 1953 on the supplementary estimates for the financial year 1953¹⁰ the Advisory Committee on Administrative and Budgetary Questions recommended that the Secretary-General should be requested to submit to the General Assembly at its ninth session a report on the general problem of national income taxation imposed upon staff members of the United Nations, together with his proposals for a solution of the problem. The subsequent report of the Fifth Committee to the General Assembly¹¹ took note of this recommendation and of the related statement of the Secretary-General that it was his intention to submit for the consideration of the Assembly at its ninth session "a definite proposal which he hoped would go far towards solving the existing problems". The Advisory Committee has considered the report which the Secretary-General has accordingly presented (A/C.5/584 and Corr.2) and which contained proposals for the use of income derived from the Staff Assessment Plan.

2. The problem with which the Secretary-General's report dealt is one related essentially to the Convention on the Privileges and Immunities of the United Nations, which was approved by the General Assembly in resolution 22 A (I) of 13 February 1946 and proposed to the Members for accession. The question of obviating the imposition of double taxation on the staff members of the United Nations, though of great importance, is historically subordinate to the cardinal issue which arises because of the failure of an appreciable number of Member States to accede to the Convention.

3. Section 18 (b) of the Convention provides that officials of the United Nations shall be "exempt from taxation on the salaries and emoluments paid to them by the United Nations". At the session at which this provision was approved the General Assembly also decided (resolution 13 (I) of 13 February 1946) that "pending the necessary action being taken by Members to exempt from national taxation salaries and allowances paid out of the budget of the Organization, the Secretary-General is authorized to reimburse staff members who are required to pay taxation on salaries and wages received from the Organization". In doing so the Assembly concurred in the virtually unanimous opinion of the Fifth Committee¹² that exemption from national taxation on the salaries and allowances of United Nations staff members is indispensable to equity among its Members and equality among its personnel. Measures providing for relief from double taxation may in practice achieve the above two purposes; they are not a substitute of equal validity with a tax exemption clause inserted in the Convention.

4. The present position is that, of the sixty Member States, forty have acceded to the Convention without reservation in regard to section 18 (b); three have acceded with a reservation in regard to that section; while the remaining seventeen Members have not yet taken action in the sense desired by the Assembly.

5. The table below shows the actual expenditure or recorded obligations for tax reimbursement during the years 1946 to 1953:

	Dollars (US)
1946	117,740
1947	673,085
1948	969,655
1949	1,169,522
1950	1,117,000
1951	1,391,000
1952	1,650,000
1953	1,800,000
	TOTAL 8,888,002
Amount proposed by the Secretary-General in respect of 1954 (A/2792, annex A, para. 7) ..	1,650,000
	TOTAL (1946-1954) 10,538,002

6. The major part of this total of over \$10,500,000 is related to the reimbursement of staff members of United States nationality employed at Headquarters.¹³ The United States of America has not yet acceded to the Convention, although it has provided in the International Organizations Immunities Act (Public Law 291), approved on 29 December 1945, that officials of the United Nations (as well as those of other international organizations within the meaning of the Act) who are not citizens of the United States shall be exempt from taxation on salaries and emoluments paid to them by the Organization.

7. Since the eighth session of the General Assembly the Secretary-General has been in negotiation with those Member States which have not yet acceded to the Convention, but so far the negotiations have not proved successful.

8. The Secretary-General refrained from making any definite proposal. Thus, in paragraph 10 of his report (A/C.5/584), the plan for a tax equalization fund was offered "as a possible solution to the important problem of achieving equity among Member States". This plan, which is an ingenious one, was built around the two principles of equity among Member States and equality among the staff and, while not providing for a complete

¹⁰ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 38, A/2580, para. 14.

¹¹ *Ibid.*, A/2624, para. 16.

¹² *Ibid.*, *First Part of the First Session, Plenary Meetings*, p. 606 (annex 18).

¹³ Expenditure in respect of the reimbursement of staff members of other than United States nationality amounts to an insignificant proportion of the total outlay on this account.

fulfilment of the former principle, would safeguard the latter, though still at a certain cost to United Nations funds.

9. The effect of the plan on the assessment of Member States is illustrated in the following table,¹⁴ which shows,

individually in the case of four Members and collectively in the case of the remaining fifty-six Members : (a) the contributions, in US dollars, to the regular budget of the Organization which are required under the existing practice ; and (b) the corresponding contributions which would be required under the proposed scheme.

Member States	Under present practice				Under plan described in A/C.5/584				
	Scale of assessments (per cent)	Initial assessment	Supplementary appropriation for tax reimbursement	Total contribution required	Initial assessment	Share in Tax Equalization Fund	Required for tax reimbursement From Tax Equalization Fund	Supplementary appropriation	Total contribution required
Brazil	1.40	618,115	23,100	641,215	682,986	64,870		1,479	619,595
France	5.75	2,538,688	94,875	2,633,563	2,805,119	266,431		6,074	2,544,762
Ukrainian Soviet Socialist Republic	1.88	830,041	31,020	861,061	917,152	87,111		1,986	832,027
United States of America	33.33	14,715,558	549,945	15,265,503	16,259,933	1,544,375	1,544,375	35,205	16,295,138
Remaining fifty-six Members	57.64	25,448,687	951,060	26,399,747	28,119,488	2,670,802		60,881	25,509,567
TOTAL	100.00	44,151,089	1,650,000	45,801,089	48,784,678	4,633,589	1,544,375	105,625	45,801,089

10. In essence the proposed plan would provide the following :

(a) Relief from double taxation would be afforded to any staff member who is subject to national income taxation in respect of salary and other emoluments received from the United Nations ; the relief, which consists of a reimbursement of the staff member by the United Nations, would equal the amount of the tax levied by the Member State concerned ;

(b) A Tax Equalization Fund would be established, to which would be :

(i) *Credited* all revenue accruing under the existing Staff Assessment Plan (i.e., amounts deducted from salaries and wages in respect of staff assessment) ; and

(ii) *Debited* all amounts paid for the reimbursement of staff members (sub-paragraph (a) above) ;

(c) A separate account in the name of each Member State would be opened in the Tax Equalization Fund. To each such account there would be :

(i) *Credited* the revenue deriving from the Staff Assessment Plan (sub-paragraph (b) (i) above) in the proportion

laid down in the scale of assessment of contributions to the United Nations budget ; and

(ii) *Debited* the amount, if any, of reimbursement claims submitted by staff members in respect of taxes levied by the Member State concerned ;

(d) A credit balance in any such account would be treated as an offset to the annual contribution of the Member State concerned. A debit balance would become a charge to the regular budget of the Organization and, as such, must be met by the whole membership.

11. A variant on this plan was considered by the Fifth Committee¹⁵ during January and February 1946, when a Mexican proposal¹⁶ (designed to fulfil the principle of equity among Members) that the Committee should recommend that the amount of any tax reimbursements should be added to the contributions of the Member States imposing the taxation was initially adopted by the Fifth Committee by 17 votes to 11 (abstentions not recorded),¹⁷ but subsequently¹⁸ replaced by the text of paragraph 13 of General Assembly resolution 13 (I) of 13 February 1946,¹⁹ which was adopted by 13 votes to 8 (abstentions not recorded).

¹⁴ The data used in this comparison, with the exception of the scale of assessment, relate to the year 1953 ; they have, however, been adjusted to actual requirements as estimated at 25 October 1954. The amounts of the total contribution, which have similarly been adjusted to the actual amount of income from staff assessment, exclude deductions in respect of other items (for example, the transfer of League of Nations assets). A single scale of assessment, that for the year 1954, has been used.

¹⁵ See *Official Records of the General Assembly, First Part of the First Session, Fifth Committee*, 4th to 6th meetings and 16th meeting.

¹⁶ "[The Fifth Committee] recommends that, pending this accomplishment [exemption from national taxation], the budget of the Organization should carry a contingent appropriation to refund tax payments and that an amount equivalent to such refunds to employees because of income tax be added to the budget contributions of the Members whose nationals in the service of the United Nations were required to pay income tax on their salaries and allowances received from the Organization."

¹⁷ See *Official Records of the General Assembly, First Part of the First Session, Fifth Committee*, 6th meeting.

¹⁸ *Ibid.*, 16th meeting. Certain of the considerations which prompted the replacement of the initial recommendation were: (a) that as the question was of importance to any country acting as host to a specialized agency or branch office of the United Nations, it was advisable to leave it as open as possible ; (b) that the recommendation had been designed solely to fulfil the principle of equity among

Members and not to encroach on their constitutional rights ; and (c) that the text of the recommendation was directly opposed not only to the constitutional rights of the Congress of the United States of America but also to Article 105 of the Charter, in accordance with which the power of the General Assembly in regard to the detailed application of paragraphs 1 and 2 of that Article concerning the privileges and immunities of the Organization, its Members and its officials is limited to making recommendations or proposing conventions. A further argument was advanced at the 6th meeting of that session by the United States representative in the following terms : "This proposal [the Mexican proposal for a system of additional assessment] was in effect an attempt to obtain national exemption of taxation by indirect means. Such an attempt would be likely to produce the opposite effect to that desired. Countries like the United States which had a deep-rooted prejudice against tax exemption would be best convinced of its rightness in this case by a simple and frank statement of the arguments". It is necessary to recall that despite the fact that the ultimate recommendation of the Fifth Committee and the subsequent decision of the General Assembly were swayed by this and similar considerations, seventeen Members have failed to accede during the intervening nine years to the Convention on the Privileges and Immunities of the United Nations.

¹⁹ "In the case of any Members whose nationals in the service of the Organization are required to pay taxation on salaries and allowances received from the Organization, the Secretary-General should explore with the Member concerned methods of ensuring as soon as possible the application of the principle of equity amongst all Members."

12. Four solutions which would ensure the principle of equity among Member States could be envisaged :

(a) The first, and the only fully satisfactory solution, is that all Members of the Organization should accede to the Convention on the Privileges and Immunities of the United Nations ;

(b) The second consists of national legislation providing for relief from double taxation ;

(c) The third calls for an administrative arrangement (not essentially different from the second solution) affording *de facto* as distinct from *de jure* relief ; and

(d) The fourth solution is to omit from the budget any provision for tax reimbursement.

13. Further comment on the first of these solutions is not necessary. As regards the second and third solutions, it is to be noted that in 1948 the General Assembly, faced with the failure of so many Member States to comply with its proposal of February 1946 (resolution 13 (I)), urged upon those Members which had not acceded to the Convention at least to take one or other of these alternative measures²⁰ and adopted for this purpose the plan of staff assessment which, with minor amendments, remains in force. Finally, the fourth solution ensures equity among the Members but at the expense of equality among the staff. Even though it may be argued with reason that the adverse consequences of its adoption could not be attributed to the United Nations itself, or to discriminatory action on its part, such a solution would prove administratively inexpedient.

14. The Advisory Committee takes note of the fact that accession to the Convention on the Privileges and Immunities of the United Nations has not been made an essential condition of membership in the United Nations. The relevant resolutions of the General Assembly contain no more than requests or recommendations to the Member States concerned : in resolution 78 (I) of 7 December 1946 the General Assembly resolved that "Members which have not yet completely exempted from taxation salaries and allowances paid out of the budget of the Organization are requested to take early action in the matter" and an equivalent phraseology was used in resolution 160 (II) of 20 November 1947.

15. The Advisory Committee, while commending the Secretary-General for his determined efforts to find a solution of this problem, has accordingly reached the conclusion that it is preferable for the time being not to proceed with the plan tentatively submitted in his report. The Committee has therefore no alternative but to recommend that the Secretary-General should be requested to continue his conversations with the seventeen Member States with a view to their acceding to the Convention or at least adopting alternative measures, whether legislative or administrative, whereby all United Nations officials may be granted the necessary tax exemption. Although such a recommendation admittedly prolongs an unsatisfactory situation that has existed for many years, it serves at least to uphold a paramount interest of the United Nations, namely, to secure on the part of its Members an unreserved acceptance of the Convention.

DOCUMENT A/2802

Twenty-second report of the Advisory Committee on Administrative and Budgetary Questions: revised estimates for section 5: Korean service medals

[Original text: English]
[23 November 1954]

1. The Secretary-General has submitted in document A/C.5/593 a tentative estimate of requirements during 1955 and 1956 in respect of the Korean service medal, which is awarded by the United Nations to all those who by active service in Korea have defended the principles of the Charter.

2. The estimate presented by the Secretary-General was in two parts :

(a) For the financial year 1955, \$215,000 was proposed for appropriation under section 5 ;

(b) As regards the financial year 1956, in respect of which the balance of estimated expenditure amounts to \$165,000, the Secretary-General proposed that he should be authorized under the 1955 resolution relating to unforeseen and extraordinary expenses to enter into commitments for the purchase of medals to be delivered during 1956.

3. The Advisory Committee concurs in both these proposals, and accordingly :

(a) Recommends for approval the 1955 estimate under section 5 in respect of the Korean service medals at the figure of \$215,000 as submitted by the Secretary-General ;

(b) Recommends the insertion in the draft resolution relating to unforeseen and extraordinary expenses (A/2688, part one, appendix II) of the following additional sub-paragraph :

"Such commitments not exceeding a total of \$165,000 as are required for the purchase of Korean service medals".

4. The provisional appropriation already recommended by the Advisory Committee (A/2688, paras. 66 to 68) for chapter II of section 5 amounted to \$1,665,000. The estimate of \$215,000 in document A/C.5/593 was the fifth of a series to be submitted as detailed justification for this figure.

5. The provision of \$380,000 recommended in paragraph 3 above covers awards to persons entitled as at 31 December 1953. Further entitlements are, however, expected.

²⁰ See resolution 239 C (III) of 18 November 1948.

DOCUMENT A/2811

Twenty-third report of the Advisory Committee on Administrative and Budgetary Questions: Visitors' Service

[Original text: English]
[2 December 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has considered a memorandum by the Secretary-General (A/C.5/603) proposing modifications in the guided tour programme of the United Nations at Headquarters. The proposals have administrative and budgetary implications; they also raise a question of principle in regard to public relations.

2. The Guided Tour Service at Headquarters has been managed since 20 October 1952 by the American Association for the United Nations (AAUN), under an agreement which provides, among other things, that the service shall be operated in accordance with instructions and conditions established by the United Nations in consultation with the Association, and that the net profits shall be credited to the United Nations. The necessary staff of guides and administrative and clerical personnel is engaged by the Association, but the briefing of the guides is a responsibility of the United Nations, undertaken by staff of the Department of Public Information charged (for the most part) directly to the gross revenue from the service.

3. The net revenue credited to Miscellaneous Income ²¹ between 20 October 1952 and 31 October 1954 amounted to a total of \$381,910. For the financial year 1953 the statement of income and expenditure showed the following position:

	Dollars (US)
<i>Income</i>	
Gross receipts (fees paid by visitors) . . .	475,660
<i>Expenditure</i>	
Salaries, wages and related expenses	209,678
Uniforms and uniform maintenance . . .	11,321
Guide books (for visitors)	10,599
Printing and stationery	3,716
Equipment	8,805
Other expenses	15,749
Total expenditure	259,868
Net revenue	215,792
Less adjustment on 1952 account	1,520
Amount credited to Miscellaneous Income	214,272

4. For 1954, gross receipts are estimated at \$600,000 (A/C.5/603, para. 11), but in view of a sharp rise in operating expenses (due to an increase in salary rates and in the number of guides employed), the net revenue is not likely to exceed \$235,000, or about \$21,000 more than in 1953.

5. The principal features of the Secretary-General's proposals are:

(a) To bring the operation of the Guided Tour Service under the immediate and exclusive responsibility of the Secretariat of the United Nations;

(b) To combine the service with that part of the Interne Programme which is related to the training of university students.

Professional guides would continue to be employed. In the initial stages the number of guide-internes would be about 40, providing for an establishment of 20 working guides daily; between 69 and 80 professional guides are at present employed. Subsequently, however, the ratio of guide-internes to professional guides might be increased (A/C.5/603, para. 7).

6. As regards point (a) above, the Secretary-General takes the position, with which the Advisory Committee agrees, that a question of principle arises, namely, "whether so vital a part of the total public relations programme of the United Nations should continue to be handled by a non-governmental organization of a Member State" (A/C.5/603, para. 4). When initially consulted on the subject during August 1951, the Committee recommended to the Secretary-General that, as a matter of principle, a guided tour service should be placed under the direct control and operation of the United Nations, and more recently it expressed the view (A/2688, para. 253) during July 1954 that, as the service is essentially in the nature of a public relations programme, it would be appropriate, from the standpoint of orthodox administrative and budgetary practice, that it should form an integral part of the United Nations Secretariat. The Committee accordingly recommended that consideration should be given to the possibility of operating the service as a programme of the Secretariat.

7. Nothing in the foregoing paragraphs is intended or could be construed as implying, even remotely, the slightest criticism of the American Association for the United Nations. On the contrary, the Secretary-General has spoken in terms of high praise of the Association's work (A/C.5/591, para. 15; and A/C.5/603, para. 2), and there is abundant other testimony which supports his view. The members of the Guided Tour Committee, the other voluntary workers, and the staff of the Association have at all times made it their purpose to promote the interests of the Organization, and in this they have succeeded. Apart from the Association's contribution to the guided tour programme at Headquarters, the Committee recalls that the AAUN rendered no less valuable assistance during the early years at Lake Success in conducting the general public on tours of the conference area.

8. As regards (b) of paragraph 5, the Secretary-General proposed (A/C.5/603, paras. 7 to 9) that each year a certain number of students who have completed their undergraduate studies should be appointed to internships at Headquarters, to be held for a period of one year and combined (on the basis of an equal division of time) with duties as guide-lecturers. Other points of difference with the existing programme for university students would be the extension of the term of the internship from approximately two to twelve months and the payment by the United Nations of the travel expenses of the internes, at present defrayed by the Governments concerned. The Secretary-General indicated (A/C.5/603, para. 5) that promising results were obtained under a similar arrangement during the summers of 1953 and 1954 when "with

²¹ In the budget estimates for 1955 the generic term "Visitors' Service" is used to describe the guided tour service both at Headquarters and at the European Office. See *Official Records of the General Assembly, Ninth Session, Supplement No. 5, A/2647, p. 106.*

a view to broadening the multinational character of the regular guides, a group of students from various countries was included in the guide service".

9. This question falls into two distinct parts, each of which calls for separate treatment:

(a) The first part is: what system will best ensure an efficient and economical operation of a guided tour service directly managed by the United Nations Secretariat? In the Committee's opinion, it is an essential premise that any lowering of the present standard of efficiency or any avoidable increase in operating costs would be undesirable. This premise can, of course, be stated independently of the uses to which the revenue may be put.

(b) The second part of the question is whether an expansion of the *Interne Programme* is advisable. The immediate object of the programme,²² which was introduced experimentally during 1947 and subsequently continued, is to provide a practical knowledge of the working conditions under which United Nations business is conducted, and to afford an insight into the every-day problems, substantive, technical and administrative, with which the Organization is confronted. For the purpose of this programme, the Fifth Committee has approved, on the first reading of the 1955 estimates, an amount of \$10,000 (appropriation section 15, chapter IV (ii)).²³

10. But independently of the financial implications of the Secretary-General's proposal, the Advisory Committee suggests that the fullest consideration should be given to the substantive aspect: whether the results achieved under the existing system of internships, and those anticipated under a revised system providing for an extended tenure, in fact promote the broader objectives of the

programme, which are to contribute to a more informed understanding of the purposes and work of the Organization in various regions of the world and, subsidiarily, to afford the internes an opportunity of practical training in techniques of many kinds. This aspect of the problem, which falls essentially within the competence of the Secretary-General, was touched upon in his memorandum (A/C.5/603, para. 6), and is the subject of further comment in paragraphs 13 and 14 of the present report. In the Committee's view, it merits exhaustive study in advance of any final decision on the Secretary-General's proposal.

11. A related matter concerns the language qualification for the selection of candidates. While qualities of personality and a fluent command of English are obvious requirements for appointment as guide at Headquarters, there remains the question whether so restrictive a condition can be justified in relation to the *interne programme* in that it would exclude candidates who, though qualified for internships on other grounds, fail to attain the high standard in spoken English or do not possess certain attributes required for guide duty.

12. The table below offers only an approximate comparison of costs respectively under the present and the proposed systems. In the first place, 1955 would be a year of transition, with the service remaining under its present management for the first quarter; and, in the second place, the first group of guide-internes would not be assembled before July of that year. The Secretary-General indicated that for future years he might propose a different type of authorization and a more commercial type of budget both for this and other revenue-producing activities.

	Proposed system		Present system		
	1955		1955	1954	1953
	A 1 January- 31 March (estimated)	B 1 April- 31 December (estimated)	(estimated)	(estimated)	(actual)
	\$	\$	\$	\$	\$
Receipts	120,000	480,000	600,000	600,000	475,660
Expenses	75,000	349,000	365,000	365,000	261,388
Net revenue	45,000	131,000	235,000	235,000	214,272
Total net revenue for 1955 (columns A and B)		176,000 ^a			
Add: saving on section 15, chapter IV (ii)		10,000			
TOTAL		186,000			

^a The 1955 revenue figure of \$176,000 would be increased by approximately \$40,000 in respect of staff assessment on the salaries of the professional guides. This latter item would, however, be offset, either wholly or partially, in the event of the General Assembly's authorizing the reimbursement of national income taxes paid by staff members.

13. It thus appears that for the year 1955 the net additional cost of the adoption of the Secretary-General's proposal would be \$49,000. The Advisory Committee suggested, in paragraphs 9 and 10 above, that the desirability of expanding the *Interne Programme* is a question of importance that requires exhaustive study in isolation from the question of the guided tour programme. While

²² The references in this paragraph are limited to the training programme for university students as distinct from civil servants.

²³ This provision covers a contribution of \$340 towards the living expenses of each of the thirty internes during a period of about eight weeks. Under the Secretary-General's proposal (A/C.5/603), the internes would spend only one-half of their time on guide duty, and would in addition be reimbursed for travel expenses from the country of origin. This entails an appreciable increase in the cost of the programme.

some addition to the budgetary provision for the *Interne Programme* (section 15, chapter IV (ii)) may be justified, even during 1955, any such increase should, in the Committee's opinion, be considered independently, on its intrinsic merits, as a separate budgetary matter.

14. The Advisory Committee feels unable to recommend a combination of the Guided Tour Service with any part of the *interne programme*. It considers that entirely separate processes of budgeting and administration for these two activities offer distinct advantages and would ensure a clear presentation of respective costs, and it suggests in this connexion that the heavy indirect costs (estimated at some \$90,000 per annum) attributable to the operation of the Guided Tour Service should be a charge against receipts.

15. A reference has been made in paragraph 8 above to the arrangement whereby a number of students (not internes) were temporarily engaged for the guide service during the summers of 1953 and 1954. A broadening of this arrangement, which would achieve in a certain degree the objectives of the Secretary-General's scheme, would be possible in the event that an enlargement of the interne programme (and particularly a longer term of internship) were authorized. With the integration of the Guided Tour Service in the Secretariat of the United Nations, it will be open to the Secretary-General to assign to that service, as one of many Secretariat units, students coming to Headquarters under the interne programme, and in that way to test, on an experimental and provisional basis, the merits of a scheme under which the use of professional guides and internes might be combined. The Advisory Committee believes that two positive advantages would result: first, the budgets of the two programmes would be kept entirely separate, permitting an immediate assessment of the respective costs; and,

secondly, the Secretary-General would have the opportunity to determine, under practical, working conditions, to what extent persons qualifying for internships are also fitted for duty as guides at Headquarters, whether the ultimate merger of the two programmes still appears, in the light of the experience thus gained, administratively expedient and, if so, what ratio should be maintained between guide-internes and professional guides.

16. To give effect to his proposal, the Secretary-General requested authority to open a new appropriation section as "Section 10a. Visitors' Service". This would in any case be a provisional arrangement for 1955, and the projected further study of the guided tour programme (A/C.5/603, para. 18) will doubtless include the question of the appropriate location of the service within the Secretariat, whether, that is, it should be administered by the Office of General Services, the Department of Public Information, or other organizational unit.

DOCUMENT A/2812

Twenty-fourth report of the Advisory Committee on Administrative and Budgetary Questions: permanent headquarters at Geneva of the International Telecommunication Union and the World Meteorological Organization

[Original text: English]
[30 November 1954]

1. In his report on the permanent headquarters of the International Telecommunication Union (ITU) and the World Meteorological Organization (WMO) (A/C.5/604) the Secretary-General raised in paragraph 9 the question whether the General Assembly wished to give at this stage an assurance that in principle it would be prepared at its tenth session (1955) to authorize expenditure within certain approximate limits for the purpose of financing the construction, within the precincts of the Palais des Nations at Geneva, of a building or buildings to house the headquarters of ITU and WMO.

2. Certain reservations with which such an assurance might be qualified were suggested in the report (A/C.5/604, paras. 9 to 11):

(a) That both ITU and WMO should agree before the tenth session of the General Assembly to suitable building plans and to reasonable arrangements with the United Nations in respect of the financing of the project and common services;

(b) That the General Assembly would retain its freedom of action in the event that such plans and/or arrangements failed to meet with its approval.

3. The Advisory Committee recommends that, subject to these two reservations and to the comments offered below, the General Assembly should give the suggested assurance.

4. A cogent argument in favour of the tentative United Nations scheme was advanced in paragraph 5 of the Secretary-General's report, to the effect that the arrangements contemplated under the alternative schemes submitted to ITU and WMO by the Canton of Geneva would effectively and permanently prevent the installation of the two agencies within the grounds of the Palais des Nations and thereby hamper the development of common services. This is an important consideration, since experience has shown that a direct relationship exists between the geographical situation of the Geneva-based specialized agencies and their use of the common services available at the Palais. Thus, in the case of ITU, which is at present accommodated in the Palais Wilson and other

premises at some distance from the European Office, the co-ordination of services with the United Nations is virtually limited to participation in the Joint Purchasing Service and the Joint Medical Service. The conference space at the Palais des Nations is not used by ITU, its conferences being held in premises leased from the cantonal authorities. Where WMO (a smaller organization) is concerned, the situation in regard to common services, while less unsatisfactory—both relatively and absolutely—also falls short of the objective set by the General Assembly in numerous resolutions on the co-ordination of services among the United Nations and the specialized agencies. This is reflected in the following table, which shows the amounts reimbursed during 1952 in respect of staff and services furnished by the European Office:

	Dollars (US)
World Health Organization	109,194
International Labour Organisation	9,813
General Agreement on Tariffs and Trade	20,347
World Meteorological Organization	2,374
International Telecommunication Union	910

5. In an earlier report²⁴ the Advisory Committee referred to the peculiar difficulties attending the distribution and use of office space at the Palais des Nations, noting in particular that the internal structure of the building does not lend itself, without extensive and costly alterations, to the accommodation of a staff commensurate in number with the superficial area available. Nevertheless, the number of separate offices has been increased since 1946 by 82 through internal transformations. There are the further factors of difficulty in that (a) none of the office space in the Assembly building can be allocated on a permanent basis since the International Labour Organisation is entitled under the Common Plan to the use of such space throughout its annual conference, a similar arrangement is made in practice with the World Health Organization, and the space is also required by

²⁴ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 39, A/2501, para. 11 and paras. 90 to 99.

the delegations and secretariats of visiting United Nations conferences; and (b) during certain periods of the year the conference services of the European Office are heavily augmented by temporary staff.

6. The provision within the existing building of a part at least of the necessary additional space for ITU and WMO would clearly be a satisfactory solution. To what extent this may be feasible depends not only on the factors noted above (para. 5), but also on the final decision regarding the transference from Headquarters of the Division of Narcotic Drugs and the major part of the Transport and Communications Division. For the former division approximately 17 offices (to be provided through a reduced standard of space allocation) would have to be set aside; the requirements of the Transport and Communications Division cannot as yet be determined. The Advisory Committee suggests that this general question of the use of office space at the European Office might usefully be studied during 1955 by the Survey Group, whose recommendations on the staffing of that office will in any case have a bearing on the volume of available accommodation.

7. The plans referred to in paragraph 8 of the Secretary-General's report (A/C.5/604) are at this stage of a preliminary and purely tentative character and, pending consideration by the two agencies concerned, whose decisions are to be made during April and May 1955, it would clearly be premature to attempt an exhaustive study. But a careful scrutiny of the final construction plans and proposed financial arrangements must necessarily precede detailed examination of the project by the General Assembly. The Advisory Committee is informed that the wide range of the approximate cost estimates (\$1,750,000 to \$2,500,000) reflects the three alternative possibilities: (a) an addition of a wing or wings to the Palais des Nations; (b) the construction of a building separate from the Palais, but within its precincts, for joint occupation by ITU and WMO; and (c) the construction of two such building. The Committee suggests that, among these solutions, preference should be given to the most economical one.

8. As indicated in paragraph 3 above, the Advisory Committee is prepared, subject to the stated reservations, to endorse the request submitted by the Secretary-General.

DOCUMENT A/2823

Twenty-eighth report of the Advisory Committee on Administrative and Budgetary Questions: estimates for section 5: United Nations Tribunal in Libya

[Original text: English]
[2 December 1954]

1. For 1955, the Secretary-General has submitted an estimate (A/2647, p. 36) of \$104,500 in respect of the United Nations Tribunal in Libya. The increase of \$5,200 by comparison with the 1954 appropriation is due mainly to salary increments and to the item of \$1,500 in respect of transportation equipment, for which no provision was requested in 1953 and 1954.

2. As regards the estimate of \$17,500 for subsistence of staff members, the Advisory Committee on Administrative and Budgetary Questions has taken note in

previous reports (A/2787 and A/2791) of the intention of the Secretary-General to review during 1955 the appropriate length of the initial period during which subsistence is payable at a daily rate higher than that applying after the completion of six months' service. This projected review will embrace this and other missions financed under section 5 of the budget estimates.

3. Subject to this reservation, the Advisory Committee recommends for approval the estimate in respect of the United Nations Tribunal in Libya at the figure submitted by the Secretary-General, \$104,500.

DOCUMENT A/2824

Twenty-ninth report of the Advisory Committee on Administrative and Budgetary Questions: estimates for section 5: United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration

[Original text: English]
[2 December 1954]

1. The provision of \$130,500 proposed (A/2647, pp. 35 and 36) by the Secretary-General for 1955 in respect of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration shows a decrease, by comparison with the 1954 appropriation, of \$19,500. This decrease is due to the fact that the 1954 figure of \$150,000 included a capital payment of \$22,000 for the purchase during that year of a compound at Mogadiscio (previously leased at \$4,500 a year) for the use of the staff members of the Advisory Council. Income of approximately \$2,500 a year accrues to the United Nations from the rental of accommodation in the compound.

2. In view of the fact that the rates charged to staff members for such accommodation compare favourably with prevailing outside rates, the Advisory Committee on Administrative and Budgetary Questions considers that there is a special case, where this mission is concerned, for a careful review of the subsistence allowance payable to staff members, for which an amount of \$35,400 is included in the present estimate.

3. Subject to this observation, the Advisory Committee recommends for approval the estimate for section 5, chapter I (Advisory Council for the Trust Territory of Somaliland under Italian administration) as submitted by the Secretary-General at the figure of \$130,500.

DOCUMENT A/2828

Thirtieth report of the Advisory Committee on Administrative and Budgetary Questions: revised estimates for section 18: purchase of a radio transmitter and auxiliary equipment at Geneva

[Original text: English]
[3 December 1954]

1. The surpluses to be surrendered on the 1954 budget appropriations (A/2792 and Corr.1) include, under section 20 (European Office of the United Nations), an estimated amount of \$27,900 representing the balance of an appropriation of \$51,000 which the General Assembly authorized for the purchase during 1954 of a radio transmitter and auxiliary equipment to be installed in the grounds of the Palais des Nations at Geneva.

2. As the purchase and installation of the whole of this equipment cannot be completed by the end of 1954, the

Secretary-General proposed (A/C.5/606) that the above-mentioned balance of \$27,900 should be reappropriated under section 18 (European Office of the United Nations) of the 1955 budget. The Advisory Committee on Administrative and Budgetary Questions concurs in the Secretary-General's proposal.

3. The Fifth Committee has approved, on the first reading of the 1955 budget estimates, a total of \$4,693,400 for section 18. The effect of the present recommendation is to increase that total to \$4,721,300.

DOCUMENT A/2836 and Corr.1

Thirty-second report of the Advisory Committee on Administrative and Budgetary Questions: section 33: pension entitlement of the Registrar of the International Court of Justice

[Original text: English]
[6 December 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has considered a memorandum by the Secretary-General (A/C.5/605) proposing that special pension provisions (as set forth in para. 7) should apply to the present holder of the office of Registrar of the International Court of Justice.

2. The Secretary-General's memorandum (A/C.5/605, para. 3) cited the provision in the Pension Fund regulations (article II) which governs the participation of the Registrar of the Court in the United Nations Joint Staff Pension Fund. This provision, which expressly applies to the Registrar and every full-time officer of the Registry (article II, para. 2), has the effect of assimilating, for the purposes of the Fund, the Registrar to the full-time staff members of the United Nations (and of each other member organization) who are referred to in paragraph 1 of the same article.

3. As the Secretary-General indicated, the provision under reference was included in similar form²⁵ in the regulations provisionally adopted by the General Assembly²⁶ in 1946 for a United Nations joint staff pension scheme. The decision of the Assembly was taken on a proposal of the Fifth Committee,²⁷ which in turn was based in part on recommendations made by the Working Party on Staff Requirement and Insurance Funds (A/110, annex B).

4. In paragraph 5 of the Secretary-General's memorandum there were enumerated the factors which in the opinion of the Court indicated "the desirability of carrying out the intention of the framers of the Statute by regarding the Registrar's pension as comparable to the Judges' pension". It was further stated in that paragraph that the President of the Court had suggested that

²⁵ "Every regular full-time employee of the United Nations, including the Registrar and staff of the International Court of Justice ... will be subject to these regulations ..."

²⁶ See resolution 82 (I) of 15 December 1946.

²⁷ See *Official Records of the General Assembly, Second Part of the First Session, Fifth Committee, Annexes*, pp. 374 to 377.

the Assembly might wish to deal with the Registrar's pension in a similar, though not necessarily identical, manner.

5. The Advisory Committee is reluctant to question any opinion expressed by the International Court of Justice, and particularly in the present case, in which the opinion of the Court is bound up with an interpretation of its own Statute. Exceptionally, therefore, the Committee refrains from any recommendation, and submits instead certain considerations, parallel to the opinion of the Court, which the Fifth Committee and the General Assembly may wish to weigh:

(a) In reporting to the General Assembly on the first and second annual budgets of the Organization²⁸ the Fifth Committee expressly adopted as an integral part of its report the following comments and recommendations of the Advisory Committee:²⁹

"In considering the budget of the Court, the Advisory Committee found considerable lack of clarity regarding the extent to which the Registry of the Court should be governed by the financial, personnel and other administrative regulations and practices established for the conduct of the affairs of the United Nations as a whole. It wishes, however, to emphasize the need for consistent policies and practices in these matters. This will require continuous effort on the part of both the Court and the Secretary-General to achieve the necessary co-ordination. To this end the Advisory Committee recommends that:

"(a) The Registry be subject, generally, to the appropriate staff, financial, and other regulations of the General Assembly.

"(b) Rules issued by the Court or the Registrar under the above regulations of the General Assembly conform as closely as practicable to those governing the Secretariat of the United Nations, and that they be promulgated after consultation with the Secretary-General."

²⁸ *Ibid.*, Supplement No. 4, pp. 4 to 6.

²⁹ *Ibid.*, p. 41.

(b) In accordance with these principles, the General Assembly has taken a series of decisions governing the administrative relationship of the Registry of the Court to the Secretary-General. Apart from the inclusion of the Registrar as a participant in the provisional pension scheme, it was decided at the same session of the Assembly (resolution 85 (I) of 11 December 1946) that his salary should be assimilated to that of a top-ranking director of the Secretariat of the United Nations. At subsequent sessions, the Assembly decided that the provisions of the Staff Assessment Plan and of the revised salary scale (including the system of differentials) should also apply to the Registrar and to the staff of the Registry.

(c) The phrase cited in paragraph 4 above, "by regarding the Registrar's pension as comparable to the Judges' pension", is not clear. Article 32, paragraph 7, of the Statute of the Court provides that "regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar ...". The Assembly took action in accordance with that provision; its action consisted of the adoption of two separate and unrelated resolutions, in one of which (resolution 86 (I) of 11 December 1946) a non-contributory pension plan for members of the Court was approved, and in the other (resolution 82 (I) of 15 December 1946) it was decided

that the Registrar should participate in the provisional joint staff pension scheme under conditions applicable to all members of the Secretariat. It is the view of the Advisory Committee that in so doing the General Assembly gave full effect to the intention expressed in the Statute regarding two matters which the Assembly manifestly regarded as entirely distinct, namely (i) the pension of a member of the Court, and (ii) the pension of the Registrar.

6. In the event, however, that the General Assembly decides that, in the light of the various factors on which the Court's opinion is based, exceptional treatment is warranted, the Advisory Committee suggests that the terms and conditions that are laid down for participation in the Joint Staff Pension Fund should apply *in toto*, with the exception of the age limit as provided in article II of the regulations of that Fund, to the present case.

7. The Advisory Committee further suggests that, should the Secretary-General's proposal be approved by the General Assembly, an express reservation should be made to the effect that the provision is of an exceptional character and does not constitute a precedent for any similar decision in the interest either of a future Registrar of the Court or of any member of the Secretariat of the United Nations or other member organization.

DOCUMENT A/2841

Thirty-fourth report of the Advisory Committee on Administrative and Budgetary Questions: holding of an international conference on olive oil in 1955

[Original text: English]
[7 December 1954]

1. The Secretary-General proposed, in document A/C.5/611, the insertion of the following additional clause in the draft resolution relating to unforeseen and extraordinary expenses for the financial year 1955 (A/2688, part one, appendix II):

"Such commitments not exceeding a total of \$25,000 as are occasioned by the holding of an inter-governmental commodity conference".

2. The purpose of the Secretary-General's proposal was to provide for the holding of an international conference on olive oil which had been requested, under the terms of Economic and Social Council resolutions 296 (XI) and 557 (XVIII), by the Council of the Food and Agriculture

Organization. This request requires the prior approval of the Interim Co-ordinating Committee for International Commodity Arrangements. The Secretary-General indicated that it was not therefore certain whether the conference would take place during 1955 or, if so, where and when it would be held.

3. In view of these circumstances, the Advisory Committee concurs in the method of financing the conference costs proposed by the Secretary-General. It trusts, however, that every effort will be made to meet a part at least of any costs that may arise during 1955 within the appropriation for section 3 of the budget (The Economic and Social Council, Commissions and Committees).

DOCUMENT A/2845

Thirty-sixth report of the Advisory Committee on Administrative and Budgetary Questions: increase in the dependency credit under the Staff Assessment Plan for staff members at Headquarters

[Original text: English]
[8 December 1954]

1. The Secretary-General proposed, in document A/C.5/612, that the dependency credit granted under the Staff Assessment Plan should be increased as from 1 January 1955 in the case of staff members stationed at Headquarters or at Washington, D.C. The proposal is submitted as a temporary measure, pending a comprehensive review of the system and rates of the dependency credit which will be undertaken during 1955 by a committee of experts to be appointed by the Secretary-General in consultation with the executive heads of the specialized agencies.

2. In paragraph 7 of his report the Secretary-General set forth in comparative tabular form the respective pro-

visions under the existing and the proposed plans. At present the difference, in so far as the dependency credit is concerned, between a staff member at Headquarters³⁰ entitled to such credit and one not so entitled amounts to a maximum of \$200. Where the credit is granted in respect of a secondary dependant,³¹ this difference is reduced to \$100.

³⁰ For the purposes of the present report the term "Headquarters" includes Washington, D.C.

³¹ Under the present system, a primary dependant is a wife, a dependent husband, or a dependent child; a secondary dependant is a dependent parent, brother or sister, or an incapacitated child over 16 years of age.

3. The Advisory Committee is satisfied, particularly in view of the high cost of accommodations in the New York area, that there is a case for some increase for staff at Headquarters in the relief provided in respect of the expenses of maintaining dependants. As the Secretary-General pointed out (A/C.5/612, para. 3), a larger difference existed at the time when the Staff Assessment

Plan was introduced (1 January 1949) in the form of the expatriation and rental allowances which, together with the dependency credit, afforded a difference of some \$600 in net remuneration.

4. The relief afforded, by means of dependency credits, under the respective plans is illustrated in the following table :

Present system Staff member with			Proposed system (A/C.5/612) Staff member with									
(a) No depend- ants	(b) Primary depend- ants	(c) Secondary depend- ants	(a) No depend- ants	(b) Wife or other specified depend- ant	Dependent children not covered by column (b)							
Dollars (US)			Dollars (US)		one	two	three	four	five	six	seven	eight
Nil	200	100	Nil	200	100	100	100	100	100	100	100	100
Total	200 ^a											
Total		100 ^a										
Cumulative total				200	300	400	500	600	700	800	900	1,000

^a Under the present system a staff member may claim only one of these two credits.

5. The present distribution by Headquarters staff of dependency credits is the following :

Nil	1,146
\$200	1,660
\$100	218

The number of staff members (including widowers and widows) with dependent children is shown in the following table :

Staff members with one dependent child	479
Staff members with two dependent children	402
Staff members with three dependent children	169
Staff members with four dependent children	57
Staff members with five dependent children	20
Staff members with six dependent children	3

The number of married staff members without children or dependent children is 530.

6. The effect of the adoption of the Secretary-General's proposal, on the basis of present entitlements, would be to reduce the amount of income derived from the Staff Assessment Plan by approximately \$220,000. The gross appropriation figure would not be affected.

7. The Advisory Committee is prepared, for the reason stated in paragraph 3 above, to recommend for approval the plan proposed by the Secretary-General (A/C.5/612), subject to the following reservations :

(a) That it should come into force for one year only, at the end of which time it would be reviewed in the light of the findings of the committee of experts (para. 1 above) ;

(b) That the rates of assessment laid down in the Staff Assessment Plan (article 3 of General Assembly resolution 359 (IV) of 10 December 1949) should also be reviewed during 1955.

DOCUMENT A/2850

Thirty-seventh report of the Advisory Committee on Administrative and Budgetary Questions : section 5a : United Nations Field Service

[Original text : English]
[9 December 1954]

1. In reporting on the budget estimates for 1955 (A/2688, paras. 69 and 70) the Advisory Committee on Administrative and Budgetary Questions indicated that, as regards section 5a (United Nations Field Service), the Secretary-General's tentative estimate would be reviewed by the Committee at such time as the number of United Nations missions to be financed under section 5 (Special missions and related activities) and the scope of their activities had been determined by the General Assembly at its ninth session and by the Security Council.

2. The Advisory Committee has now examined the detailed estimates presented by the Secretary-General

under chapters I, II and III of section 5 of the 1955 budget. These show a total of 111 posts for Field Service staff proposed for assignment to missions during 1955, or—with the addition of eight posts at the European Office and the Economic Commission for Asia and the Far East—four posts in excess of the number tentatively proposed in the original budget submission (A/2647, p. 37). The Committee is, however, informed that the Secretary-General does not intend to request a supplementary provision in respect of these additional posts.

3. Accordingly, the Advisory Committee recommends an appropriation in respect of section 5a at the figure submitted by the Secretary-General, \$484,000.

DOCUMENT A/2851

Thirty-eighth report of the Advisory Committee on Administrative and Budgetary Questions: revised estimates for section 5: United Nations Commission for the Unification and Rehabilitation of Korea

[Original text: English]
[9 December 1954]

1. The provision proposed for 1955 by the Secretary-General (A/C.5/613) in respect of the United Nations Commission for the Unification and Rehabilitation of Korea amounts to \$163,000, representing, by comparison with the 1954 appropriation, a reduction of \$1,700. The principal variation between the two years occurs under the item for travel and subsistence of staff, which, at \$43,700, is some \$15,000 lower than the 1954 figure, mainly because of a reduction in the number of staff detailed to this mission from established offices. Conversely, the item for rental and maintenance of premises and equipment accounts for an increase of almost \$8,000, owing to the proposed lease of two buildings in Seoul for the use of the Commission and its staff. This latter provision is, however, partially offset by an item of \$2,500 in respect of income from the rental of living quarters to staff

members. One-third of the fleet of motor vehicles is proposed for replacement, a fact which accounts for the estimate of \$8,400 (against nil in 1954) under transportation equipment.

2. In general, requirements appear to be reasonably estimated, and the Advisory Committee on Administrative and Budgetary Questions accordingly recommends for appropriation the amount of \$163,000 as proposed by the Secretary-General.

3. The provisional appropriation already recommended by the Advisory Committee (A/2688, paras. 66 to 68) for chapter III of section 5 amounted to \$1,665,000. The estimate of \$163,000 in document A/C.5/613 was the sixth of a series to be submitted as detailed justification for this figure.

DOCUMENT A/2886

Report of the Fifth Committee

[Original text: English]
[16 December 1954]

1. In the course of twenty-seven meetings held during the ninth session of the General Assembly, the Fifth Committee considered the budget estimates of the United Nations for the financial year 1955. As a result of its deliberations, the Committee recommends that the Assembly should approve appropriations for 1955 in the total amount of \$46,963,800. It further recommends that miscellaneous income for the financial year 1955 should be approved at an estimate of \$6,832,600, which amount, applied as an offset against estimated gross expenditure for 1955, will produce a net figure of \$40,131,200.

2. The net expenditure amount will be subject to adjustments in accordance with the terms of financial regulation 5.2, estimated as follows:

<i>Increase</i>	<i>Dollars (US)</i>
Supplementary appropriation for the financial year 1954	701,870
<i>Decrease:</i>	
Appropriations to be surrendered under financial regulations 4.3 and 4.4 in respect of the financial year 1953	1,193,070
Net additional decrease ..	491,200

As a result of these adjustments, the assessment of contributions from Member States for the financial year, if appropriations are approved as recommended, will amount to \$39,640,000, as compared with \$41,300,000 for 1954, a decrease of \$1,660,000.

3. The Committee had before it as basic working documents the budget estimates and information annexes submitted by the Secretary-General,³² and the second report

of the Advisory Committee on Administrative and Budgetary Questions,³³ as well as a statement of the 1954 budget expenses to 31 August 1954 (A/C.5/577).

4. The Committee also examined revised estimates reflecting the decisions taken by the Economic and Social Council at its seventeenth and eighteenth sessions (A/C.5/582 and Corr.1) and detailed estimates for various field missions under section 5, for which only a token global provision had been presented in the original budget estimates. Details of the Committee's action under these headings are given below in the sections of the present report relating to the relevant sections of the budget.

5. Throughout its meetings, the Committee had the assistance of the Chairman of the Advisory Committee on Administrative and Budgetary Questions, who, as in past years, participated in the Committee's discussions. The Committee desires to record its high appreciation of the help it has received from the Advisory Committee, whose forty reports on matters dealt with by the Fifth Committee during the ninth session greatly facilitated the successful completion of a long and difficult agenda.

6. The present report is not intended to be an exhaustive review of the Committee's budget discussions, a more detailed summary of which, including the points of view expressed by individual delegations, is contained in the Official Records of the ninth session. Its purpose is to provide a synopsis of the main points emerging from the Committee's review of the budget proposals for the financial year 1955.

7. Since, in accordance with the General Assembly's earlier instruction (resolution 784 (VIII) of 9 December 1953), the Secretary-General's budget estimates for 1955

³² See *Official Records of the General Assembly, Ninth Session, Supplement Nos. 5 and 5A*, documents A/2647 and A/2647/Add.1.

³³ *Ibid.*, Supplement No. 7, document A/2688.

had been prepared within the broad framework of his reorganization proposals, and both items were therefore closely related, the Committee decided to deal with them simultaneously in the course of the general debate which, in keeping with past practice, preceded the first reading of the budget estimates for 1955. The Committee's discussion and recommendations in respect of the organization of the Secretariat, which question had been referred to the Committee by the General Assembly under item 53 of the agenda, have been recorded in a separate report (A/2884). The present report is limited to the Committee's discussion of the budget estimates.

8. The general discussion was preceded by statements made by the Secretary-General (A/C.5/580) and by the Chairman of the Advisory Committee (A/C.5/581) which summarized the budget situation in general and made specific reference to those recommendations of the Advisory Committee which differed from the proposals submitted by the Secretary-General. In the paragraphs below, further detailed comment is given on these questions.

9. The opinion was widely shared among delegations that the Fifth Committee's examination of the budget estimates was greatly facilitated by the considerable area of agreement between the Secretary-General and the Advisory Committee, both of whom assumed a significant responsibility in guiding the Fifth Committee in the discharge of its functions.

10. The majority of the Committee's members expressed the view that the Secretary-General should be commended for presenting estimates which showed a reduction of over \$1 million by comparison with 1954. Members recognized that budgetary savings should not be sought as an end in themselves, but experience had shown that an expanding budget and an increasing staff did not necessarily provide the best conditions for the proper functioning of the Secretariat. The 1955 budget estimates, presented at a reduced level and providing for a reduction in total staff, marked a praiseworthy reversal of the trend of previous years, and many delegations recorded their tribute to this achievement of the Secretary-General. The Secretary-General believed that the reorganization plan, when fully implemented, would lead to a saving of \$2 million, by comparison with the 1954 level of appropriations. That policy of retrenchment, it was noted, contrasted sharply with the steady increase in expenditure of some of the specialized agencies.

11. It was considered that the further reductions recommended by the Advisory Committee, which, if approved, would reduce the estimates by a sum of \$420,550, should be carefully weighed by the Committee. Although the validity of the Secretary-General's statement that his estimates as presented left little margin for further cuts was appreciated, a number of members urged that the Committee should take the necessary steps to remain within the lower figure recommended by the Advisory Committee, since it appeared that the modest economies recommended could be achieved without detriment to the efficiency of the Secretariat.

12. Several delegations reaffirmed the view they had expressed at previous meetings that nothing should be done to impede or retard the work which the United Nations was carrying out for the promotion of economic and social advancement, particularly in the matter of economic development of under-developed countries, and in the field of trusteeship. They were not prepared to give their support to any reduction in expenditure for these purposes without the unqualified assurance that the programmes of the United Nations in these fields would go forward as planned.

13. Other delegations remained convinced that the 1955 budget estimates could be further reduced and indicated the manner in which, in their opinion, the objective of attaining a budget at a figure of \$35 million could be achieved. They considered that sections 5 and 5a (Special missions and the Field Service) and section 19 (Office of the High Commissioner for Refugees) provided for the maintenance of organs which had been set up illegally, and thought that they should be deleted from the estimates. A speeding up of the reorganization programme to achieve its full implementation in the shortest possible time, together with the reductions recommended by the Advisory Committee and the effecting of the proposed deletions and of other economies in a number of particular cases to which they drew the Committee's attention, should make possible an over-all reduction in expenditure of some \$5 million.

14. Favourable comment on the manner of presentation of the 1955 budget was made by a number of delegations. Some, however, urged that, while the concentration into single sections of budget provisions for temporary assistance and consultants, and for travel of staff, might have a useful effect in permitting a closer control to be maintained on over-all expenditure for those items, facilitating their eventual stabilization at a reasonable amount, more detailed information on the apportionment of these expenditures among the various departments of the Secretariat should be given in future budgets. It was also hoped that future estimates for the publications programme would be accompanied by a schedule of details similar to that given in previous years.

15. The Committee undertook an initial examination of the budgetary requirements of the United Nations for the year 1955 for each section of the estimates, using as a basis for its discussion the recommendations contained in the second report of the Advisory Committee (A/2688). The Committee's decisions relating to individual sections are recorded below.

16. Apart from the discussion of the budget sections, the Committee considered a number of other administrative and financial questions with a direct bearing on the budget.

FINANCIAL IMPLICATIONS OF DECISIONS TAKEN BY OTHER COMMITTEES OF THE GENERAL ASSEMBLY

17. In the course of its proceedings, the Fifth Committee was requested to deal with a number of questions resulting from action in other Committees. The recommendations made in the present report provide for the implementation of the decisions of the General Assembly on those questions.

18. The Committee has made its separate recommendations on these questions to the General Assembly. In most of the cases, such recommendations involved an amendment to the resolution on unforeseen and extraordinary expenses; in several cases, however, the recommendations made necessitated either an increase in the 1955 budget, or an indication that any resulting expenditures could be met within the budget total as recommended. These actions covered the following agenda items:

(i) Treatment of people of Indian origin in the Union of South Africa (item 22): draft resolution proposed by the *Ad Hoc* Political Committee (A/2785)—resolution relating to unforeseen and extraordinary expenses;

(ii) Report of the International Law Commission on the work of its sixth session (item 49): draft resolution proposed by the Sixth Committee (A/2821)—resolution relating to unforeseen and extraordinary expenses;

(iii) International co-operation in developing the peaceful uses of atomic energy: report of the United States of America (item 67): draft resolution proposed by the First Committee (A/2820)—resolution relating to unforeseen and extraordinary expenses;

(iv) Economic development of under-developed countries. Question of the establishment of a special United Nations fund for economic development (item 25 (a)): draft resolution proposed by the Second Committee (A/2848)—sections 1 and 24;

(v) Report of the Economic and Social Council (chapters IV and V). United Nations Narcotics Laboratory (item 12): draft resolution proposed by the Third Committee (A/2865)—no specific provision;

(vi) The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa (item 23): draft resolution proposed by the *Ad Hoc* Political Committee (A/2858)—resolution relating to unforeseen and extraordinary expenses;

(vii) The question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia (item 13): draft resolution proposed by the Fourth Committee (A/2859)—resolution relating to unforeseen and extraordinary expenses;

(viii) Establishment of a world food reserve (item 66): draft resolution proposed by the Second Committee (A/2863)—no specific provision;

(ix) Economic development of fisheries and question of fishery conservation and regulation (item 65): draft resolution proposed by the Sixth Committee (A/2870)—resolution relating to unforeseen and extraordinary expenses;

(x) The Togoland unification problem and the future of the Trust Territory of Togoland under United Kingdom Trusteeship (items 35 and 52): draft resolution proposed by the Fourth Committee (A/2874)—section 4.

VISITORS' SERVICE

19. At its 478th meeting, the Fifth Committee discussed the budget action to be taken upon a new section of the budget—section 10a (Visitors' Service)—on the basis of a report by the Secretary-General dealing with the guided tour programme (A/C.5/603) and a report on the subject by the Advisory Committee on Administrative and Budgetary Questions (A/2811).

20. The principal features of the Secretary-General's proposals were:

(a) To bring under the immediate and exclusive responsibility of the United Nations Secretariat the Guided Tour Service, which is at present managed on a contractual basis by the American Association for the United Nations;

(b) To combine the service with that part of the interne programme which is related to the training of university students. Professional guides would continue to be employed. In the initial stages, the number of guide-internes would be about 40, providing for an establishment of 20 working guides daily as against between 69 and 80 professional guides at present employed. Subsequently, however, the ratio of guide-internes to professional guides might be increased.

21. As regards point (a) above, the Secretary-General took the position, in which the Advisory Committee concurred, that a question of principle was at issue, namely, "whether so vital a part of the total public relations programme of the United Nations should continue to be handled by a non-governmental organization of a Member

State". When initially consulted on the subject during August 1951, the Advisory Committee had recommended to the Secretary-General that, as a matter of principle, the Guided Tour Service should be directly controlled and operated by the United Nations, and more recently it had expressed the view that, as the service was essentially in the nature of a public relations programme, it would be appropriate, from the standpoint of orthodox administrative and budgetary practice, that it should form an integral part of the Secretariat. Both the Secretary-General and the Advisory Committee, however, paid tribute to the manner in which the guided tour programme had been conducted by the American Association for the United Nations.

22. As regards point (b) above, the Secretary-General proposed that each year a certain number of students should be appointed to internships at Headquarters, to be combined with duties as guide-lecturers. Other points of difference from the existing programme for university students would be the extension of the term of the internship from approximately two months to twelve months and the payment by the United Nations of the travel expenses of the internes, at present defrayed by the Governments concerned. The Secretary-General indicated that promising results had been obtained under a similar arrangement during the summers of 1953 and 1954 when, "with a view to broadening the multi-national character of the regular guides, a group of students from various countries was included in the Guide Service".

23. On this second point, the Advisory Committee suggested that, while any lowering of the present standard of efficiency or any avoidable increase in operating costs of the Guided Tour Service would be undesirable, the desirability of expanding the interne programme was a question of importance that required exhaustive study in isolation from the question of the guided tour programme. In this connexion, the Advisory Committee also asked whether the results achieved under the present interne programme and those anticipated under a revised programme providing for an extended tenure in fact promoted the broader objectives of the programme, which were to contribute to a more informed understanding of the purposes and work of the Organization and to afford the internes an opportunity of practical training in techniques of many kinds.

24. The Advisory Committee, accordingly, felt unable to recommend a combination of the Guided Tour Service with any part of the interne programme. It considered that entirely separate processes of budgeting and administration for these two activities offered distinct advantages and would ensure a clear presentation of respective costs. In this connexion, that Committee also suggested that the heavy indirect costs (estimated at some \$90,000, attributable to the operation of the Guided Tour Service) should be a charge against receipts.

25. The Advisory Committee also suggested that, with the integration of the Guided Tour Service in the Secretariat, it would be open to the Secretary-General to assign to that Service, as one of many Secretariat units, students coming to Headquarters under the interne programme, and in that way to test, on an experimental and provisional basis, the merits of a scheme under which the use of professional guides and internes might be combined.

26. At the 478th meeting of the Committee, the Secretary-General stated that he was prepared, for the time being, to accept the Advisory Committee's recommendation with regard to the separation of the interne programme from the Guided Tour Service. Further, while the present eight-week programme of students internship would be retained, he proposed to have a small

additional group of internes for a longer period. This group would be assigned from time to time, on an experimental basis as suggested by the Advisory Committee, to the Guided Tour Service. To facilitate the plan, the Secretary-General requested an additional appropriation of \$32,000 in section 15, chapter IV, towards the cost of the additional internship programme.

27. During the discussion of this matter in the Committee, the proposed integration of the Guided Tour Service in the Secretariat received much support. At the same time, appreciation was expressed for the valuable work which had been carried out by the American Association for the United Nations. The point was also made that the service had been efficiently and properly run by that organization and there appeared to be little advantage to be gained in making the radical change now proposed. Several delegations also supported the Advisory Committee's recommendation on the desirability of keeping the interne programme separate from the Guided Tour Service.

28. The Committee took the following budget actions based on the recommendations of the Advisory Committee and the revised proposals made by the Secretary-General :

(a) It approved unanimously the Secretary-General's proposal for the inclusion in the appropriation resolution of an additional section 10a (Visitors' Service) to the amount of \$290,000, which was the amount originally requested by the Secretary-General for the Service excluding the guide-interne programme ;

(b) It approved, by 35 votes to 5, with 3 abstentions, the Secretary-General's proposal that the appropriation for section 15 (Common staff costs) should be increased by \$32,000 to facilitate the extension of the interne programme ;

(c) It approved, by 35 votes to none, with 5 abstentions, the Secretary-General's proposal that the estimate for miscellaneous income for 1955 from the Visitors' Service, which had earlier been approved at \$225,000, should be increased to \$525,000.

29. In connexion with the question raised by the Advisory Committee regarding the allocation of indirect expenses to the cost of this Service as well as to other commercial-type activities, the Committee noted that it was the Secretary-General's intention to study the matter and to report upon it when presenting the budget estimates for 1956.

PERMANENT HEADQUARTERS OF THE INTERNATIONAL TELECOMMUNICATION UNION AND THE WORLD METEOROLOGICAL ORGANIZATION

30. At its 480th and 482nd meetings, the Fifth Committee considered, in connexion with the 1955 budget estimates, the question of the permanent headquarters of the International Telecommunication Union and of the World Meteorological Organization. The Committee had before it a report (A/C.5/604) by the Secretary-General and the Advisory Committee's comments (A/2812) on the Secretary-General's report.

31. The Secretary-General in his report gave an account of the developments in the matter and of the solutions that had been envisaged. In the spring of 1954, both the specialized agencies concerned had received offers from the Canton of Geneva for the erection either of a single building to house both of them or of two separate buildings to be rented to the agencies at an annual rent of 3 per cent of the cost of construction. In both events, the building(s) would be outside the precincts of the

Palais des Nations. These arrangements, if implemented, would effectively and permanently prevent the installation of the agencies on United Nations ground and thus render more difficult the development of common services by the United Nations and the agencies. The Secretary-General, therefore, informed both the agencies that, if they on their part were willing to envisage the establishment of their permanent headquarters within the United Nations precincts and to enter into an agreement on common services with the United Nations, he would undertake to consult the General Assembly on its willingness eventually to consider financing construction of the necessary accommodation from United Nations funds. Both agencies expressed interest in this alternative proposition and agreed to defer their decision on the offer made by the Canton of Geneva until the 1955 meetings of their administrative bodies. Accordingly, the Secretary-General asked the General Assembly whether it was willing to give at this stage an assurance that it would, in principle, be prepared at its next regular session to approve expenditures estimated approximately at between \$1,750,000 and \$2,500,000 to finance the erection of a building or buildings on United Nations ground in Geneva to accommodate the headquarters of the two agencies provided that, in the meantime, the appropriate bodies of these agencies had agreed to suitable plans and to reasonable arrangements in the matters of finance and common services. The Secretary-General emphasized that the declaration of intention now requested from the Assembly would leave to the Assembly its freedom of action if the final plans and other proposed arrangements did not meet with its approval.

32. The Advisory Committee in its report recommended that, subject to the reservations expressed in paragraph 2 of its report, the General Assembly should give the suggested assurance.

33. During the discussion of this matter in the Fifth Committee, there was general recognition of the need to develop common services by the United Nations and the specialized agencies. From that point of view several delegations supported the suggestion that the permanent headquarters of the two agencies in question should be located on United Nations ground. One delegation, however, expressed the view that the financial arrangements involved should be the responsibility of the agencies themselves and that, although it would be in order for the United Nations to assist them by means of an advance or loan from the Working Capital Fund, the costs should not be a direct charge on the regular budget of the United Nations.

34. The Director of the European Office of the United Nations, in a statement made before the Committee at its 480th meeting, explained the importance of the building(s) being owned by the United Nations. The position would otherwise be complicated from the legal point of view, as United Nations territory was extra-territorial. He estimated the annual rent which would be received from the agencies at approximately \$50,000.

35. At its 482nd meeting, the Chairman of the Advisory Committee further explained that Committee's position in the matter. He emphasized the need for action by the Assembly if the Assembly's stated policy of developing common services and of concentrating resources was to be realized.

36. In the light of the clarifications provided, some delegations which had had misgivings at an earlier stage about the assurance requested by the Secretary-General expressed their willingness to support the suggestion, provided that the costs of construction were financed out of the Working Capital Fund rather than from the regular budget of the United Nations.

37. The Committee approved, by 31 votes to 5, the Secretary-General's proposal, subject to the reservations made by the Advisory Committee in its report (A/2812). It was also understood that the agencies concerned would be informed that they should not reject the offer of the Canton of Geneva until the position of the United Nations had been determined by the General Assembly at its tenth session.

USE OF INCOME DERIVED FROM THE STAFF ASSESSMENT PLAN

38. At its 471st to 474th meetings, the Fifth Committee considered the question of the use of income derived from the Staff Assessment Plan in relation to the problem of national income taxation levied on salaries and emoluments paid by the United Nations to its officials. It may be recalled in this connexion that, during the eighth session of the General Assembly, the Committee concurred in a recommendation made by the Advisory Committee that the Secretary-General should be requested to submit to the Assembly at its ninth session a report aimed at a solution of this problem.

39. The Committee had before it a report by the Secretary-General (A/C.5/584 and Corr.2), the nineteenth report of the Advisory Committee (A/2799) and a further note by the Secretary-General (A/C.5/L.315).

40. In his report the Secretary-General pointed out that, although equality among staff members had been achieved through reimbursement by the United Nations of any national taxes paid by them on salaries and emoluments they received from the Organization, equity among Member States in their burden in regard to such national taxation had not been attained. As a substantial step towards achieving such equity among Member States, the Secretary-General suggested a possible solution under which the reimbursement of national tax levied by a Member State on the salaries received by its nationals in the Secretariat would be charged against that Member State's share of the income derived from the Staff Assessment Plan.

41. The Advisory Committee, while commending the Secretary-General for his determined efforts to find a solution to the problem, stressed that the only fully satisfactory solution was that all Member States should accede to the Convention on the Privileges and Immunities of the United Nations. It therefore recommended that the Secretary-General should be requested to continue his conversations with the seventeen Member States who had not acceded to the Convention with a view to obtaining their accession, or at least the adoption of alternative measures, whether legislative or administrative, whereby all United Nations officials might be granted the necessary tax exemption. The Advisory Committee further recommended that no action should be taken on the Secretary-General's tentative plan for the time being.

42. At an early stage of the discussion of this matter in the Fifth Committee, the delegation of the United States of America expressed its preparedness to give the following undertaking. The United States Government would give careful study in 1955 to the various methods by which the problem could be solved. If no better method were found, it would have no objection if the General Assembly decided at its tenth session that all Member States which, on the date on which the session opened, had not ratified the Convention on Privileges and Immunities or had not granted the necessary tax exemption to their nationals who were United Nations staff members, should cease on 1 January 1956 to receive the benefit of the revenue derived from the application of the Staff Assessment Plan.

43. There was general concern in the Committee that the unsatisfactory situation resulting from the fact that certain Member States had not exempted their nationals in the Secretariat from taxation on the salaries paid to them by the United Nations continued to exist in spite of several resolutions of the Assembly requesting such exemption or alternative relief from double taxation. It was noted that, as regards the practical aspects of the problem, the position of the United States in the matter had placed a financial burden on the fifty-nine other Member States in meeting the expenditures for reimbursement of taxes levied by the United States Government on the salaries paid to its nationals in the Secretariat. In this connexion, it was noted that in respect of the years up to and including 1953, a total amount of about \$9 million had been expended or obligated for tax reimbursement.

44. Nevertheless, many delegations were prepared to accept the Advisory Committee's recommendation and postpone consideration of the Secretary-General's tentative plan until the tenth session of the Assembly on the basis of the undertaking given by the United States delegation. The views of these delegations were reflected in a draft resolution (A/C.5/L.316) proposed by the Netherlands.

45. Some delegations, on the other hand, thought that further postponement of the solution to the problem, which had remained unsolved for more than eight years, could not be justified. In this connexion, it was pointed out that the Secretary-General had offered a tentative solution expressly at the request of the Fifth Committee at the eighth session of the Assembly, based on a recommendation made by the Advisory Committee. The view was expressed that the Secretary-General's plan should be adopted pending accession by Member States to the Convention on Privileges and Immunities. A formal proposal to this effect was made by the representative of Poland, who also requested that the Secretary-General's plan, being farthest removed from the existing system, should be voted on first. In this connexion, it was further pointed out that the Netherlands draft resolution concerned the substance of the question and was not procedural, inasmuch as its adoption would imply the Committee's approval of the payment of about \$1,650,000 in reimbursement of taxation in 1955.

46. The representative of the Netherlands pointed out that he had merely proposed that the examination of the Secretary-General's report should be postponed and that the question should be referred to the tenth session of the Assembly; as such, it was procedural in character.

47. The Chairman then put to the vote the Netherlands draft resolution, which was adopted by 35 votes to 5, with 6 abstentions. The Polish proposal was, in the circumstances, not pursued.

48. The Committee accordingly recommends for adoption by the General Assembly the draft resolution contained in annex D to the present report.

INCREASE IN THE DEPENDENCY CREDIT UNDER THE STAFF ASSESSMENT PLAN FOR THE STAFF AT HEADQUARTERS

49. At its 482nd meeting, the Fifth Committee considered, in connexion with the 1955 budget estimates, a proposal made by the Secretary-General (A/C.5/612) for an increase in the dependency credit under the Staff Assessment Plan for staff members at Headquarters. The Committee had also before it a report on the proposal from the Advisory Committee on Administrative and Budgetary Questions (A/2845).

50. The Secretary-General's proposal, which was submitted as a temporary measure pending a comprehensive review of the system and rates of dependency credit to be undertaken during 1955 by a committee of experts to be appointed by the Secretary-General in consultation with the executive heads of the specialized agencies, sought to increase the dependency credit for Headquarters³⁴ staff in the following manner, effective 1 January 1955:

Present dependency credit

(a) A credit at the rate of \$200 per annum shall be granted for a wife, or a dependent husband, or a dependent child;

(b) A credit at the rate of \$100 per annum shall be granted for a dependent parent, brother, sister or incapacitated child over sixteen years of age;

(c) A credit shall not be granted under both paragraphs (a) and (b) above.

Proposed dependency credit

(a) A credit at the rate of \$200 per annum shall be granted for a wife, or a dependent husband, or a dependent parent, brother or sister, or a dependent child or a mentally or physically incapacitated child over sixteen years of age;

(b) An additional credit at the rate of \$100 per annum shall be granted for each additional dependent child for whom credit has not been granted under paragraph (a) above.

The Secretary-General's main reason for making the proposal was the inequity under the present system between staff members without dependants or with one dependant, and those with several dependants. This inequity had become increasingly significant at Headquarters, partly because of the elimination of certain allowances, and partly because of increasing costs of housing, medical and dental care, household help and transportation, all of which were very substantial for staff members with dependants. The Secretary-General had also submitted an appropriate draft resolution incorporating his proposals for consideration by the General Assembly.

51. The Advisory Committee, in its report (A/2845), recognized that there was a case, particularly in view of the high cost of accommodations in the New York area, for some increase for staff at Headquarters in respect of the expenses of maintaining dependants. That Committee, therefore, recommended approval of the plan proposed by the Secretary-General (A/C.5/612), subject to the following reservations:

(a) That it should come into force for one year only and it would then be reviewed in the light of the findings of the committee of experts referred to above;

(b) That the rates of assessment laid down in the Staff Assessment Plan (article 3 of General Assembly resolution 359 (IV) of 10 December 1949) should also be reviewed during 1955.

52. During the discussion of this matter in the Fifth Committee, it was generally recognized that there were inequities in the treatment accorded to married staff members with dependants under the Staff Assessment Plan. There was also a large measure of support for the conclusions of the Secretary-General and the Advisory Committee. Some delegations, however, thought that, as the matter would shortly be reviewed by a committee of experts, any decision should be deferred until the report of the committee became available. The view was also expressed, in this connexion, that any decision on the question that might be taken as a result of the committee's review could, if necessary, be implemented with some measure of retroactivity.

³⁴ In this context, the term "Headquarters" includes Washington, D.C.

53. The representative of the United States of America suggested the insertion in the draft resolution proposed by the Secretary-General of a preamble reading:

"The General Assembly,

"Recognizing that an inequity of treatment exists under the Staff Assessment Plan between staff members with dependants and those without dependants".

He further suggested that the opening phrase of the operative part of the draft resolution should be amended to read:

"Resolves that, as a temporary measure, notwithstanding article 4 of resolution 359 (IV) of 10 December 1949, the following dependency credits shall be given between 1 January 1955 and 31 December 1955 to staff members stationed at Headquarters or at Washington, D.C."

There was no objection in the Committee to the insertion of the preamble or to the rewording of the operative part.

54. At the request of the representative of the United States, the preamble and the operative part were put to the vote separately. The preamble was adopted by 48 votes to none, with one abstention, and the operative part, as amended, was adopted by 40 votes to 8, with 2 abstentions.

55. The Committee adopted the draft resolution, as amended, by 39 votes to 9. Accordingly, the Committee recommends for adoption by the General Assembly the draft resolution contained in Annex E to the present report.

MISCELLANEOUS INCOME

56. At its 480th meeting, the Fifth Committee considered, on first reading, the estimates for miscellaneous income for 1955. The Advisory Committee, in its report on the budget estimates for 1955 (A/2688), had recommended an estimate of miscellaneous income in the amount of \$6,783,100, an increase of \$10,000 on the estimates submitted by the Secretary-General (A/2647).

57. Referring to the fact that the cash position of the Working Capital Fund had been somewhat better in recent experience, the representative of Czechoslovakia proposed that the estimate for income from investments should be increased by \$40,000.

58. The representative of the Byelorussian Soviet Socialist Republic proposed that the estimate for income for reimbursement from specialized agencies and others for services furnished to them should be increased by \$15,000.

59. The Committee rejected, by 34 votes to 5, with one abstention, the proposal by Czechoslovakia; and by 32 votes to 6, with 2 abstentions, the proposal of the Byelorussian SSR representative.

60. The Committee approved, by 35 votes to 5, the initial recommendation of the Advisory Committee for an estimate of \$6,783,100 for miscellaneous income for 1955, noting that this amount was subject to a number of adjustments in respect of items on which it had already taken or was to take decisions.

61. For its second reading of the estimates for miscellaneous income, the Fifth Committee had before it, at its 483rd meeting, a report by the Secretary-General on the budgetary position (A/C.5/614/Rev.1). Appended as annex B to that report was a statement of the adjustments required to the figure of \$6,783,100, with references to the decisions resulting in those adjustments. The

major adjustments arose from the decisions of the Committee on (i) the creation of a Special Indemnity Fund for the payment of awards made by the Administrative Tribunal on which the Committee had reported separately to the General Assembly (A/2883), and (ii) the Visitors' Service and the increase in dependency credits on which the Committee's action is reported in preceding sections of the present report. An increase of \$100,000 in the estimates was occasioned by the contemplated arrangements for the financing of paper purchases under which stocks on hand in the value of \$100,000 would be charged against an advance from the Working Capital Fund with a corresponding credit to be reflected in the estimates for miscellaneous income. The contemplated arrangements in this regard had the concurrence of the Advisory Committee.

62. The Fifth Committee approved, by 36 votes to 5, a revised estimate of miscellaneous income in the amount of \$6,832,600. This amount has accordingly been included in paragraph 2 of the draft appropriation resolution for 1955, set out in annex A below.

WORKING CAPITAL FUND

63. At its 483rd meeting, the Fifth Committee considered the draft resolution relating to the Working Capital Fund submitted by the Advisory Committee on pages 16 and 17 of its report on the budget estimates for 1955 (A/2688).

64. The representative of the Union of Soviet Socialist Republics, pointing to the fact that the appropriations for 1955 would be lower than those for 1954, with a consequent decrease in demands for working capital, proposed that paragraph 1 (b) of the draft resolution submitted by the Advisory Committee should be deleted, and that the Working Capital Fund should be reduced accordingly for 1955 to a level of \$20 million rather than maintained at the figure of \$21,500,000 as recommended by the Advisory Committee. The representative of the Secretary-General informed the Fifth Committee that, though the cash position of the Organization had been somewhat better during 1954 than in previous years, there was as yet, in the opinion of the Secretary-General, insufficient experience to indicate that a reduction in the level of the Working Capital Fund would be prudent.

65. The Committee rejected, by 28 votes to 5, with one abstention, the USSR proposal; and approved, by 30 votes to 5, the draft resolution recommended by the Advisory Committee.

66. The Fifth Committee accordingly recommends to the General Assembly the draft resolution relating to the Working Capital Fund as set out in annex C below.

FIRST READING OF THE 1955 BUDGET ESTIMATES

Section 1. The General Assembly, Commissions and Committees

67. The Fifth Committee, at its 450th meeting, examined the estimates for section 1. The Advisory Committee had recommended in its main report an appropriation of \$373,000 for this section, as proposed by the Secretary-General.

68. This section contained, *inter alia*, a provision under chapter IV in the amount of \$50,000 for the 1955 session of the International Law Commission estimated on the basis of an eight-week session to be held in New York. Subsequently, the Commission had decided, in accordance with the provisions of its Statute, that its 1955 session should be held in Geneva, that the duration of the session should be ten weeks, and that simultaneous inter-

pretation in Spanish should be provided. Thus, the Secretary-General had submitted revised estimates (A/C.5/587) involving an increase under section 1 of \$14,300 and under section 18 (European Office of the United Nations) of \$12,500.

69. The Advisory Committee, in its tenth report (A/2766), had agreed with the revised cost estimates submitted by the Secretary-General but had recommended, on administrative and budgetary grounds, that the additional cost involved in meeting in Geneva, as an item of avoidable expenditure, should not be approved. The Advisory Committee had pointed out that in any case the extension of the duration of the 1955 session of the International Law Commission would involve an additional expenditure of \$7,350 if that meeting were held at Headquarters, and had recommended that this additional amount be provided, thus raising the total recommended for section 1 to \$380,350.

70. The Fifth Committee, while recognizing that the International Law Commission had acted in accordance with its Statute, reaffirmed the authority of the General Assembly to take under consideration the decision to meet in Geneva, and, in so far as the financial implications of that decision were concerned, the Committee's competence to express its agreement or disagreement.

71. Several delegations supported the view expressed by the Advisory Committee that the additional expenditure involved should not be approved. Other delegations, however, pointing out the importance of the work of the International Law Commission, and the facilities at Geneva, including those of the Library, which were particularly suitable for that work, felt that the decision of the Commission should be upheld.

72. The Fifth Committee approved, by 26 votes to 18, with 4 abstentions, a proposal by the Netherlands that the amount recommended by the Advisory Committee for section 1 should be increased by \$6,950, from \$380,350 to \$387,300, which would provide, *inter alia*, sufficient funds for the International Law Commission to meet in Geneva in 1955.

73. Subsequently the Committee approved, in connexion with a draft resolution proposed by the Second Committee concerning a special United Nations fund for economic development, a statement of financial implications (see document A/2848) involving an increase of \$15,400 for section 1. The draft resolution concerned having been subsequently adopted by the General Assembly, the appropriation for this section was accordingly increased by \$15,400 to \$402,700. This figure was subsequently increased to \$502,700 during the second reading of the estimates (see paragraph 264 below).

Section 2. The Security Council, Commissions and Committees

74. At its 451st meeting, the Fifth Committee approved unanimously the maintenance of section 2 *pro forma* in the 1955 budget, noting that, should funds be required under this section, supplementary estimates would be submitted.

Section 3. The Economic and Social Council, Commissions and Committees

75. The original estimates for section 3 having been prepared before the eighteenth session of the Economic and Social Council, revised estimates for this section had been submitted by the Secretary-General (A/C.5/582 and Corr.1), reflecting the effect on the estimates of certain decisions taken at that session. The Advisory Committee

had reported its views on the revised estimates in its eighth report (A/2763 and Corr.1).

76. The Advisory Committee, in its main report (A/2688), had recommended that the Secretary-General's original estimates for this section should be reduced by \$9,500 to \$150,000. While recognizing that a substantial reduction had been made in the staff assigned to meetings held in Geneva under the approved pattern of conferences, which included the annual summer session of the Council, the Advisory Committee was of the opinion that some further reduction was possible. The Advisory Committee also considered it possible to reduce the number of staff to be sent to the United Nations Congress on the Prevention of Crime and Treatment of Offenders.

77. The decisions taken by the Economic and Social Council at its eighteenth session had resulted in a net reduction of \$6,900 in the funds required for section 3. The Advisory Committee had concurred in the revised estimate of \$143,100 for the section.

78. The Fifth Committee considered the estimates for section 3 at its 451st meeting.

79. Certain delegations were of the opinion that the activities of the United Nations Congress on the Prevention of Crime and Treatment of Offenders (chapter XV) and the *Ad Hoc* Advisory Committee of Experts on the Prevention of Crime and Treatment of Offenders (chapter XVI) constituted an unjustified interference in the domestic affairs of Member States and were contrary to the principles and purposes of the Charter. One delegation, however, pointed out that it would be difficult to reach any conclusion on the matter until recommendations or proposals were made by those bodies. A proposal by Czechoslovakia that provision for meetings of the two bodies concerned should be deleted from the budget was rejected by 26 votes to 5, with 3 abstentions.

80. In the course of its consideration of other items in the budget, the Committee was informed that the Secretary-General had assumed, when calculating the effects of the decisions of the eighteenth session of the Economic and Social Council, and proposing a reduction in the provision for the summer session of the Council itself, that the shortening of that session from six weeks to four would mean that there would be fewer items on the agenda and that thus the number of substantive officers to be sent to Geneva would be smaller. There was no intention, however, of reducing the quality of services to the Council.

81. The Advisory Committee, in commenting on the shortening of the summer session of the Council, had drawn attention to the fact that, on the basis of the pattern of conferences for 1954-1957 which had been established at the seventh session of the General Assembly, certain transfers of French and Spanish translation staff from Headquarters to Geneva had taken place. Care would have to be exercised that changes in the conference pattern would not result in an imbalance of workload between Headquarters and Geneva staff. This could be offset by changes in the allotment of translation work not pertinent to current meetings.

82. The Fifth Committee approved, by 39 votes to 5, with one abstention, the recommendation of the Advisory Committee that \$143,100 should be appropriated for section 3.

Section 3a. Permanent Central Opium Board and Drug Supervisory Body

83. The Advisory Committee, in its main report (A/2688), had recommended an appropriation for section 3a in the amount of \$22,400, a reduction of \$1,900 on the

Secretary-General's estimate. The Committee had also noted that, should the 1953 Opium Protocol come into force in 1955, an additional session of the Central Board might be necessary, at an estimated additional cost of \$9,700, to be financed out of the Working Capital Fund as an extraordinary commitment. In such a case, the Committee would review the related estimate prior to an advance from that Fund.

84. At its 450th meeting, the Fifth Committee had approved payment of certain honoraria to the Presidents, Vice-Presidents and members of the Permanent Central Opium Board and the Drug Supervisory Body on the basis of a scale of payments recommended by the Advisory Committee in its twelfth report (A/2780) issued under agenda item 47. This approval required an increase of \$4,800 in the amount originally recommended by the Advisory Committee, or a total under section 3a of \$27,200.

85. At its 451st meeting, the Fifth Committee approved, by 37 votes to one, with 6 abstentions, the recommendation of the Advisory Committee for an appropriation of \$27,200 for section 3a.

Section 3b. Regional economic commissions

86. For section 3b, covering costs of sessions of the Economic Commission for Asia and the Far East (ECAFE) and of the Economic Commission for Latin America (ECLA), the Advisory Committee had recommended in its main report (A/2688) an appropriation of \$101,700, representing a reduction of \$8,000 in the estimates submitted by the Secretary-General. The \$8,000 reduction was to be distributed equally between the two Commissions.

87. The Advisory Committee had pointed to the fact that the sessions of each of the Commissions were being held away from the seat of the Commission, and noted that it had not been possible for the Advisory Committee to be provided with information on the extent of the contribution of host countries, in cash or services, to the costs of those sessions. The report also drew attention to the fact that ECAFE had not so far accepted a suggestion that in alternate years its sessions should be held at its headquarters, and to the fact that the Advisory Committee had previously commented on the economy resulting from the practice followed by ECLA of scheduling a plenary session in alternate years only, with a Committee of the Whole meeting in the interval. The reductions proposed by the Committee were based on its opinion that it should be possible to reduce the number of staff to be moved to the respective meeting places.

88. The Fifth Committee considered the estimates for section 3b at its 451st meeting. Several delegations requested an assurance that the proposed reduction would not affect the work of the two Commissions. The Committee was informed that the Secretary-General had submitted his original estimates as reasonable calculations of the funds required to provide particular services. On the other hand, the Secretary-General was always prepared to make economies, and could not state *a priori* that the savings suggested could not be achieved. He would attempt to provide ECAFE and ECLA with the necessary services within the sums recommended by the Advisory Committee; if that were found impossible, he would rely on that Committee to approve additional provisions by transfer of funds or by granting him authority to make commitments under the resolution on unforeseen and extraordinary expenses.

89. The Fifth Committee approved unanimously the recommendation of the Advisory Committee for an appropriation of \$101,700 under section 3b.

Section 4. The Trusteeship Council, Commissions and Committees

90. At its 451st meeting, the Fifth Committee approved without objection the recommendation of the Advisory Committee for an appropriation of \$50,000 for section 4, as estimated by the Secretary-General, noting that the amount was subject to adjustment if necessary when the actual requirements for the 1955 visiting mission became known.

91. Subsequently the Fifth Committee approved, in connexion with a draft resolution adopted by the Fourth Committee on the Togoland unification problem and the future of the Trust Territory of Togoland under United Kingdom Trusteeship, a statement of financial implications (see document A/2874) involving an increase of \$50,000 for this section. The draft resolution concerned having been adopted by the General Assembly, the appropriation for this section was accordingly increased by \$50,000 to \$100,000.

Section 5. Special missions and related activities

92. To provide for the requirements of the United Nations missions and related activities, the Advisory Committee, in its main report (A/2688), had recommended, on a provisional basis, a global appropriation of \$1,900,000. Subsequently, detailed estimates were submitted by the Secretary-General in amplification of the global appropriation, in addition to which the Fifth Committee, as a basis for its consideration, had before it, in respect of each item, separate reports of the Advisory Committee.

93. For reasons set out in the summary records of the Fifth and other Committees, certain representatives expressed their opposition to the provision of credits for some of these activities.

94. The Fifth Committee took the following decisions with regard to the several activities in the order set out in the budget estimates of the Secretary-General (A/2647) :

95. *Advisory Council for the Trust Territory of Somaliland under Italian administration* : Having examined the estimates submitted by the Secretary-General (A/2647) and the report of the Advisory Committee (A/2824), the Fifth Committee, at its 477th meeting, rejected, by 37 votes to 5, a proposal of the Byelorussian SSR that the provision for the Advisory Council should be deleted from the 1955 budget. It approved, by 38 votes to 5, an appropriation of \$130,500 for the Advisory Council for the Trust Territory of Somaliland under Italian administration.

96. *United Nations Tribunal in Lybia* : Having considered the estimates submitted by the Secretary-General (A/2647) and the report of the Advisory Committee (A/2823), the Fifth Committee, at its 477th meeting rejected, by 37 votes to 5, with one abstention, a proposal of the Byelorussian SSR that the provision for the Tribunal should be deleted from the 1955 budget. It approved, by 36 votes to 5, with one abstention, an appropriation of \$104,500 for the United Nations Tribunal in Lybia.

97. *Military Observer Group in India and Pakistan* : At its 467th meeting, the Fifth Committee, having before it the estimates of the Secretary-General (A/C.5/585) and the report of the Advisory Committee (A/2787), rejected, by 34 votes to 5, with one abstention, a proposal by Czechoslovakia that the provision of \$462,000 for this activity should be deleted from the 1955 budget. It approved, by 36 votes to 5, an appropriation of \$462,000 for the Military Observer Group in India and Pakistan.

98. *Repatriation of Greek children* : The Committee considered, at its 467th meeting, the estimates of the Secretary-General (A/C.5/589) and the report of the Advisory Committee (A/2768) on this item. It rejected, by 36 votes to 5, a proposal by Czechoslovakia that the provision of \$5,000 for this purpose should be deleted from the 1955 budget, and approved, by 36 votes to 5, an appropriation of \$5,000 for expenditures in 1955 in connexion with the repatriation of Greek children.

99. *Truce Supervision Organization in Palestine* : At its 467th meeting, the Committee considered the estimates of the Secretary-General (A/C.5/592) and the report of the Advisory Committee (A/2791) on this item, and approved, by 36 votes to 5, an appropriation of \$644,000 for the Truce Supervision Organization in Palestine.

100. *United Nations Commission for the Unification and Rehabilitation of Korea* : At its 482nd meeting, the Committee considered the provisions for UNCURK on the basis of the estimates of the Secretary-General (A/C.5/613) and the report of the Advisory Committee (A/2851). It rejected, by 33 votes to 5, with 2 abstentions, a proposal by the USSR that the provision for this Commission should be deleted from the 1955 budget, and approved, by 37 votes to 5, an appropriation of \$163,000 for the Commission for the Unification and Rehabilitation of Korea.

101. *United Nations Conciliation Commission for Palestine* : On the basis of the Secretary-General's estimates (A/C.5/590) and the Advisory Committee's report (A/2790), the Fifth Committee at its 467th meeting approved, by 35 votes to 5, an appropriation of \$52,100 for the Conciliation Commission for Palestine.

102. *Korean service medals* : The Committee considered this item at its 467th meeting, having before it the estimates of the Secretary-General (A/C.5/593) and the report of the Advisory Committee (A/2802). The Committee : (i) rejected, by 32 votes to 5, with 3 abstentions, a proposal by Poland that no provision should be made in the 1955 budget for Korean service medals ; (ii) approved, by 34 votes to 5, with 3 abstentions, an appropriation of \$215,000 for 1955 for the medals ; and (iii) decided, by 34 votes to 5, with 3 abstentions, that an additional paragraph should be inserted in the resolution relating to unforeseen and extraordinary expenses authorizing the incurring of additional commitments not exceeding a total of \$165,000 for the purchase of the medals.

103. At the 483rd meeting of the Fifth Committee, during the second reading of the budget for 1955, the above amounts for section 5 were confirmed in the total of \$1,776,100, as recommended by the Advisory Committee.

Section 5a. United Nations Field Service

104. For its consideration, at its 482nd meeting, of the 1955 requirements of the United Nations Field Service, the Committee had before it the budget estimates of the Secretary-General (A/2647) and two reports of the Advisory Committee (A/2688 and A/2850). In the latter report, the Advisory Committee confirmed its previous provisional recommendation that \$484,000 should be appropriated for 1955 for the Field Service.

105. A proposal was made by Czechoslovakia that no budget provision should be made in 1955 for the Field Service, since in the opinion of that delegation the Field Service was inconsistent with the provisions of the Charter. The Czechoslovak proposal was rejected by 38 votes to 5. The Committee approved, by 38 votes to 5, an appropriation of \$484,000 for section 5a.

PART III. HEADQUARTERS, NEW YORK

106. In considering part III of the budget estimates, sections 6 to 12 of which deal with the departments at Headquarters, the Fifth Committee had regard to its exhaustive debate on the organization of the Secretariat. Many of the points made in the course of that debate had particular pertinence to the budget estimates for 1955, both in general and with regard to specific activities.

107. Following an extensive debate on the question of salaries and allowances of Under-Secretaries and officials of equivalent rank, the Committee decided, at its 449th meeting, to amend the Staff Regulations to provide salaries for Under-Secretaries and officials of equivalent rank in the amount of \$18,000 gross (\$12,500 net) and allowances of \$3,500 net. The effect of this decision on the budget estimates as originally submitted, on a different basis, was communicated to the Committee by the Secretary-General in document A/C.5/600, and was explained orally in greater detail as the various sections of the budget affected were considered.

108. Further, the Committee, when taking its decision on salaries and allowances of Under-Secretaries and officials of equivalent rank, had also authorized additional payments to be made for the purpose of reimbursing representational expenditures of these officials at Headquarters, not to exceed a total of \$50,000. A new section, section 23a, was included in the estimates to give effect to this decision.

109. In its main report on the budget estimates, the Advisory Committee had made its recommendations with reservations on the salaries and allowances of the high officials of the Secretariat, pending the proposals of the Secretary-General in this regard. The decision of the Fifth Committee, and the consequent adjustments referred to above, resolved these reservations.

110. As regards the number of Deputy Under-Secretaries, the Secretary-General had, in the course of the consideration of the organization of the Secretariat, made proposals which similarly resulted in adjustments to the budget estimates. These adjustments were also reflected in document A/C.5/600 and were explained when the pertinent sections were discussed.

Section 6. Offices of the Secretary-General

111. The Advisory Committee, in its main report, had recommended an appropriation for section 6 in the amount of \$2,117,900, as requested by the Secretary-General. As a result of the decision on salaries and allowances of Under-Secretaries and officials of equivalent rank, this figure had been reduced by \$350 to \$2,117,050.

112. The Fifth Committee considered the estimates for this section at its 452nd meeting. On chapter I (Executive Office of the Secretary-General), particular attention was paid to the Secretary-General's proposal to create a post of Social Counsel in the Executive Office and to the Advisory Committee's doubts on the proper location of the post. The Advisory Committee had expressed a preference for the post to be located in the Office of Personnel, but had agreed to the arrangement proposed by the Secretary-General on the understanding that the creation of the post itself and its location would be on an experimental basis and would be subject to review in the light of experience.

113. Several delegations, while agreeing with the Secretary-General's proposals in this regard, emphasized the fact that the arrangement should be considered experimental and should be reviewed in the light of

experience. The Committee rejected, by 38 votes to 5, with 3 abstentions, a proposal by the USSR that the provision for the Social Counsel and his office should be eliminated, with a consequent reduction of \$23,000 in chapter I.

114. On chapter II (Office of Legal Affairs) the Committee was assured that the attachment of the secretariat of the Administrative Tribunal to that Office was for administrative purposes only, and that the necessary independence of that secretariat in the substance of its work would be carefully preserved. Further, the Chairman of the Administrative Tribunal had been consulted and had raised no objection. The Committee rejected, by 36 votes to 5, with 3 abstentions, a proposal by Poland that one general service post which was eventually to be suppressed under the reorganization plans of the Secretary-General should be eliminated from the 1955 budget, with a corresponding reduction of \$5,200.

115. On chapter III (Office of the Controller), the Committee rejected, by 41 votes to 5, with 3 abstentions, a proposal by Poland that five posts eventually to be suppressed should be eliminated in the 1955 budget, with a saving of \$30,000.

116. On chapter IV (Office of Personnel) the representative of Argentina made certain proposals for reductions in the estimates, feeling that recruitment examinations could more inexpensively be held at information centres or premises lent by Governments, and that savings would accrue if the International Civil Service Advisory Body met at New York rather than at Geneva. Following an explanation by the representative of the Secretary-General, he withdrew his proposal, hoping that his remarks would be taken into account in the preparation of future budgets for these items.

117. The representative of Poland proposed that the five posts scheduled for elimination under the reorganization plan should be deleted from the 1955 budget, with a saving of \$25,000 in chapter IV. The Committee rejected the proposal by 41 votes to 5, with one abstention.

118. On chapter V (Internal Audit Service) the representative of Poland proposed a reduction of \$13,000 on the same grounds as had applied in the reductions proposed for chapters II, III and IV. The Committee rejected the proposal by 41 votes to 5, with one abstention.

119. A similar proposal by the representative of Poland on chapter VI (Health Service) for a reduction of \$3,000 was rejected by the Committee by 40 votes to 5, with one abstention.

120. The Committee approved, by 40 votes to 5, an appropriation for section 6 of \$2,117,050, as submitted by the Secretary-General and recommended by the Advisory Committee.

Section 6a. Office of Under-Secretaries without portfolio

121. The Advisory Committee had recommended, in its main report, an appropriation in the amount requested by the Secretary-General of \$85,000 for section 6a, under which provision was made for a new Office of Under-Secretaries without portfolio. The decision on salaries and allowances of Under-Secretaries and officials of equivalent rank had resulted in a net reduction of \$8,350 in the Secretary-General's estimate, thus bringing to \$76,650 the amount recommended for this section.

122. At its 452nd meeting, the Committee approved unanimously on first reading an appropriation of \$76,650 for section 6a.

Section 7. Department of Political and Security Council Affairs

123. The Secretary-General had requested an appropriation of \$657,300 for section 7, and the Advisory Committee in its main report had recommended an appropriation in that amount. This section had not been affected by the decision on salaries and allowances of Under-Secretaries and officials of equivalent rank. In its report, the Advisory Committee had drawn attention to the reduction in the establishment of this department proposed by the Secretary-General and to the intention of the department to use its staff flexibly without narrow reference to divisional or sectional functions.

124. However, during the consideration of this section by the Committee at its 452nd meeting, certain delegations felt that the further reductions eventually envisaged under the Secretary-General's organization plan for this department could be achieved in 1955. The representative of Poland proposed that the amount recommended by the Advisory Committee should be reduced by \$80,000. Other delegations, while expressing their satisfaction with the plans of the Secretary-General for the organization of the department, felt that those plans should be carried out gradually, and the proposal of Poland was rejected by 38 votes to 5.

125. The Committee approved, by 38 votes to 5, the recommendation of the Advisory Committee that the Secretary-General's estimates for section 7 for 1955 in the amount of \$657,300 should be accepted.

Section 7a. Secretariat of the Military Staff Committee

126. The Committee considered section 7a at its 452nd meeting. The Advisory Committee had recommended the appropriation of \$109,200 for the secretariat of the Military Staff Committee, as estimated by the Secretary-General.

127. The Advisory Committee's recommendation had been made, however, subject to reservations regarding the most efficacious organizational arrangement to ensure full-time employment of the staff of the secretariat. Recognizing the security aspects of the work of the Military Staff Committee, the Advisory Committee was nevertheless of the opinion that the secretariat could be transferred to Conference Services, subject to immediate recall whenever their services were requested by the Military Staff Committee.

128. The Fifth Committee was informed by the Principal Secretary of the Military Staff Committee that the Committee could not agree to an arrangement which would in effect deprive it of its own secretariat. On the other hand, the Military Staff Committee was anxious that its secretariat should be kept fully employed and discussions would take place with the Secretary-General to that end.

129. Several delegations expressed their concurrence with the Advisory Committee's concern that the secretariat of the Military Staff Committee should be fully utilized and hoped that the discussions would prove effective. The Fifth Committee approved unanimously the recommendation of the Advisory Committee for an appropriation of \$109,200 for the Military Staff Committee secretariat.

Section 8. Department of Economic and Social Affairs

130. The Committee considered the estimates for section 8 at its 452nd and 453rd meetings. The Advisory Committee had concurred in the estimates proposed by the Secretary-General amounting to \$3,717,000 for the com-

binated department. Subsequently, the Secretary-General had revised his estimates by deleting one post of Deputy Under-Secretary, thus reducing them by an amount of \$21,500. The decision on salaries and allowances of Under-Secretaries and officials of equivalent rank resulted in a further reduction of \$8,500. Thus, the estimate before the Committee totalled \$3,687,000.

131. Members of the Committee noted that the Secretary-General had reported to the Economic and Social Council at its eighteenth session on the programme of work of the Organization in the economic and social fields (E/2598) and that the Council had generally approved his proposals. Certain delegations, while repeating that they were in agreement with the concentration of effort on the economic development of under-developed countries, cautioned against neglect of social questions, some of which were of an urgent nature.

132. Delegations welcomed the merger of the two departments of Economic Affairs and Social Affairs, and expressed their interest in the study that was to be undertaken by the Secretary-General of the operations of the Technical Assistance Administration (TAA), particularly in this context, in the relationship between the newly merged department and TAA, as well as the question of a further merger including TAA.

133. A number of delegations, while expressing satisfaction with the reduction in the combined establishments of the two departments, felt handicapped through lack of details in the Secretary-General's estimates in so far as work programmes and divisional responsibilities were concerned. Certain of these delegations stated their view that larger reductions were possible. The representatives of the USSR and Czechoslovakia were of the opinion that the Secretary-General's reorganization plan, which envisaged further reductions, should be given full effect in 1955, and the representative of the USSR proposed a reduction of \$430,000 in the estimates for section 8.

134. After rejecting, by 38 votes to 5, the proposal of the USSR, the Committee approved, by 38 votes to 5, the appropriation for section 8 as requested by the Secretary-General and recommended by the Advisory Committee in the amount of \$3,687,000.

Section 9. Department of Trusteeship and Information from Non-Self-Governing Territories

135. The Advisory Committee, in its main report, had concurred in the Secretary-General's estimate of \$867,700 for section 9. The decision of the Fifth Committee on salaries and allowances of Under-Secretaries and officials of equivalent rank had the effect of reducing this amount by \$8,500 to \$859,200.

136. The Fifth Committee considered the estimates for section 9 at its 453rd meeting. In response to a question by the representative of Iraq, the Committee was assured that the department could carry out its necessary work within the establishment proposed by the Secretary-General in his plan of organization, but only on condition that its workload would not increase beyond the present level.

137. The representative of Poland proposed that the appropriation for section 9 should be reduced by \$115,000, which would be the saving that would accrue if the total reduction envisaged under the Secretary-General's organization plan was effected in 1955.

138. The Committee rejected the Polish proposal by 38 votes to 5, and approved, by 38 votes to 5, the recommendation of the Advisory Committee for an appropriation of \$859,200 under section 9 for 1955.

Section 10. Department of Public Information

139. The Advisory Committee had recommended an appropriation of \$2,542,500 for section 10, a reduction of \$20,000 from the estimates submitted by the Secretary-General. The Fifth Committee's decision on salaries and allowances had reduced this amount by a further \$8,500 to \$2,534,000.

140. The Fifth Committee considered these estimates at its 453rd meeting. Several representatives supported the intention of the Secretary-General to use more extensively self-liquidating and outside contractual arrangements in the public information field to compensate for the reduction in establishment. They expressed the hope, however, that care would be taken in such arrangements to ensure that the principle that the function of disseminating information regarding the United Nations should be carried out strictly under the supervisory safeguard of the Organization.

141. The representative of Poland was of the opinion that greater savings could be achieved in the Department of Public Information, and proposed that the recommendation of the Advisory Committee should be reduced by \$220,000. The Fifth Committee rejected this proposal by 37 votes to 5.

142. The Committee approved, by 38 votes to 5, the recommendation of the Advisory Committee that \$2,534,000 should be appropriated under section 10 for 1955.

Section 10a. Visitors' Service

143. At its 478th meeting, the Fifth Committee, in connexion with its discussion of the guided tour programme, which is dealt with in paragraphs 19 to 29 above, approved without objection the proposal of the Secretary-General that, in connexion with the assumption by the United Nations of the full responsibility for the guided tour programme, a new section 10a, entitled Visitors' Service, should be provided in the 1955 budget and that the appropriation for 1955 for this section should be \$290,000.

144. In the course of the second reading of the budget, the representative of the United States explained that, as his delegation was of the opinion that the Service had been efficiently and properly run by the voluntary organization previously responsible for it, he would abstain in the vote on this section. He was further given the assurance by the representative of the Secretary-General that the titling of this section as 10a did not prejudice the administrative location of the Service.

Section 11. Department of Conference Services

145. The Advisory Committee had recommended an appropriation of \$6,168,300 for section 11, as proposed by the Secretary-General. In the course of the debate on organization, the Secretary-General had made proposals regarding the number of Deputy Under-Secretaries which provided, *inter alia*, for the appointment of a deputy for the Department of Conference Services for which no provision had been included in the original estimates. The increased cost in this proposal (\$21,500) was partially offset by a reduction (\$8,500) resulting from the Committee's decision on salaries and allowances of Under-Secretaries and officials of equivalent rank. The figure before the Committee was thus \$6,181,300.

146. The representatives of Argentina and China requested assurances that the proposed reductions in staff in the department would not impair the language services in Spanish and Chinese respectively. They

further requested assurance that the backlog in these languages would be liquidated. The Committee was informed that one of the difficulties experienced in achieving and maintaining a satisfactory pace in the liquidation of the backlog had been in the recruitment of qualified language staff. The situation was improving and the establishment proposed would be adequate to provide for an orderly liquidation of the backlog if all the posts could be kept filled.

147. Certain delegations drew attention to paragraph 116 of the report of the Advisory Committee (A/2688), in which the Advisory Committee had expressed its opinion that the procedure and the supervision in the language sections of the department should be given closer attention, believing that thereby both the output and the quantity of the work might be enhanced.

148. The representative of the Byelorussian SSR proposed that the appropriation recommended by the Advisory Committee should be reduced by \$75,000, \$43,500 of which would be provided by the elimination of a post of Deputy Under-Secretary, one post of First Officer in the language service and one general service post, the remainder to be distributed at the discretion of the Secretary-General. This proposal was supported by the representatives of Czechoslovakia and the USSR.

149. After rejecting, by 36 votes to 5, with one abstention, the proposal of the Byelorussian SSR, the Committee approved, by 34 votes to 5, with one abstention, an appropriation of \$6,181,300 for section 11.

150. Consequent to the recommendation (A/2815) by the Fifth Committee to the General Assembly in connexion with agenda item 55—Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly—and the adoption of this recommendation by the Assembly, the appropriation for section 11 was subsequently increased by \$55,500 to \$6,236,800.

Section 11a. Library

151. The Fifth Committee considered section 11a at its 454th meeting. The Secretary-General had requested in his budget estimates an appropriation for the Library at Headquarters in the amount of \$489,000. In its report, the Advisory Committee, drawing attention to what it considered a somewhat liberal provision in the staffing at the supervisory level, and to the fact that the Secretary-General had proposed that less emphasis be placed in future on pure research or factual compilation, proposed a reduction of \$14,000 in the Secretary-General's estimates. The Secretary-General, in his statement on the 1955 estimates (A/C.5/580), said that he could not agree with the assumptions on which the Advisory Committee had based its recommended reduction, and that he could not see, at least at the present time, how any reduction in the staff of the Library could be achieved without a corresponding reduction in services.

152. A number of delegations expressed the importance that they attached to the necessity of having a comprehensive library and effective library services. With that in mind, they could not, in the light of the Secretary-General's comments, concur in the reduction proposed by the Advisory Committee.

153. During the discussion of this section, the representative of the Secretary-General replied to a number of questions. The Committee was assured that the transfer of the Library to the Department of Conference Services would have no adverse effects on its efficiency. The Committee was also informed that, though the Library

would attempt to absorb the functions of legislative indexing, previously done in several departments, it was not possible without experience under the new arrangement proposed by the Secretary-General to state that this could be done without additional staff—it being pointed out that the transfer of the operation to the Library had enabled savings to be made in other departments.

154. In its report, the Advisory Committee had drawn attention to the fact that, in spite of a strict policy of discard, with which was combined a practice of making gift deposits in other libraries in the New York area, the problem of library space was likely to become acute in the next two years. A number of delegations referred to this point, and it was agreed that the Secretary-General should submit a report to the tenth session of the General Assembly on the principles by which the Library was guided in the matter of acquisitions, on measures to solve the problem of available space and on the possibility of discarding unneeded works by giving them to other libraries.

155. The Committee approved, by 40 votes to 5, with 2 abstentions, a proposal by Yugoslavia for an appropriation for the Library for 1955 in the amount of \$489,000, as requested by the Secretary-General.

Section 12. Office of General Services

156. The Advisory Committee, in its report, had concurred in the Secretary-General's estimate of \$2,976,000 for 1955 for the Office of General Services. The decision of the Fifth Committee on salaries and allowances had resulted in an increase of this amount by \$150 to \$2,976,150.

157. The Fifth Committee considered the estimates for section 12 at its 454th meeting. The representative of the Ukrainian SSR stated that his delegation, while appreciative of the savings the Secretary-General had achieved, felt that further reductions were possible. Referring to the increase in the number of posts in the Office of the Director, the possibility of a further reduction in various units and the provision for overtime in the amount of \$105,000, he proposed that the appropriation recommended by the Advisory Committee should be reduced by \$40,000.

158. The representative of Czechoslovakia, in addition to supporting the proposal of the Ukrainian SSR, stated that his delegation considered that the Field Operations Service was a paramilitary organization contrary to the provisions of the Charter. He therefore proposed the deletion of the \$91,000 included in section 12 for that Service.

159. The Committee rejected, by 40 votes to 5, the proposal of Czechoslovakia, and, by 40 votes to 5, the proposal of the Ukrainian SSR. It approved, by 41 votes to 5, the recommendation of the Advisory Committee for an appropriation under section 12 for 1955 in the amount of \$2,976,150.

Section 13. Temporary assistance and consultants

160. Section 13 provided a consolidated section for temporary assistance and consultants, expenditures for which in previous years had been provided in the departmental sections. The Advisory Committee, noting that this consolidation reflected the measures that had been taken to administer these accounts centrally, had expressed its appreciation of the action that had been taken and had concurred with the Secretary-General's estimate of \$510,000 for these accounts.

161. The Fifth Committee considered this section at its 454th meeting. Certain members expressed their appreciation of the new arrangements and noted the savings that had been effected. The representative of Argentina requested that in future estimates an indication should be given of the anticipated requirements of the several departments under these headings on which the total request had been formulated.

162. The representative of the Ukrainian SSR, while expressing appreciation for the savings that had been achieved, stated the opinion of his delegation that (i) by more careful scheduling of annual leave the expenses for replacement of staff members on leave could be reduced; and (ii) that, after nine years of experience, the Secretariat should be able to dispense with the services of consultants save in quite exceptional cases. His delegation further supported the suggestion of the Advisory Committee that the scale of remuneration for consultants should be reviewed. In the light of these considerations, the representative of the Ukrainian SSR proposed a reduction of \$60,000 in section 13, of which \$40,000 would apply to temporary assistance and \$20,000 to consultants.

163. The Committee rejected, by 37 votes to 5, with one abstention, the proposal of the Ukrainian SSR, and approved, by 39 votes to 5, the Advisory Committee's recommendation for an appropriation of \$510,000 under section 13.

Section 14. Travel of staff

164. This section comprises for 1955 the requirements for Headquarters for (i) travel on appointment, transfer and repatriation; (ii) travel on home leave; and (iii) travel on official business. The Secretary-General had estimated requirements for these three items at \$265,000, \$645,000 and \$90,000, respectively. The Advisory Committee pointed out that the total for these three items was \$300,000 below the provision for 1954 due to the uneven incidence of home leave, and expressed the opinion that some reduction could be made in the other two items covered. Accordingly, the Advisory Committee had recommended a reduction of \$20,000 in the estimates submitted by the Secretary-General.

165. During the discussion of this section by the Committee at its 454th meeting, additional information was given to the Committee by the representative of the Secretary-General in regard to the contractual arrangements for travel. The representative of the United Kingdom pointed out that the uneven distribution of home leave between any two years might add to temporary assistance costs, and requested the Secretary-General to furnish to the Fifth Committee at the tenth session a report on the steps he proposed to take to remedy the situation.

166. The Committee approved unanimously the recommendation of the Advisory Committee that \$980,000 should be appropriated under section 14.

167. Consequent to the recommendation (A/2815) by the Fifth Committee to the General Assembly in connexion with agenda item 55—Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly—and the adoption of this recommendation by the General Assembly, the appropriation for this section was subsequently increased by \$7,500 to \$987,500.

Section 15. Common staff costs

168. The Committee considered section 15 at its 454th meeting. The Advisory Committee, in its report, had recommended a reduction of \$7,400 in the Secretary-General's estimates of \$3,392,400 for this section. The

reduction related entirely to the provision in those estimates for a grant of that sum to the United Nations International School. The Advisory Committee, noting the fact that in the past such payments had been authorized solely on a year-to-year basis, expressed the view that provision for them should not be included until a specific decision on the grant for 1955 had been taken by the General Assembly.

169. In addition to the budget estimates and the report of the Advisory Committee, the Fifth Committee had before it a report by the Secretary-General on the United Nations International School (A/C.5/601), in which he proposed that the grant to the International School in the amount of \$7,400 should be approved. The Committee also received further information on the operations and financial situation of the School from the Chairman of the Board of Trustees of the School, who replied to various questions and, *inter alia*, undertook to provide at the tenth session of the General Assembly information on the number of children whose parents were members of delegations, accredited press representatives, and members of the diplomatic corps, the number of children of different nationalities and the number of children of staff members who attended American schools.

170. A number of delegations, while agreeing that continuing efforts should be taken to make the School self-supporting, expressed their support of the grant for 1955. The representative of Australia proposed that the appropriation requested by the Secretary-General for this purpose should be approved.

171. The representative of the Ukrainian SSR stated that his delegation was of the opinion that the estimates for common staff costs were too high, citing the Advisory Committee's suggestion that installation payments might usefully be reviewed, as well as the fact that separation payments were high and the estimates contained provisions for staff training even though the Secretariat had already acquired great experience. He proposed that the estimates for common staff costs should be reduced by \$50,000.

172. The Committee rejected, by 39 votes to 5, the proposal of the Ukrainian SSR and approved, by 38 votes to 6, with one abstention, the proposal of Australia that the Secretary-General's estimate of \$3,392,400 should be accepted for 1955 for section 15.

173. At its 478th meeting, the Fifth Committee, in connexion with its discussion of the guided tour programme, approved, by 35 votes to 5, with 3 abstentions, a proposal of the Secretary-General that the amount approved on first reading under section 15 for the interne programme should be increased by \$32,000 to allow for an expansion of that programme. With that decision, the total for this section was increased to \$3,424,400.

174. Consequent to the recommendation (A/2815) by the Fifth Committee to the General Assembly in connexion with agenda item 55—Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly—and the adoption of this recommendation by the General Assembly, the appropriation for section 15 was subsequently increased by \$13,000 to \$3,437,400.

Section 16. Common services

175. The Fifth Committee considered section 16 of the 1955 budget at its 455th meeting. The Advisory Committee had recommended a reduction of \$35,000 in the Secretary-General's estimates of \$3,660,000 for the section and had given indications of where the reductions might

be applied. The Secretary-General, in his general statement on the budget, said that he would not contest the reduction recommended by the Advisory Committee, but stated that he would desire authority to apply the reduction over the various chapters and items of the section at his own discretion. The Fifth Committee was informed by the Chairman of the Advisory Committee that that Committee agreed with the request of the Secretary-General.

176. The representative of Argentina, referring to a number of specific items in section 16, proposed reductions in the Secretary-General's estimates totalling \$62,400, this reduction to substitute for that recommended by the Advisory Committee.

177. The representative of Czechoslovakia also commented on items within the sections where, in the opinion of his delegation, further savings could be effected. His delegation supported the Advisory Committee's recommendation of a reduction of \$35,000, and proposed an additional reduction of \$80,000. It agreed with the proposals of Argentina, which could be offset, where appropriate, against the Czechoslovak proposal.

178. The representative of the Secretary-General stated that the Secretary-General would bear in mind the comments of the representative of Argentina when administering the 1955 appropriations, but that he feared that the proposals would result in a deficit for 1955. He assured the Committee that the Secretary-General would do his utmost to achieve economy wherever possible.

179. The representative of Argentina reiterated that his delegation was in favour of economy where economy was feasible but that it would not support any reductions which were considered incapable of fulfilment. Therefore, in the light of the statement of the representative of the Secretary-General, he would not insist on his proposals.

180. The Fifth Committee rejected, by 36 votes to 5, with 3 abstentions, the proposal of Czechoslovakia and approved, by 40 votes to 5, the recommendation of the Advisory Committee that, for 1955, \$3,625,000 should be appropriated under section 16.

Section 17. Permanent equipment

181. The Advisory Committee had recommended in its report an appropriation of \$170,100 for section 17, a reduction of \$21,500 in the Secretary-General's estimate, and had indicated in its report the amounts recommended for reduction in the various chapters of the section. The Secretary-General, in his opening statement, while not contesting the reduction proposed, requested that he should be given authority to apply the reduction within the section at his discretion. When the Committee considered this section at its 455th meeting, the Chairman of the Advisory Committee stated that that Committee concurred with the Secretary-General's request.

182. The representative of the Secretary-General pointed out to the Fifth Committee that the reduction proposed was substantial in relation to the total amount requested, and stated that, if equipment were not replaced currently, the costs in later years might be substantially larger. He proposed to submit in 1955 a programme for the gradual replacement of furniture and equipment which he hoped would meet with the approval of the Advisory Committee and the Member States. In reply to questions by various delegations, he assured the Committee that the equipment was of high quality, but pointed out that the wear and tear to which it was subjected in the new building was much greater, in view of the large number of visitors, than it had been at Lake Success.

183. A number of delegations expressed their view that the expenses were, nevertheless, unduly high, particularly since large sums had been expended in the initial equipping of the building, and hence they supported the Advisory Committee's recommendation. The representative of Argentina suggested that an inventory of the equipment might be provided periodically to the Member States so that they could better review the estimates for this section.

184. The representative of Israel referred to the discussions in the Committee on section 11a (Library) and pointed out that the views thus expressed should be borne in mind in connexion with the application of any part of the reduction to chapter II of section 17 (Library books and equipment).

185. The representative of the Ukrainian SSR proposed that the estimates should be reduced by \$20,100 in addition to the reduction recommended by the Advisory Committee, pointing to the fact that approximately \$1 million had been expended in the past three years on the purchase of equipment.

186. The Fifth Committee rejected the proposal of the Ukrainian SSR by 41 votes to 5, with 2 abstentions, and approved, by 40 votes to 5, with 3 abstentions, the recommendation of the Advisory Committee that \$170,100 should be appropriated for 1955 under section 17.

187. Consequent to the recommendation (A/2815) by the Fifth Committee to the General Assembly in connexion with agenda item 55—Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly—and the adoption of this recommendation by the General Assembly, the appropriation for this section was subsequently increased by \$1,500 to \$171,600.

Section 18. European Office of the United Nations

188. The estimates for the European Office of the United Nations at Geneva were considered by the Committee at its 455th meeting. The Advisory Committee, in its main report on the budget estimates for 1955, had recommended an appropriation under this section in the amount of \$4,682,100, a reduction of \$39,900 in the estimates submitted by the Secretary-General. Revised estimates had been submitted by the Secretary-General in connexion with the 1955 session of the International Law Commission (A/C.5/587) and the financial implications of the decisions taken at the eighteenth session of the Economic and Social Council (A/C.5/582 and Corr.1) which had been considered by the Fifth Committee under sections 1 and 3 respectively (see under those sections above) and which also affected section 18. The Advisory Committee's reports on these two revised estimates were contained in documents A/2766 and A/2763 and Corr.1 respectively, and the action by the Fifth Committee on the first reading of those two reports had resulted in a net addition of \$1,800 to the estimates for chapter I of section 18, so that the recommendation of the Advisory Committee as adjusted by these decisions was \$4,683,900.

189. In addition to the estimates for this section, the Committee also had before it a report by the Secretary-General (A/C.5/597) in response to a request made by the Fifth Committee at the eighth session of the General Assembly that the situation with regard to reimbursement by specialized agencies and others for the use of Geneva facilities should be reviewed and a report submitted to the ninth session of the Assembly. The Secretary-General had reported that, following a discussion between the Secretary-General and the Advisory Committee in the spring of 1954, negotiations had been initiated with the

specialized agencies concerned in order to reach agreement on possible modifications in the methods of calculating reimbursement rates in Geneva, and that those negotiations were still in progress. In the course of the discussion of chapter I (General services), regret was expressed by one delegation that a more definitive report had not been possible.

190. The Fifth Committee discussed the estimates for section 18 chapter by chapter, and decided, in accordance with previous practice, to consider chapter IV (Economic Commission for Europe) in conjunction with sections 21 and 22 relating to the Economic Commission for Asia and the Far East and the Economic Commission for Latin America.

191. During the consideration by the Committee of chapter I (General services), a number of delegations expressed the hope that the forthcoming review of the European Office by the Secretary-General would yield economies. In connexion with that review, they made specific reference to the responsibilities and emoluments of the Deputy-Director of the Office, the grading of the posts in the Liaison Unit, the strengthening of the supervisory levels in Geneva, and the question of the transfer to Geneva of a full-time legal officer from Headquarters. The representative of the USSR proposed that the amount recommended by the Advisory Committee for chapter I should be reduced by a further \$70,000, noting that the estimates for this chapter for 1955 were \$50,000 higher than the appropriations for 1954 and \$100,000 higher than the expenditures for 1953. After rejecting the proposal of the USSR by 38 votes to 5, the Committee approved, by 39 votes to 5, with one abstention, the recommendation of the Advisory Committee as adjusted (see above) of \$2,362,800 for chapter I.

192. As regards chapter II (Information Centre), the Advisory Committee had recommended a reduction of \$6,400 in the Secretary-General's estimate of \$102,900. In his opening statement to the Fifth Committee on the budget for 1955 (A/C.5/580), the Secretary-General stated that he did not wish to contest this reduction, but reserved his final position on the staffing requirements of the Information Centre at Geneva; should he find in the course of his review of that Office that the establishment initially requested by him was necessary, he would request additional credits in 1955 to meet that need. The Fifth Committee approved unanimously the Advisory Committee's recommendation of \$96,500 for chapter II.

193. In connexion with chapter III (Joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body), the Advisory Committee had recommended a reduction of \$11,000 in the Secretary-General's estimate, relating to the proposed restoration of the post of Deputy Secretary to those two bodies. At its 444th meeting, the Committee had heard a statement from the President of the Permanent Central Opium Board on the reasons why that Board considered the restoration of that post necessary, and it was noted that the Secretary-General could not agree with the proposed reduction. The Committee approved the recommendation of the Advisory Committee of \$54,500 for chapter III.

194. For chapter V (Common staff costs) the Advisory Committee had concurred in the Secretary-General's estimate of \$655,200. The representative of Czechoslovakia proposed the deletion of an amount of \$50,000 which related to the common staff costs of the Geneva establishment of the Office of the High Commissioner for Refugees (section 19). This proposal was rejected by 37 votes to 6, with one abstention, and the Committee approved, by 39 votes to 5, the recommendation of the Advisory Committee.

195. For chapter VI (Common services) the amount of \$389,400 recommended by the Advisory Committee was a reduction of \$5,000 in the estimate submitted by the Secretary-General. The representative of Czechoslovakia proposed a further reduction of \$18,000, that being the amount for common services in respect of the Office of the High Commissioner for Refugees. The proposal of Czechoslovakia was rejected by 36 votes to 5, with 2 abstentions, and the recommendation of the Advisory Committee was approved by 40 votes to 5.

196. Under chapter VII (Permanent equipment) the Advisory Committee's recommendation of \$150,000, a reduction of \$5,500 in the estimates submitted by the Secretary-General, was approved unanimously.

197. The Fifth Committee then approved, by 41 votes to 5, an appropriation of \$3,708,400 for section 18, excluding chapter IV (Economic Commission for Europe), on the understanding that this figure would be increased by the amount approved for chapter IV to constitute the appropriation for section 18 as a whole.

198. At its 456th meeting, in its consideration of the regional economic commissions (see paras. 209 to 220 below), the Fifth Committee approved by 24 votes to 20, with 5 abstentions, a proposal by Yugoslavia that the recommendation of the Advisory Committee for the Economic Commission for Europe of \$975,000 should be increased by \$9,500 to the figure requested by the Secretary-General, namely, \$985,000.

199. The Committee thus approved, on first reading, an appropriation of \$4,693,400 for section 18.

200. At its 482nd meeting, the Committee considered revised estimates submitted by the Secretary-General for section 18 in connexion with the purchase of a radio transmitter and auxiliary equipment at Geneva, and had before it for this purpose a report by the Secretary-General (A/C.5/606) and a report by the Advisory Committee (A/2828). The Committee approved, by 31 votes to 5, the recommendation of the Advisory Committee that the estimates for section 18 should be increased by \$27,900 for this purpose, to a total of \$4,721,300.

201. In the course of the second reading of the budget, statements were made on section 18 by several delegations on the provisions for the joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body; and the representative of the Secretary-General replied to certain questions on those provisions. The Committee rejected, by 16 votes to 14, with 9 abstentions, a proposal by Norway that the estimates for that secretariat should be increased by \$11,000; it approved, by 17 votes to 10, with 12 abstentions, a proposal by Belgium that, pending his review of the European Office in 1955, the Secretary-General should be authorized to continue, on a temporary basis, the post of Deputy Secretary of those bodies.

Section 19. Office of the United Nations High Commissioner for Refugees

202. For section 19, the Advisory Committee had recommended an appropriation of \$685,000, a reduction of \$12,000 from the estimates submitted by the Secretary-General. The Fifth Committee considered this section at its 440th meeting.

203. In the course of the discussion, the High Commissioner for Refugees replied to a number of questions by various delegations, and the representative of the Secretary-General gave further detailed explanations of particular items in the estimates.

204. The representative of Czechoslovakia, supported by the representative of the USSR, proposed the deletion

of provisions in the budget for the Office of the High Commissioner for Refugees. This proposal was rejected by 40 votes to 5, with 3 abstentions.

205. The Committee approved, by 39 votes to 6, with 2 abstentions, the recommendation of the Advisory Committee that \$685,000 should be appropriated under section 19 for 1955.

Section 20. Information Centres

206. At its 456th meeting, the Fifth Committee considered the estimates for section 20 (Information Centres). It was noted that this section did not include provision for the Information Centre at Geneva, which was included as chapter II in section 18 (European Office of the United Nations).

207. In its report on the estimates, the Advisory Committee had recommended an appropriation for 1955 for section 20 in the amount of \$905,100, as proposed by the Secretary-General. The Advisory Committee had noted that the Secretary-General would be reviewing early in 1955 the overseas activities of the United Nations. Thus, the Information Centres would come under review, both as regards their functioning and their geographical locations and, *inter alia*, the review would cover the Postal Administration and Travel Unit attached to the London Information Centre. Further, the system of differentials applied to the salaries of professional staff serving away from Headquarters would be studied. In view of these facts, the Advisory Committee did not wish to make any far-reaching recommendations at the present stage.

208. The Fifth Committee approved, by 37 votes to 5, the recommendation of the Advisory Committee that \$905,100 should be appropriated for section 20.

PART VI. SECRETARIATS OF REGIONAL ECONOMIC COMMISSIONS

Section 21. Secretariat of the Economic Commission for Asia and the Far East; Section 22. Secretariat of the Economic Commission for Latin America; and including Section 18 (chapter IV). Secretariat of the Economic Commission for Europe

209. At the time of its discussion of section 18 (European Office of the United Nations), the Fifth Committee had decided to consider chapter IV of that section, relating to the secretariat of the Economic Commission for Europe, together with the provisions for the secretariats of the other two regional economic commissions. These estimates were considered by the Fifth Committee at its 456th meeting.

210. The Advisory Committee in its report had recommended the following appropriations:

(i) For the Economic Commission for Europe (ECE), \$975,500, a reduction of \$9,500 in the estimates submitted by the Secretary-General;

(ii) For the Economic Commission for Asia and the Far East (ECAFE), \$1,137,300, a reduction of \$15,000 in the estimates submitted by the Secretary-General; and

(iii) For the Economic Commission for Latin America (ECLA), \$960,000, a reduction of \$10,200 in the estimates submitted by the Secretary-General.

211. In addition to giving its reasons for the reductions recommended, the Advisory Committee in its report had taken note of the Secretary-General's view that the budgets of ECAFE and ECLA had, on the basis of the 1955 estimates, reached a point of stability, that of ECE had shown no increase of establishment over the

past few years. The Committee further noted that the work and staffing of the regional economic commissions would be reviewed by the Secretary-General early in 1955.

212. The Advisory Committee had indicated that, with respect to ECAFE and ECLA, the reductions proposed should be applied to the accounts for temporary assistance, consultants and travel on official business. The Secretary-General, in his opening statement to the Committee (A/C.5/580), stated that he would attempt to effect the savings proposed by the Advisory Committee but that, for reasons which he gave the Committee, he could not agree to undertake to achieve those savings in the particular accounts which the Advisory Committee had indicated.

213. At the opening of its discussion, the representative of the Secretary-General pointed out to the Committee that the Committee's decision on salaries and allowances of Under-Secretaries and officials of equivalent rank applied also to the offices away from Headquarters. In its application to the Executive Secretaries of the regional economic commissions, the amounts recommended by the Advisory Committee for ECAFE and ECLA would be increased by \$500 each, to \$1,137,800 and \$960,500 respectively.

214. During the discussion by the Committee of the secretariats of the economic commissions, a number of delegations reiterated the great importance that they attached to the work of the commissions. These commissions were important instruments in the work of the United Nations for the acceleration of the economic development of under-developed countries, which was one of the priority projects of the Organization. With particular respect to this character of the work of the commissions, considerable attention was paid to the estimates for ECAFE and ECLA.

215. A number of delegations stated that, even though the Secretary-General had indicated that he was prepared to accept the reductions proposed by the Advisory Committee for ECAFE and ECLA, they themselves could not agree with those reductions. Specifically, the work of the commissions was such that the use of consultants and the carrying out of extensive travel was of great importance to the success of that work. More generally, they were not in agreement that any chances should be taken with the work of the commissions, and certainly not since the amounts recommended for reduction by the Advisory Committee would not result in large savings on the budget. The representative of Argentina proposed that the appropriation of \$970,200 requested by the Secretary-General for section 22 (ECLA) should be approved. The representative of El Salvador, in supporting the proposal of Argentina, proposed that the Secretary-General's requested amounts both for section 21 (ECAFE), and section 22 (ECLA) should be appropriated for 1955.

216. A number of other delegations, while expressing their sympathy with the point of view expressed above, felt that the Fifth Committee should not take the step of increasing the Advisory Committee's recommendations if the Secretary-General had agreed to attempt to make the savings proposed. They felt that, as the Advisory Committee had been set up to guide the Fifth Committee, and as it had discharged its duties with the greatest care, the Fifth Committee was bound to give close attention to whatever recommendations the Advisory Committee thought fit to make. They further noted that the Secretary-General would not have agreed to make the savings recommended if he had felt that such proposals would seriously damage the work of the regional economic commissions.

217. The representative of Yugoslavia, expressing the importance which his delegation attached to the work of ECE, proposed similarly that the appropriation requested by the Secretary-General for that Commission should be restored, and associated himself with the proposals of Argentina and El Salvador.

218. The Committee approved, by 24 votes to 20, with 5 abstentions, an appropriation for section 18, chapter IV (secretariat of ECE) in the amount of \$985,000.

219. The Committee approved, by 28 votes to 19, with 2 abstentions, the proposal of El Salvador and Yugoslavia, that the estimates recommended by the Advisory Committee for section 21 (secretariat of ECAFE) should be increased by \$15,000 to \$1,152,800.

220. The Committee approved, by 28 votes to 19, with 2 abstentions, the proposal of Argentina, El Salvador and Yugoslavia that the estimates recommended by the Advisory Committee for section 22 (secretariat of ECLA) should be increased by \$10,200 to a total of \$970,700.

Section 23. Hospitality

221. At its 456th meeting, the Committee approved unanimously the recommendation of the Advisory Committee for an appropriation for hospitality expenses for 1955 in the amount of \$20,000, as requested by the Secretary-General.

Section 23a. Special payments under annex I, paragraph 2, of the Staff Regulations

222. At its 456th meeting, the Fifth Committee took note of the fact that the implementation of its decision on the salaries and allowances of Under-Secretaries and officials of equivalent rank at Headquarters necessitated the approval of an amount of \$50,000 for the special payments to these officers approved in lieu of the representation allowances previously reflected under the various Headquarters sections of the budget and of the Secretary-General's proposal (A/C.5/600) that this amount be shown under a new section—section 23a—to be entitled "Special payments under annex I, paragraph 2, of the Staff Regulations".

PART VIII. CONTRACTUAL PRINTING

Section 24. Official Records; Section 25. Publications

223. The Advisory Committee had recommended in its main report (A/2688) an appropriation of \$700,000 each for sections 24 and 25, or a total of \$1,400,000 as compared with the Secretary-General's estimate of \$1,439,000. That Committee had further recommended that the Secretary-General should be authorized to administer the two sections as a single unit and to transfer funds between them at his own discretion.

224. In its report, the Advisory Committee had also dealt with certain general questions of control of documentation, which was in effect the basic consideration underlying the budgetary provisions for contractual printing. The Committee noted that this problem had had the continuing attention of the General Assembly, of the Councils and of the Advisory Committee itself, and that a number of suggestions and recommendations had been made, including resolutions by the General Assembly, on the question. The problem had also received continuing attention by the Secretary-General and the Publications Board. With regard to the Secretary-General's concern, the Advisory Committee referred to the importance given

to the question by the Secretary-General in his review of the work programme in the economic and social fields as evidenced in his report to the eighteenth session of the Economic and Social Council on the organization of the work in those fields (E/2598). In that report, as well as in his budget estimates, the Secretary-General, in addition to stating certain general premises, had indicated that his 1955 requests for contractual printing had been formulated under a decision to attempt to maintain requirements in 1955 at a level no higher than the 1954 appropriations.

225. The Fifth Committee considered the estimates for these two sections at its 457th meeting. The members of the Committee generally expressed concern at the growing volume of documentation of the United Nations and other international organizations, in spite of the careful attention that had been given to the problem in preceding years. Concern was expressed not only with regard to contractual printing costs, which were the immediate question before the Committee, but also as regards internal reproduction, and the concern was based not only on financial grounds but also as regards the effect of the large volume of documentation on the ability of the Governments and the secretariats efficiently to operate and to concentrate on priority problems.

226. In the course of the discussion in the Fifth Committee, a number of suggestions were made with regard to possible technical measures which might be taken to reduce the costs of contractual printing, such as (i) placing printing contracts in "soft currency" areas (which also had advantages to Member States in the payment of contributions); (ii) format and style of publications; (iii) the possibility of establishing a United Nations press; and (iv) the possibility of foregoing the publication of some items in the backlog with the agreement of the delegations concerned. Certain delegations pointed to certain delays in documentation, both in original and translated language versions, which hampered the work of delegations; and the representative of Denmark stated that his delegation considered it would be useful to Member States to have a schedule of the dates of publication of important Assembly documents in 1953 and 1954, with reasons where appropriate for undue delays. One delegation made suggestions regarding information that should be contained in the estimates in order to provide the Governments with the necessary facts on which to review those estimates. The Chairman of the Publications Board informed the Committee of the extensive action that had already been taken by the Secretariat in the exploration of technical measures whereby savings could be effected in contractual printing and assured the Committee that this aspect of the problem would receive constant attention.

227. The Committee appreciated, however, that the basic problem involved was control of documentation at the substantive level, both as regards decisions by various organs which resulted in additional documentation, and as regards the scope given to these decisions by the Secretariat in its interpretation of the action required.

228. As regards the first of these questions, it was pointed out that, of the \$1,400,000 recommended for these two sections, \$1,300,000 related to the printing of Official Records, which were controlled by specific decisions of the General Assembly, and recurrent publications which had over the course of years been requested by competent organs and reviewed by them as to their scope and content. The Secretary-General had not only a right, but also an obligation to review requirements in those areas and make recommendations thereon; but it was only in respect of special publications accounting for \$100,000

of the total that the Secretary-General had any very wide degree of discretion, and even there, the publications were specifically related to desires expressed in various bodies of the Organization.

229. In this general area of control, considerable attention was paid to the publications of the *Treaty Series*. It was in regard to this Series, which was published under a provision of the Charter and specific interpretative decisions of the General Assembly, that the Secretary-General had, in his budget estimates, entered a reservation as to his ability to maintain the 1955 expenses at the 1954 level of appropriations. The Advisory Committee, in its report, had pointed out the fact that the question had been given specific attention by the General Assembly in the past, and that without a new decision on the part of the Assembly, little action could be taken to reduce the costs occasioned by the publication of the *Treaty Series*. The Fifth Committee was, however, informed at its 457th meeting by the Chairman of the Publications Board that more recent experience indicated that the rate of registration of treaties might be such that the provision originally requested for 1955 would be sufficient, and that the Secretary-General would not therefore himself raise at this session the general question of printing of the *Treaty Series*. A number of delegations commented on the problem and the Committee approved, by 40 votes to 3, with 3 abstentions, a proposal by Australia that the Secretary-General and the Advisory Committee should be requested to examine questions raised in connexion with the publication of the *Treaty Series* in the light of the experience gained since 1950 and to report thereon to the General Assembly at its tenth session.

230. As regards the question of the Secretariat's control of documentation, a number of delegations welcomed the Secretary-General's proposal to establish, as a part of his organizational proposals, a position of Director as Chief Editor to co-ordinate and control the implementation of the United Nations publications programme. The Advisory Committee in its report had commented on this proposal, stating that, in its opinion, this position would more appropriately be located administratively in the Department of Conference Services, where the Editorial Control Unit was placed, than in the Executive Office of the Secretary-General as was proposed by the Secretary-General. That Committee had, however, noted that the Chief Editor would have to have free access to the Secretary-General in cases of differences with substantive departments. The Chairman of the Publications Board, however, reiterated the Secretary-General's conviction that the Director would be able better to perform his duties if he were directly responsible to the Secretary-General. Similar arrangements had worked well in the past in other areas, and the question could always be reconsidered in the light of experience.

231. In the course of the discussion of these sections, the representative of the United States proposed a further reduction of \$50,000 in the figure of \$1,400,000 recommended by the Advisory Committee, stating that such a reduction would strengthen the position of the Chief Editor. Several delegations supported this proposal, but a number of others indicated that they were not prepared to support such a global reduction after the detailed review made by the Advisory Committee had led to that Committee's recommendation, and the proposal was rejected by 28 votes to 10, with 8 abstentions.

232. The representative of Czechoslovakia proposed the deletion of the provision of \$3,000 for printing of publications for the Office of the High Commissioner for Refugees, his delegation being of the opinion that the

activities of that Office were contrary to resolutions adopted by the General Assembly at its first and second sessions calling for the early repatriation of refugees. The Czechoslovak proposal was rejected by 41 votes to 4, with 2 abstentions.

233. The Fifth Committee thereupon :

(i) Approved, by 43 votes to 5, the recommendation of the Advisory Committee for an appropriation of \$700,000 under section 24 ;

(ii) Approved, by 42 votes to 5, with one abstention, the recommendation of the Advisory Committee for an appropriation of \$700,000 under section 25 ;

(iii) Approved unanimously the recommendation of the Advisory Committee that the Secretary-General should be given authority to administer sections 24 and 25 as a unit and thereby to transfer funds between them at his direction.

234. Subsequently the Committee approved, in connexion with a draft resolution adopted by the Second Committee concerning a special United Nations fund for economic development, a statement of financial implications (see document A/2848) involving an increase of \$5,100 for section 24. The draft resolution concerned having been adopted by the General Assembly, the appropriation for this section was accordingly increased by \$5,100 to \$705,100.

235. Consequent to the recommendation (A/2815) by the Fifth Committee to the General Assembly in connexion with agenda item 55—Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly—and the adoption of this recommendation by the General Assembly, the appropriation for section 24 was subsequently increased by \$11,000 to \$716,100.

PART IX. TECHNICAL PROGRAMMES

Section 26. Technical Assistance Administration ; Section 27. Economic development ; Section 28. Social activities ; Section 29. Public administration

236. The Committee, at its 458th meeting, considered part IX of the budget for 1955, sections 26 to 29, comprising the contribution made from the regular United Nations budget to technical assistance activities as set out above. These contributions are treated as lump-sum grants-in-aid to the Technical Assistance Administration (TAA) and merged with funds allocated to that Administration by the Technical Assistance Board from the Special Account for the Expanded Programme of Technical Assistance.

237. The Secretary-General had requested, and the Advisory Committee had recommended, appropriations for these sections in the amounts that had been approved for 1954, in a total of \$1,779,600.

238. With regard to the operation of the United Nations portion of the technical assistance programme, a number of delegations commented appreciatively on the work that was being done. As regards the administrative and financial aspects of the work, the delegations referred to their comments on the possibilities of a merger of TAA with the newly-formed Department of Economic and Social Affairs, made during the general debate on the organization of the Secretariat. While the delegations which participated in the discussion generally favoured a merger of these two organizational segments, they were

prepared to await the findings of the Secretary-General after the review of TAA which he would undertake in the course of the coming year.

239. With particular reference to section 26 (Technical Assistance Administration), the Committee noted that while the amount proposed for appropriation in the regular United Nations budget formed only a part of the establishment expenditures of TAA, the total costs involved were, under General Assembly resolution 594 (VI), subject to the same scrutiny on the part of the Advisory Committee as applied to activities wholly financed from the regular budget. On this point the Advisory Committee had noted that the \$386,700 appropriation proposed was a contribution to an establishment estimated to cost in total \$1,336,000 gross, or \$1,146,500 net. The net figure of \$1,146,500 represented 18 per cent of the total funds expected to be available for the United Nations activities in technical assistance ; and the Advisory Committee, referring to its report on the Expanded Programme of Technical Assistance (A/2661), reiterated its view that the ratio of administrative and indirect operational costs to total costs should not exceed 12 per cent. Recognizing, however, that difficulties were involved in a rapid reduction of that figure, the Advisory Committee expressed the hope that the Secretary-General could achieve a further \$30,000 reduction on the expenses of TAA.

240. The Fifth Committee was informed by the representative of the Secretary-General that reductions had been made in 1953 and 1954 in the amounts of \$100,000 and \$250,000 respectively. It would be difficult to give a definite undertaking to save a further \$30,000, but the Secretary-General would continue his efforts, particularly in the course of the review he was to undertake, to achieve whatever savings were possible within TAA. He also pointed out to the Committee that further studies were to be carried out on the proper coverage of the terms "administrative" and "indirect" operational costs. Pending a generally agreed definition of these terms, comparisons of ratios of these costs to total costs were always subject to differences in evaluation.

241. A number of delegations, referring to the savings that had been achieved, expressed their satisfaction and their confidence that the Secretary-General would make every reasonable effort to effect as far as possible the reduction recommended by the Advisory Committee, particularly as all savings in administrative costs freed additional funds for technical assistance projects. On the other hand, several delegations cautioned against marginal savings which might affect the effectiveness of the programme. They also expressed their interest in the study of definition of administrative and operational costs.

242. The representative of the USSR stated that the vote of his delegation in favour of the estimates as recommended by the Advisory Committee would be made on the understanding that TAA would be reorganized and amalgamated with the Department of Economic and Social Affairs.

243. The recommendations of the Advisory Committee on the provisions to be made in the United Nations budget for technical assistance activities were approved unanimously, as follows :

Section 26. Technical Assistance Administration \$386,700 ;

Section 27. Economic development \$479,400 ;

Section 28. Social activities \$768,500 ;

Section 29. Public administration \$145,000.

PART X. SPECIAL EXPENSES

Section 30. Transfer of the assets of the League of Nations to the United Nations; Section 31. Amortization of the Headquarters construction loan

244. At its 458th meeting, the Committee approved unanimously the recommendations of the Advisory Committee for appropriations for this part of the budget for 1955, as follows :

Section 30. Transfer of the assets of the League of Nations to the United Nations \$649,500 ;

Section 31. Amortization of the Headquarters construction loan \$2,000,000.

Section 32. Joint Staff Pension Board and United Nations Staff Pension Committee

245. The Committee considered the estimates for section 32 at its 458th meeting. It was noted that the provision requested provided for the secretariat of the Joint Staff Pension Board, the costs of which were chargeable to the Staff Pension Fund, and the United Nations Staff Pension Committee, the costs of which were chargeable to the United Nations budget. It had been agreed, generally speaking, that the basis for distribution of costs of this secretariat would be that two-thirds should be charged to the Fund and one-third to the United Nations budget. More specifically, it was estimated that \$78,060 of the \$117,600 requested would be reimbursable by the Fund, and that amount had been taken into account in the estimates for miscellaneous income.

246. The Advisory Committee, in its report, had noted in particular that \$7,690 was estimated as the amount required for the attendance at the annual meeting of the Board, to be held in Paris in 1955, of the nine members of the United Nations Staff Pension Committee. It appeared to the Advisory Committee that, in view of the costs involved, consideration should be given to the possibility of a reduction of the frequency of sessions of the Board, or in the membership of the United Nations Staff Pension Committee. Such a change would require an amendment of the Pension Fund regulations.

247. Certain delegations, referring to the point raised by the Advisory Committee, expressed the hope that the Secretary-General would give attention to the question and report thereon at the tenth session of the General Assembly. The Committee was informed by the Chairman of the Joint Staff Pension Board of the reasons for the composition of the United Nations Staff Pension Committee, and why it had so far been considered necessary for the Board to meet annually. He further informed the Committee that the question of annual meetings would be given due attention by the Board at its 1955 session.

248. The representative of Denmark expressed satisfaction that the matter had received and would continue to receive attention. On the question of number of representatives, he suggested that a system of voting by proxy might also be studied.

249. The Fifth Committee approved, by 44 votes to none, with one abstention, the recommendation of the Advisory Committee that \$117,600 should be appropriated under section 32 for 1955.

Section 33. The International Court of Justice

250. The Advisory Committee had recommended, in its report on the budget estimates for 1955, a reduction of \$164,150 in the estimates submitted by the Secretary-General for the International Court of Justice under

section 33 of the budget ; \$162,150 of that reduction related to the provision in the Secretary-General's estimates for the funding of the pensions of the members of the Court, which provision had been included pursuant to the Fifth Committee's decision on this question at the eighth session of the General Assembly. The Advisory Committee had recommended the deletion of this provision on purely budgetary grounds, being of the opinion that the proposal involved too heavy an outlay at a time when strenuous efforts were being made to reduce the general costs of the Organization. The Advisory Committee recommended the continuation for 1955 of the method of providing for the pensions of the members of the Court which had been followed in previous years, i.e. to provide for the pensions already awarded in the annual appropriations for the Court and for the pensions that might result from the non-re-election of any judges by a provision in the draft resolution relating to unforeseen and extraordinary expenses.

251. The Secretary-General said in his opening statement on the budget estimates (A/C.5/580) that he would very much regret a decision yet again to defer the funding of members' pensions and had pointed out that a postponement of that operation would not be a saving and would not reduce the financial commitments of the Organization. The Committee was also informed by the Registrar of the International Court of Justice that the position of the Court on this question corresponded to that expressed by the Secretary-General.

252. The Committee considered the estimates for section 33 at its 458th meeting. A number of delegations, emphasizing the fact that the members of the Court could be confident that the Organization would not fail them with regard to its pension obligations, concurred with the recommendation of the Advisory Committee. Certain delegations also pointed to the fact that, with so small a base, actuarial calculation of the size of the fund required for the payment of the pensions was difficult ; and that with the passage of time the amount required would necessarily increase. They wondered whether or not it might be well to reconsider the practicability of a funding arrangement for these pensions which had been decided in principle at the first session of the General Assembly although deferred in application. They felt, in any case, that the wisest course at the time would be to continue the present arrangement.

253. The Committee approved by 44 votes to none, with 2 abstentions, the Advisory Committee's recommendation for an appropriation of \$600,450 under section 33 for 1955.

Pension entitlement of the Registrar of the International Court of Justice

254. At its 482nd meeting, the Committee considered, in connexion with section 33 (The International Court of Justice) of the 1955 budget estimates, the question of the pension entitlement of the present Registrar of the Court. The Committee had before it a memorandum on the subject by the Secretary-General (A/C.5/605) and a report by the Advisory Committee (A/2836 and Corr.1).

255. The Secretary-General, in his memorandum, stated that the present Registrar of the Court, who was elected to that office on 23 October 1953, could not participate in the United Nations Joint Staff Pension Fund because of his age although he would otherwise be eligible for such participation. However, paragraph 7 of Article 32 of the Statute of the Court provided that "regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar ...". In this connexion, the Secretary-General enumerated the several factors which,

apart from the age of the present Registrar, indicated in the opinion of the Court the desirability of carrying out the intention of the framers of the Statute by regarding the Registrar's pension as comparable to the judges' pension. Following consultations with the representatives of the Court, the Secretary-General had proposed in paragraph 7 of his memorandum (A/C.5/605) certain special provisions in respect of the present Registrar.

256. In its report, the Advisory Committee, while refraining from making any recommendations, as it was reluctant to question any opinion expressed by the Court, suggested that should the General Assembly decide that exceptional treatment was warranted, the terms and conditions for participation in the Joint Staff Pension Fund should apply *in toto*, with the exception of the age limit as provided in article II of the regulations of that Fund, to the present case. The Advisory Committee further suggested that, in the event the Assembly approved the Secretary-General's proposal, an express reservation should be made to the effect that the provision was of an exceptional character and did not constitute a precedent for the future.

257. During the discussion of this question in the Fifth Committee, the representative of the United Kingdom proposed an amendment by which the Advisory Committee's suggestion would be approved "providing that the charges other than the contributions paid by the Registrar and the Organization fall against the Pension Fund and that arrangements are made accordingly". The amending proviso, which was voted on separately, was approved by 18 votes to 5, with 17 abstentions. The Committee then approved, by 36 votes to 5, with one abstention, the recommendation of the Advisory Committee, as amended.

258. It was understood that, in pursuance of the Committee's decision, the Joint Staff Pension Board would be requested to make appropriate recommendations, in terms of article XXXVII of the regulations of the Pension Fund, for necessary amendments to the regulations and to transmit them to the Fifth Committee for consideration at the tenth session.

Section 34. Global reduction in respect of upgrading of established posts

259. In its report on the budget estimates, the Advisory Committee had expressed its view that the number of upgradings proposed in the 1955 estimates was somewhat high and it had accordingly recommended the establishment of a new section, section 34, providing a global reduction in respect of upgrading of established posts in the amount of \$3,000, the amount to be applied at the discretion of the Secretary-General. In his statement to the Fifth Committee (A/C.5/580), the Secretary-General had said that while he did not contest the inclusion in the budget of a new section envisaging a reduction of \$3,000 in the funds appropriated for established posts, he would ask for the Committee's understanding that in agreeing to the recommendation he would in no way be hampered in deciding, in the light of particular organizational requirements, on a suitable level for particular posts within the limits proposed in the estimates.

260. The Committee considered section 34 at its 458th meeting. Certain delegations, while endorsing the recommendation of the Advisory Committee, expressed concern at what they considered a gradual upward trend in United Nations salaries. It was their opinion that upgradings should be covered by the normal within-grade promotions and the promotion of staff to posts which fell vacant.

261. The representative of Argentina sought information as to where the reduction would be applied, stating that, should it be applied to the proposed upgradings in the Economic Commission for Latin America, his delegation could not support the Advisory Committee's recommendation. The representative of the Secretary-General stated that the Secretary-General intended to review the proposed upgradings in the light of the comments of the Advisory Committee and the Fifth Committee, but it could not be stated at this point how the reduction would be applied.

262. The Committee approved unanimously the recommendation of the Advisory Committee that a new section 34 should be included in the 1955 estimates, to provide for a global reduction of \$3,000 in respect of upgradings of established posts.

SECOND READING OF THE 1955 BUDGET ESTIMATES

263. At its 483rd meeting, on the basis of a summary of the budget situation submitted by the Secretary-General (A/C.5/614/Rev.1), the Fifth Committee undertook a second reading of the estimates, in the course of which it approved appropriations for each section in the amounts, and by the votes, specified below :

Section	Recommended appropriation Dollars (US)	Yes	No	Abstentions
1.	402,700 *	34	5	1
2.	No provision proposed			
3.	143,100	34	5	0
3a.	27,200	35	0	5
3b.	101,700	Unanimous		
4.	100,000	Unanimous		
5.	1,776,100	35	5	0
5a.	484,000	33	5	0
6.	2,117,050	33	6	0
6a.	76,650	Unanimous		
7.	657,300	34	5	0
7a.	109,200	Unanimous		
8.	3,687,000	35	5	0
9.	859,200	33	5	0
10.	2,534,000	33	5	0
10a.	290,000	39	0	1
11.	6,236,800	35	5	0
11a.	489,000	34	5	0
12.	2,976,150	34	5	0
13.	510,000	35	5	0
14.	987,500	Unanimous		
15.	3,437,400	35	5	0
16.	3,625,000	34	5	0
17.	171,600	34	5	0
18.	4,721,300	33	5	0
19.	685,000	34	5	1
20.	905,100	35	5	0
21.	1,152,800	34	5	1
22.	970,700	34	5	1
23.	20,000	Unanimous		
23a.	50,000	33	5	2
24.	716,100	34	5	0
25.	700,000	35	5	0
26.	386,700	Unanimous		
27.	479,400	Unanimous		
28.	768,500	Unanimous		
29.	145,000	Unanimous		
30.	649,500	Unanimous		
31.	2,000,000	Unanimous		
32.	117,600	Unanimous		
33.	600,450	Unanimous		
34.	—(3,000)	Unanimous		
TOTAL	46,863,800 *	35	5	0

* See para. 264 below.

264. The amounts approved above under section 1, and accordingly the total, would be adjusted as required as a result of the decision to be taken regarding the proposal for the holding in 1955 of a commemoration of the tenth anniversary of the United Nations. At its 484th meeting, the Fifth Committee approved an amount of \$100,000 for this purpose, as set out in the Fifth Committee's report on that item (A/2885). The amount recommended for appropriation for section 1 was thereby increased to \$502,700, and the amount recommended for the total 1955 appropriation was increased to \$46,963,800.

265. In the course of the second reading, delegations made specific interventions on sections 10a and 18 which are reflected in paragraphs 144 and 201 above respectively.

DRAFT RESOLUTION ON BUDGET APPROPRIATIONS FOR THE FINANCIAL YEAR 1955

266. At its 484th meeting, the Fifth Committee had before it a draft resolution relating to the 1955 appropriations (A/C.5/L.328). That draft embodied the decisions taken by the Committee on the sections of the 1955 budget.

267. The Committee approved the draft appropriation resolution by 36 votes to 4. Accordingly, the Fifth Committee recommends to the General Assembly the adoption of the draft resolution on the budget appropriations for the financial year 1955, as set out in annex A to the present report.

DRAFT RESOLUTION RELATING TO UNFORESEEN AND EXTRAORDINARY EXPENSES FOR THE FINANCIAL YEAR 1955

268. At its 484th meeting, the Fifth Committee considered the resolution relating to unforeseen and extraordinary expenses for the financial year 1955. For this purpose, the Committee had before it a draft resolution (A/C.5/L.328) which incorporated in the draft resolution recommended by the Advisory Committee (A/2688, p. 16) the additional provisions required as a result of the General Assembly's decisions on a number of resolutions proposed by other Committees on the financial implications of which the Fifth Committee had submitted reports (see paras. 17 and 18 above).

269. The Committee approved the draft resolution contained in document A/C.5/L.328 by 34 votes to 4, with one abstention. Accordingly, the Fifth Committee recommends to the General Assembly the adoption of the draft resolution on unforeseen and extraordinary expenses for the financial year 1955 as set out in annex B to the present report.

RECOMMENDATIONS OF THE FIFTH COMMITTEE

270. The Fifth Committee accordingly recommends to the General Assembly the adoption of the draft resolutions set out in annexes A to E which follow.

ANNEX A

BUDGET APPROPRIATIONS FOR THE FINANCIAL YEAR 1955

[Text adopted without change by the General Assembly. See document A/RESOLUTION/297 below.]

ANNEX B

UNFORESEEN AND EXTRAORDINARY EXPENSES FOR THE FINANCIAL YEAR 1955

[Text adopted without change by the General Assembly. See document A/RESOLUTION/298 below.]

ANNEX C

WORKING CAPITAL FUND FOR THE FINANCIAL YEAR 1955

[Text adopted without change by the General Assembly. See document A/RESOLUTION/299 below.]

ANNEX D

USE OF INCOME DERIVED FROM THE STAFF ASSESSMENT PLAN

[Text adopted without change by the General Assembly. See document A/RESOLUTION/300 below.]

ANNEX E

INCREASE IN THE DEPENDENCY CREDIT UNDER THE STAFF ASSESSMENT PLAN FOR THE STAFF AT HEADQUARTERS

[Text adopted without change by the General Assembly. See document A/RESOLUTION/301 below.]

DOCUMENT A/RESOLUTION/297

[Resolution 890 (IX)]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

BUDGET APPROPRIATIONS FOR THE FINANCIAL YEAR 1955

The General Assembly

Resolves that for the financial year 1955 :

1. Appropriations totalling \$US46,963,800 are hereby voted for the following purposes :

A. UNITED NATIONS

Part I. Sessions of the General Assembly, the Councils, Commissions and Committees

<i>Section</i>	<i>Amount in US dollars</i>
1. The General Assembly, Commissions and Committees	502,700
2. The Security Council, Commissions and Committees	—
3. The Economic and Social Council, Commissions and Committees	143,100
3a. Permanent Central Opium Board and Drug Supervisory Body	27,200
3b. Regional Economic Commissions	101,700
4. The Trusteeship Council, Commissions and Committees	100,000

TOTAL, PART I

874,700

	<i>Amount in US dollars</i>	
<i>Part II. Special missions and related activities</i>		
5. Special missions and related activities	1,776,100	
5a. United Nations Field Service	484,000	
	<hr/>	
	TOTAL, PART II	2,260,100
<i>Part III. Headquarters, New York</i>		
6. Offices of the Secretary-General	2,117,050	
6a. Office of Under-Secretaries without Department	76,650	
7. Department of Political and Security Council Affairs	657,300	
7a. Secretariat of the Military Staff Committee	109,200	
8. Department of Economic and Social Affairs	3,687,000	
9. Department for Trusteeship and Information from Non-Self-Governing Territories	859,200	
10. Department of Public Information	2,534,000	
10a. Visitors' service	290,000	
11. Department of Conference Services	6,236,800	
11a. Library	489,000	
12. Office of General Services	2,976,150	
13. Temporary assistance and consultants	510,000	
14. Travel of staff	987,500	
15. Common staff costs	3,437,400	
16. Common services	3,625,000	
17. Permanent equipment	171,600	
	<hr/>	
	TOTAL, PART III	28,763 850
<i>Part IV. European Office of the United Nations</i>		
18. European Office of the United Nations (excluding direct costs, chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body)	4,666,800	
Chapter III, joint secretariat of the Permanent Central Opium Board and Drug Supervisory Body	54,500	
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19. Office of the United Nations High Commissioner for Refugees	4,721,300	
	685,000	
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	TOTAL, PART IV	5,406,300
<i>Part V. Information centres</i>		
20. Information centres (other than the information services, European Office of the United Nations)	905,100	
	<hr/>	
	TOTAL, PART V	905,100
<i>Part VI. Secretariats of the Regional Economic Commissions (other than the Economic Commission for Europe)</i>		
21. Secretariat of the Economic Commission for Asia and the Far East	1,152,800	
22. Secretariat of the Economic Commission for Latin America	970,700	
	<hr/>	
	TOTAL, PART VI	2,123,500
<i>Part VII. Hospitality</i>		
23. Hospitality	20,000	
23a. Special payments under annex I, paragraph 2, of the staff regulations	50,000	
	<hr/>	
	TOTAL, PART VII	70,000
<i>Part VIII. Contractual printing</i>		
24. Official Records (excluding chapter V, Permanent Central Opium Board and Drug Supervisory Body)	704,910	
Chapter V. Permanent Central Opium Board and Drug Supervisory Body	11,190	
	<hr/>	
25. Publications	716,100	
	700,000	
	<hr/>	
	TOTAL, PART VIII	1,416,100
<i>Part IX. Technical programmes</i>		
26. Technical Assistance Administration	386,700	
27. Economic development	479,400	
28. Social activities	768,500	
29. Public administration	145,000	
	<hr/>	
	TOTAL, PART IX	1,779,600
<i>Part X. Special expenses</i>		
30. Transfer of the assets of the League of Nations to the United Nations	649,500	
31. Amortization of the Headquarters construction loan	2,000,000	
	<hr/>	
	TOTAL, PART X	2,649,500
<i>Part XI. Joint Staff Pension Board and United Nations Staff Pension Committee</i>		
32. Joint Staff Pension Board and United Nations Staff Pension Committee	117,600	
	<hr/>	
	TOTAL, PART XI	117,600

Amount in US dollars

B. THE INTERNATIONAL COURT OF JUSTICE

Part XII. The International Court of Justice

33. The International Court of Justice	600,450	
	600,450	
	TOTAL, PART XII	600,450
34. Global reductions in respect of upgradings of established posts	—(3,000)	
	—(3,000)	
	GRAND TOTAL	46,963,800

2. The appropriations voted by paragraph 1 above shall be financed by contributions from Members after adjustment as provided by the Financial Regulations, subject to the provision of paragraph 1 of the resolution³⁵ relating to the Working Capital Fund. For this purpose, miscellaneous income for the financial year 1955 is estimated at \$US6,832,600.

3. The Secretary-General is authorized :

(a) To administer as a unit the following appropriations :

(i) Provisions under section 3a ; section 18, chapter III ; and section 24, chapter V ;

(ii) Provisions under section 10 ; section 18, chapter

II ; section 20 ; and in respect of section 25 for items relating to public information ;

(iii) Provisions under sections 24 and 25.

(b) To apply the reduction under section 34 to various sections of the budget ;

(c) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to transfer credits between sections of the budget.

4. In addition to the appropriations voted by paragraph 1 above, an amount of US\$13,000 is hereby appropriated for the purchase of books, periodicals, maps and library equipment, from the income of the Library Endowment Fund, in accordance with the objects and provisions of the endowment.

DOCUMENT A/RESOLUTION/298

[Resolution 391 (IX)]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

UNFORESEEN AND EXTRAORDINARY EXPENSES FOR THE FINANCIAL YEAR 1955

The General Assembly

Resolves that, for the financial year 1955,

The Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations, is authorized to enter into commitments to meet unforeseen and extraordinary expenses ; provided that the concurrence of the Advisory Committee shall not be necessary for :

(a) Such commitments not exceeding a total of \$US2 million if the Secretary-General certifies that they relate to the maintenance of peace and security or to urgent economic rehabilitation ;

(b) Such commitments as are required for the Ad Hoc Commission on Prisoners of War ;

(c) Such commitments as may be required for the United Nations Good Offices Commission on the treatment of people of Indian origin in the Union of South Africa ;

(d) Such commitments as are required for the convening of an international conference on the peaceful uses of atomic energy ;

(e) Such commitments not exceeding a total of \$US165,000 as are required for the purchase of Korean service medals ;

(f) Such commitments not exceeding a total of \$US25,000 as are occasioned by the holding of an inter-governmental commodity conference ;

(g) Such commitments, duly certified by the President

of the International Court of Justice, relating to expenses occasioned :

(i) By the designation of *ad hoc* judges (Statute, Article 31),

(ii) By the appointment of assessors (Statute, Article 30), or by the calling of witnesses and the appointment of experts (Statute, Article 50),

(iii) By the maintenance in office of judges who have not been re-elected (Statute, Article 13, paragraph 3),

(iv) By the holding of sessions of the Court away from The Hague (Statute, Article 22),

(v) By the payment of travel and removal expenses of judges not re-elected, and travel and removal expenses of new members of the Court,

(vi) By the payment, as necessary, to judges of pensions not awarded prior to 15 July 1954, and not exceeding \$24,000, \$25,000, \$40,000, \$75,000, \$4,000 and \$26,000 respectively under each of the above six headings ;

(h) Such commitments not exceeding a total of \$18,000 as may be required in the event of the coming into force during 1955 of the Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium ;

(i) Such commitments not exceeding a total of \$15,000 as are occasioned by the convening of the international technical conference on the conservation of the living resources of the sea ;

The Secretary-General shall report to the Advisory Committee and to the General Assembly, at its next regular session, all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the General Assembly in respect of such commitments.

³⁵ See A/RESOLUTION/299, below.

DOCUMENT A/RESOLUTION/299

[Resolution 892 (IX)]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

WORKING CAPITAL FUND FOR THE FINANCIAL YEAR 1955

The General Assembly

Resolves that:

1. The Working Capital Fund shall be maintained to 31 December 1955 at the amount of \$US21,500,000, to be derived:

(a) As to \$20,000,000 from cash advances by Members in accordance with the provisions of paragraphs 2 and 3 of the present resolution;

(b) As to \$1,500,000 by previous transfer from surplus account as follows:

(i) \$1,239,203, being the balance of surplus account as at 31 December 1950 not already applied against Members' assessments for 1951, in accordance with General Assembly resolution 585 A (VI) of 21 December 1951;

(ii) \$260,797, as part of the balance of surplus account as at 31 December 1951 not already applied against Members' assessments for 1952, in accordance with General Assembly resolution 676 (VII) of 21 December 1952;

2. Members shall make cash advances to the Working Capital Fund as required under paragraph 1 (a) above in accordance with the scale adopted by the General Assembly for contributions of Members to the tenth annual budget;

3. There shall be set off against this new allocation of advances the amounts paid by Members to the Working Capital Fund for the financial year 1954, under General Assembly resolution 788 (VIII) of 9 December 1953, provided that, should such advance paid by any Member to the Working Capital Fund for the financial year 1954 exceed the amount of that Member's advance under the provision of paragraph 2 hereof, the excess shall be set off against the amount of contributions payable by that Member in respect of the tenth annual budget, or any previous budget;

4. The Secretary-General is authorized to advance from the Working Capital Fund:

(a) Such sums as may be necessary to finance budgetary appropriations pending receipt of contributions;

sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(b) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolution³⁶ relating to unforeseen and extraordinary expenses. The Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(c) Such sums as, together with net sums outstanding for the same purposes, do not exceed \$125,000, to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities. Advances in excess of the total of \$125,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall submit, with the annual accounts, an explanation of the outstanding balance of the revolving fund at the end of each year;

(d) Loans to specialized agencies and preparatory commissions of agencies to be established by inter-governmental agreement under the auspices of the United Nations to finance their work, pending receipt by the agencies concerned of sufficient contributions under their own budgets. In making such loans, which shall normally be repayable within two years, the Secretary-General shall have regard to the proposed financial resources of the agency concerned, and shall obtain the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for any cash issues which would increase the aggregate balance outstanding (including amounts previously advanced and outstanding) at any one time to an amount in excess of \$1,500,000 and for any issue which would increase the balance outstanding (including amounts previously advanced and outstanding) in respect of any one agency to an amount in excess of \$500,000;

(e) Such sums not exceeding \$35,000 as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the financial year in which payment is made. This amount may be increased with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall make provision in the budget estimates of each year, during the life of the related policies, to cover the charges applicable to each such year.

DOCUMENT A/RESOLUTION/300

[Resolution 893 (IX)]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

USE OF INCOME DERIVED FROM THE STAFF ASSESSMENT PLAN

The General Assembly,

Having considered the report of the Secretary-General entitled "Use of income derived from the Staff Assessment Plan" (A/C.5/584 and Corr.2) and the report of the Advisory Committee on Administrative and Budgetary Questions thereon (A/2799),

³⁶ See A/RESOLUTION/298, above.

Having regard to the deliberations of the Fifth Committee on this subject during the ninth session of the General Assembly,

1. *Requests* the Secretary-General to continue his negotiations with those Member States which have not yet become Parties to the Convention on the Privileges and Immunities of the United Nations or adopted alternative measures under which appropriate relief would be granted to all United Nations officials in so far as national income taxation is concerned, and to submit a report thereon as soon as possible before the opening of the tenth session of the General Assembly, together with the comments of the Advisory Committee on Administrative and Budgetary Questions on that report;

2. *Decides* to postpone to the tenth session of the General Assembly further consideration of measures to be taken by the Assembly towards a solution of the problem.

DOCUMENT A/RESOLUTION/301

[*Resolution 894 (IX)*]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

INCREASE IN THE DEPENDENCY CREDIT UNDER THE STAFF ASSESSMENT PLAN FOR THE STAFF AT HEADQUARTERS

The General Assembly,

Recognizing that an inequity of treatment exists under the Staff Assessment Plan between staff members with dependants and those without dependants,

Resolves that, as a temporary measure, notwithstanding article 4 of General Assembly resolution 359 (IV) of 10 December 1949, the following dependency credits shall be given between 1 January 1955 and 31 December 1955 to staff members stationed at Headquarters or at Washington, D.C. :

(a) A credit at the rate of \$200 per annum shall be granted for a wife, or a dependent husband, or a dependent parent, brother or sister, or a dependent child, or a mentally or physically incapacitated child over 16 years of age;

(b) An additional credit at the rate of \$100 per annum shall be granted for each additional dependent child for whom credit has not been granted under paragraph (a) above.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 515th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolutions submitted by the Fifth Committee (A/2886, annexes A, B, C, D and E). For the final texts, see A/RESOLUTION/297, A/RESOLUTION/298, A/RESOLUTION/299, A/RESOLUTION/300 and A/RESOLUTION/301, respectively. above.

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Document No.	Title	Page	Observations and references
A/217	Pensions of the members of the International Court of Justice : report of the Fifth and Sixth Committees		<i>Official Records of the General Assembly, First Session, Second Part, Annex 53</i>
A/1312	Advisory Committee on Administrative and Budgetary Questions : second report of 1950 to the General Assembly		<i>Ibid., Fifth Session, Supplement No. 7</i>
A/2157	Advisory Committee on Administrative and Budgetary Questions : first report to the General Assembly (seventh session)		<i>Ibid., Seventh Session, Supplement No. 7</i>
A/2403	Advisory Committee on Administrative and Budgetary Questions : first report to the eighth session of the General Assembly		<i>Ibid., Eighth Session, Supplement No. 7</i>

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A/2501	Fifth report of the Advisory Committee on Administrative and Budgetary Questions: section 20: European Office of the United Nations; section 20a: Office of the High Commissioner for Refugees		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 39</i>
A/2512 and Corr.1	Report of the Sixth Committee		<i>Ibid.</i> , agenda item 54
A/2554	Report of the Secretary-General		<i>Ibid.</i> , agenda item 48
A/2622	Report of the Fifth Committee		<i>Ibid.</i> , agenda item 39
A/2624	Report of the Fifth Committee		<i>Ibid.</i> , agenda item 38
A/2647	Budget estimates for the financial year 1955 and information annex		<i>Ibid.</i> , <i>Ninth Session, Supplement No. 5</i>
A/2647/Add.1	Information Annex II to Budget estimates for the financial year 1955		<i>Ibid.</i> , <i>Supplement No. 5A</i>
A/2661	First report of the Advisory Committee on Administrative and Budgetary Questions		Printed separately
A/2663	Annual report of the Secretary-General on the work of the Organization 1 July 1953-30 June 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 1</i>
A/2688	Second report of the Advisory Committee on Administrative and Budgetary Questions		<i>Ibid.</i> , <i>Supplement No. 7</i>
A/2731	Report of the Secretary-General		<i>Ibid.</i> , <i>Annexes, agenda item 53</i>
A/2745	Sixth report of the Advisory Committee on Administrative and Budgetary Questions		<i>Ibid.</i>
A/2763 and Corr.1	Eighth report of the Advisory Committee on Administrative and Budgetary Questions: revised estimates for section 3 (The Economic and Social Council, Commissions and Committees) and section 18 (European Office of the United Nations)	42	
A/2765	Ninth report of the Advisory Committee on Administrative and Budgetary Questions		<i>Ibid.</i>
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A/2781	Thirteenth report of the Advisory Committee on Administrative and Budgetary Questions: salaries and allowances of Under-Secretaries or officials of an equivalent rank		<i>Ibid.</i>
A/2787	Fourteenth report of the Advisory Committee on Administrative and Budgetary Questions: detailed estimates for section 5: Military Observer Group in India and Pakistan	44	
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A/2837	Thirty-third report of the Advisory Committee on Administrative and Budgetary Questions: budgetary arrangements for the payment of indemnities		Official Records of the General Assembly, Ninth Session, Annexes, agenda item 48
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A/2850	Thirty-seventh report of the Advisory Committee on Administrative and Budgetary Questions: section 5a: United Nations Field Service	55	
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A/C.5/581	Statement made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions at the 435th meeting of the Fifth Committee on 11 October 1954		Ibid.
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A/C.5/594	Salaries and allowances of Under-Secretaries or officials of an equivalent rank: statement made by the Secretary-General at the 445th meeting of the Fifth Committee on 27 October 1954		Ibid.
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A/C.5/L.293	Salaries and allowances of Under-Secretaries or officials of an equivalent rank: proposal by Australia and the United Kingdom of Great Britain and Northern Ireland		Ibid.
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A/C.5/L.327	Draft resolution relating to unforeseen and extraordinary expenses		Same text as A/RESOLUTION/298
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A/RESOLUTION/298	Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954	79	Ibid., resolution 891 (IX)
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E/2607 and Corr.1	Sixteenth report of the Administrative Committee on Coordination		Ibid., Annexes, agenda items 8 (b) and 26 (a)



Agenda item 39: Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly :

- (a) Advisory Committee on Administrative and Budgetary Questions**
- (b) Committee on Contributions**
- (c) Board of Auditors**
- (d) Investments Committee: confirmation of the appointment made by the Secretary-General**
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DOCUMENT A/2696

Note by the Secretary-General

[Original text: English]
[23 August 1954]

1. The rules of procedure of the General Assembly¹ provide that :

“Rule 156

“The General Assembly shall appoint an Advisory Committee on Administrative and Budgetary Questions, hereinafter called the Advisory Committee, with a membership of nine, including at least two financial experts of recognized standing.”

“Rule 157

“The members of the Advisory Committee, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for reappointment. The two financial experts shall not retire simultaneously. The General Assembly shall appoint the members of the Advisory Committee at the regular session immediately preceding the expiration of the term of office of the members, or, in case of vacancies, at the next session.”

2. The present membership of the Committee is as follows :

Mr. Thanassis Aghnides (Greece) ;
Mr. Rafik Asha (Syria) ;

Dr. Carlos Blanco (Cuba) ;
Mr. Eduardo Carrizosa (Colombia) ;
Mr. Igor V. Chechyotkin (Union of Soviet Socialist Republics) ;
Mr. A. H. Clough (United Kingdom of Great Britain and Northern Ireland) ;
Mr. André Ganem (France) ;
Mr. William O. Hall (United States of America) ;
Mr. G. R. Kamat (India).

3. At its sixth session, the General Assembly (resolution 576 (VI)) appointed the following to be members of the Committee for a three-year term, commencing on 1 January 1952 :

Mr. Thanassis Aghnides ;
Mr. Eduardo Carrizosa ;
Mr. Igor V. Chechyotkin.

4. Since the terms of office of the above members are due to expire on 31 December 1954, it will be necessary for the General Assembly, at its ninth session in 1954, to appoint three persons to fill the resulting vacancies. The members so appointed will serve for a period of three years, commencing 1 January 1955.

5. At previous sessions, the Fifth Committee, after a secret ballot, has submitted to the Assembly a draft resolution containing the names of the persons recommended for appointment. With a view to expediting the business of the General Assembly, it is suggested that a similar procedure should be followed at the ninth session.

¹ See revised edition, A/520/Rev.3, dated July 1954.

DOCUMENT A/C.5/L.277**Note by the Secretariat**

[Original text : English]
[19 October 1954]

The following persons have been proposed for appointment to the Advisory Committee on Administrative and Budgetary Questions, in whose membership three vacancies will occur on 1 January 1955, as a result of the expiration of the terms of Mr. Thanassis Aghnides (Greece), Mr. Eduardo Carrizosa (Colombia), and Mr. Igor V. Chechyotkin (U.S.S.R.) (A/2696) :

Mr. Thanassis Aghnides (Greece)

Born 31 January 1889 : Educated—American College, Anatolia ; Universities of Constantinople and Paris. Director, Press Bureau, Greek Embassy in London, 1917-1918. Joined Secretariat of League of Nations, 1919. Director, Disarmament Section, League of Nations, 1930. Secretary-General, Montreux Conference on the Régime of the Dardanelles, 1936. Secretary-General, Conference for the Suppression of Egyptian Capitulations, 1937. Secretary-General, Nyon Conference for the Suppression of Piracy in the Mediterranean, 1937. Under-Secretary-General, League of Nations, 1939-1942. Permanent Under-Secretary of State for Foreign Affairs in the Greek Cabinet, 1942. Greek Ambassador to the Court of St. James's, 1942-1947. Representative of Greece to UNCIO, San Francisco, 1945. Representative of Greece to the Preparatory Commission, London, 1945 ; Chairman of Sixth Committee. Representative of Greece to the General Assembly, London, 1946 ; Rapporteur of Fifth Committee. Representative of Greece to the Final Assembly of the League of Nations, 1946. Chairman, Greek Delegation to Preparatory Commission on UNESCO, 1946. Acting Chairman, Greek Delegation to the General Assembly, New York, 1946. Chairman, Advisory Committee on Administrative and Budgetary Questions, 1946-1954. Member of the Curatorium of the Academy of International Law, The Hague, since 1948. Chairman, International Civil Service Advisory Board, 1949-1954. Representative of Greece to the General Assembly, 1953.

Mr. Eduardo Carrizosa (Colombia)

Born 13 October 1910. Entered Colombian Ministry of External Relations in 1933, Vice-Consul in charge of the Consulate at Buenos Aires, Argentina, 1933-1934 ; Chargé d'Affaires in Argentina 1936-1938 ; Secretary of the Colombian Delegation to the Inter-American Trade Conference, 1935 ; Secretary of the Colombian Delegation to the Pan-American Conference on the Consolidation of Peace, 1936 ; Colombian Representative to the Congress of the Universal Postal Union, 1939 ; Head of the Commercial Department of the Colombian Ministry of External Relations, 1945 ; Consul General of Colombia at Iquitos, Peru, 1946 ; Under-Secretary to the Inter-American Conference of Bogotá, 1948 ; Adviser to the

Permanent Delegation of Colombia to the United Nations, 1948 ; Secretary-General to the Permanent Delegation of Colombia to the United Nations with the rank of Envoy Extraordinary and Minister Plenipotentiary, 1950. Member of the Advisory Committee on Administrative and Budgetary Questions since January 1952.

Mr. Igor V. Chechyotkin (Union of Soviet Socialist Republics)

Born in 1916. Graduated from Gorky State University in 1939. From 1939 to 1942 served as director of the budget planning office of the Gorky Executive Municipal Council. From 1942 to 1944, post-graduate student in the Institute of International Economics and Politics. For the last ten years has served in the Soviet diplomatic service : Secretary, USSR Embassy in Washington (1945-1949), Secretary, USSR Ministry of Foreign Affairs (1949-1950). At present First Secretary to the USSR Delegation to the United Nations. Member of the Advisory Committee on Administrative and Budgetary Questions since 1950. Took part in the work of the fifth, sixth, seventh and eighth sessions of the United Nations General Assembly as USSR Delegation expert on administrative and budgetary questions (Fifth Committee) ; attended the eleventh, twelfth, thirteenth and fourteenth sessions of the Economic and Social Council as USSR Delegation expert, and has served as USSR representative on a number of the Council's functional commissions.

Mr. LIU Yu-wan (China)

Born 24 December 1896, I-Chang, China ; A.B., Oberlin College, 1921 ; M.A., University of Wisconsin, 1922 ; Executive Secretary, China Institute of Pacific Relations, 1930-1937 ; Deputy Director, Department of Personnel, Ministry of Railways, 1937-1939 ; Hon. Executive Secretary, China Institute of Pacific Relations, 1939-1945 ; Adviser, Chinese Mission to Observe Outer-Mongolian Plebiscite, 1945 ; Deputy Secretary-General, Allied Council for Japan, 1946 ; Consul-General, Seoul, Korea, 1947-1948 ; Diplomatic Representative to the Republic of Korea, with rank of Ambassador, 1948-1949 ; Representative of China and Rapporteur on United Nations Commission on Korea, 1948-1950 ; Deputy-Chief, Chinese Mission to Japan, with rank of Ambassador, 1950-1951 ; Adviser, Permanent Delegation of China to the United Nations, since 1951, Director of Office since February 1953 ; Adviser, Chinese Delegation to the fourth, fifth, sixth and seventh sessions of the General Assembly of the United Nations ; Alternate Representative and Secretary-General, Chinese Delegation to the eighth session of the General Assembly.

DOCUMENT A/2770**Report of the Fifth Committee**

[Original text : English]
[27 October 1954]

1. At its 444th meeting held on 22 October 1954, the Fifth Committee considered a note by the Secretary-General (A/2696) concerning the vacancies which will occur in the membership of the Advisory Committee on Administrative and Budgetary Questions at the expiration of the terms of office of three of its members on 31 December 1954.

2. The Chairman had previously invited members of the Fifth Committee to suggest names of persons who might be recommended to the General Assembly for appointment to membership of the Advisory Committee in accordance with the provisions of rules 156 and 157 of the rules of procedure of the General Assembly. At the time when the matter was considered by the Fifth Committee, four candidates had been proposed.

3. For the purpose of deciding who should be recommended for appointment, the Committee proceeded to a vote by secret ballot. The result of the ballot was as follows :

<i>Number of ballot papers</i>	51
<i>Invalid ballots</i>	2
<i>Number of valid ballots</i>	49
<i>Abstentions</i>	0
<i>Number of members voting</i>	49
<i>Required majority</i>	25
<i>Number of votes obtained :</i>	
Mr. Thanassis Aghnides	44

Mr. Eduardo Carrizosa	44
Mr. I.V. Chechyotkin	34
Mr. Liu Yu-wan	19

4. Mr. Aghnides, Mr. Carrizosa and Mr. Chechyotkin, having obtained the required majority, were declared recommended for appointment.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See Document A/RESOLUTION/209 below.]

DOCUMENT A/RESOLUTION/209

[Resolution 865 (IX)]

Resolution adopted by the General Assembly at its 496th meeting, on 29 October 1954

APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY :

(a) *Advisory Committee on Administrative and Budgetary Questions*

The General Assembly

1. Appoints the following persons as members of the Advisory Committee on Administrative and Budgetary Questions :

Mr. Thanassis Aghnides ;
Mr. Eduardo Carrizosa ;
Mr. Igor V. Chechyotkin ;

2. Declares Mr. Aghnides, Mr. Carrizosa and Mr. Chechyotkin to be appointed for a three-year term to commence on 1 January 1955.

DOCUMENT A/2697/Rev.1

Note by the Secretary-General

[Original text : English]
[26 August 1954]

1. The rules of procedure of the General Assembly² provide that :

“Rule 160

“The members of the Committee on Contributions, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for a period of three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for reappointment. The General Assembly shall appoint the members of the Committee on Contributions at the regular session immediately preceding the expiration of the term of office of the members, or, in case of vacancies, at the next session.”

2. The present membership of the Committee is as follows :

Mr. K. E. Böök (Sweden) ;
Mr. S. M. Burke (Pakistan) ;
Mr. René Charron (France) ;
Mr. A. H. Clough (United Kingdom of Great Britain and Northern Ireland) ;
Mr. Arthur Samuel Lall (India) ;

Mr. Jiri Nosek (Czechoslovakia) ;
Mr. Stuart Arthur Rice (United States of America) ;
Mr. José Sáenz (Mexico) ;
Mr. G. F. Saksin (Union of Soviet Socialist Republics) ;
Mr. O. Strauch (Brazil).

3. The following four members of the Committee on Contributions were appointed by the General Assembly at its sixth session [resolution 577 (VI)] for a three-year term commencing 1 January 1952 :

Mr. René Charron ;
Mr. Arthur Samuel Lall ;
Mr. José Sáenz ;
Mr. G. F. Saksin.

4. Since the terms of office of the above members are due to expire on 31 December 1954, it will be necessary for the General Assembly, at its ninth session in 1954, to appoint four persons to fill the resulting vacancies. The members thus appointed will serve for a period of three years, commencing 1 January 1955.

5. At previous sessions, the Fifth Committee, after a secret ballot, has submitted to the Assembly a draft resolution containing the names of the persons recommended for appointment. With a view to expediting the business of the General Assembly, it is suggested that a similar procedure should be followed at the ninth session.

² See revised edition, A/520/Rev.3, dated July 1954.

DOCUMENT A/C.5/L.278**Note by the Secretariat**

[Original text: English and French]
[19 October 1954]

The following persons have been proposed for appointment to the Committee on Contributions, in whose membership four vacancies will occur on 1 January 1955, as a result of the expiration of the terms of Mr. René Charron (France), Mr. Arthur Samuel Lall (India), Mr. José Sáenz (Mexico), and Mr. G. F. Saksin (USSR) (A/2697/Rev.1):

Mr. René Charron (France)

Born in 1894. Studied law and finance. Attached to the Office of the High Commissioner of the League of Nations at Vienna, 1920. Attached to the Secretariat of the Reparations Commission, 1923. Deputy Financial Representative of the League of Nations at Budapest, 1928. High Commissioner of the League of Nations in Bulgaria, 1928-1933. Deputy Director of the Section of Economic and Financial Studies in the Secretariat of the League of Nations, 1933. Financial adviser to the Chinese Government, 1936-1937. Director of the Section of Economic and Financial Studies of the League of Nations, 1939-1946. Representative of France on the Economic Commission for Asia and the Far East, 1947. Member of the Committee on Contributions since January 1949.

Mr. Arthur Samuel Lall (India)

Born 14 July 1911; educated at Central Model School, Lahore, University of the Punjab, and Balliol College, Oxford; joined the Indian Civil Service, 9 October 1934; and served in Punjab as Assistant Commissioner; Sub-Divisional Officer, May 1937; Under Secretary, Political Department, Punjab, April 1940; Officer on Special Duty, Finance Department, Government of India, April 1941; Attaché, Finance Department, Government of India, January 1942; Deputy Secretary, Finance, from April 1944 to April 1947; Officer on Special Duty in the Indian Trade Commissioner's Office, London and Indian Trade Commissioner, London, from April 1947 to May 1949; Controller of Indian Shipping from May 1949 to December 1949; Joint Secretary in the Ministry of Commerce and Industry, December 1949 to 1951; Consul-General of India, New York, 1951-1954; Member, India Delegation to the seventh and eighth sessions of the United Nations General

Assembly; Member of the India Delegation to the fifteenth and seventeenth sessions of the Economic and Social Council; Representative of India to the United Nations Fiscal Commission, 1953; Member, Committee on Contributions, 1952 to 1954; Chairman, Committee on Contributions, 1953 and 1954; Permanent Representative of India to the United Nations, September 1954.

Mr. José Sáenz (Mexico)

Doctor in Economics, School of Economics, London; Professor of Economics at the National University of Mexico; Director-General of General Bureau of Statistics of Mexico, Department of National Economy; Technical Advisor to the Food and Agriculture Organization; Member of the Mexican Delegation to the UNRRA Conferences at Atlantic City and Montreal; Delegate to the Food and Agriculture Organization at Hot Springs and Montreal; Delegate to Inter-American conferences at Chapultepec and Rio de Janeiro; Delegate to United Nations Conference on Trade and Employment at Havana; Director of Credit in the Ministry of Finance of Mexico; Director of the Board of Trustees of National Savings; Member of the Committee on Contributions since 1949.

Mr. G. F. Saksin (Union of Soviet Socialist Republics)

Born Leningrad 1904. Completed studies at Leningrad Polytechnic Institute, 1930. Worked in the USSR State Planning Committee. Has for the past fifteen years been a member of the Soviet Diplomatic Service as Deputy Secretary-General of the USSR Ministry of Foreign Affairs, Counsellor at the USSR Embassy at London and as Senior Adviser for Economic and Social Questions of the USSR delegation to the United Nations (the post which he now holds).

Participated in the work of the first, sixth, seventh and eighth sessions of the General Assembly as Counsellor and Secretary-General of the USSR delegation, and of the thirteenth, fourteenth, fifteenth and seventeenth sessions of the Economic and Social Council as alternate USSR representative to those sessions of the Council. Has been a member of the Committee on Contributions since 1952.

DOCUMENT A/2771**Report of the Fifth Committee**

[Original text: English]
[27 October 1954]

1. At its 444th meeting held on 22 October 1954, the Fifth Committee considered a note by the Secretary-General (A/2697/Rev.1) concerning the vacancies which will occur in the membership of the Committee on Contributions at the expiration of the terms of office of four of its members on 31 December 1954.

2. The Chairman had previously invited members of the Fifth Committee to suggest names of persons who might be recommended to the General Assembly for appointment to membership of the Committee on Contributions in accordance with the provisions of rules 159 and 160 of the rules of procedure of the General Assembly. At the time when the matter was considered

by the Fifth Committee, four candidates had been proposed.

3. For the purpose of deciding who should be recommended for appointment, the Committee proceeded to a vote by secret ballot. The result of the ballot was as follows:

<i>Number of ballot papers</i>	55
<i>Invalid ballots</i>	1
<i>Number of valid ballots</i>	54
<i>Abstentions</i>	0
<i>Number of members voting</i>	54
<i>Required majority</i>	28

Number of votes obtained :

Mr. René Charron	52
Mr. José Sáenz	50
Mr. Arthur Samuel Lall	49
Mr. G. F. Saksin	47

Two other persons each received 1 vote.

4. Mr. Charron, Mr. Sáenz, Mr. Lall and Mr. Saksin, having obtained the required majority, were declared recommended for appointment.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See Document A/RESOLUTION/210 below.]

DOCUMENT A/RESOLUTION/210

[Resolution 866 (IX)]

Resolution adopted by the General Assembly at its 496th meeting, on 29 October 1954

APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY :

(b) *Committee on Contributions**The General Assembly*

1. Appoints the following persons as members of the Committee on Contributions :

Mr. René Charron ;
Mr. Arthur Samuel Lall ;
Mr. José Sáenz ;
Mr. G. F. Saksin ;

2. Declares Mr. Charron, Mr. Lall, Mr. Sáenz and Mr. Saksin to be appointed for a three-year term to commence on 1 January 1955.

DOCUMENT A/2698**Note by the Secretary-General**

[Original text : English]
[23 August 1954]

1. Resolution 74 (I) adopted by the General Assembly on 7 December 1946 provides :

“That in 1947, and every year thereafter, the General Assembly at its regular session shall appoint an Auditor to take office from 1 July of the following year and to serve for a period of three years.”

2. The present membership of the Board of Auditors is as follows :

The Auditor-General (or officer holding the equivalent title) of Canada ;

The Auditor-General (or officer holding the equivalent title) of Colombia ;

The Auditor-General (or officer holding the equivalent title) of Denmark.

3. The Auditor-General (or officer holding the equivalent title) of Denmark was appointed to the Board by the General Assembly at its sixth session (resolution 578 (VI))

for a three-year term which will expire on 30 June 1955. Subject to any decisions which may be reached as a result of the review of audit procedures of the United Nations and of the specialized agencies to be undertaken in accordance with resolutions 672 B (VII) and 768 (VIII), the General Assembly will be required, at its ninth session in 1954, to fill the resulting vacancy by the appointment as a member of the Board, of the Auditor-General (or officer holding the equivalent title) of a Member State. The Auditor thus appointed will serve for a period of three years commencing 1 July 1955.

4. At previous sessions, a draft resolution including the name of the Member State whose Auditor-General (or officer holding the equivalent title) was recommended for appointment has been submitted by the Fifth Committee to the General Assembly. With a view to expediting the business of the Assembly, it is suggested that a similar procedure should, if necessary, be followed at the ninth session.

DOCUMENT A/C.5/L.279**Note by the Secretariat**

[Original text : English]
[19 October 1954]

1. The General Assembly is required to appoint the Auditor-General (or officer holding the equivalent title) of a Member State to the Board of Auditors, to fill the vacancy occasioned by the expiration of the term of office of the Auditor-General of Denmark (A/2698).

2. The delegation of Norway has requested the Secretary-General to inform the Chairman of the Fifth Committee that the services of the Auditor-General of Norway are available for this office should his appointment be desired by the General Assembly.

DOCUMENT A/2772
Report of the Fifth Committee

[Original text: English]
[27 October 1954]

1. At its 444th meeting held on 22 October 1954, the Fifth Committee considered a note by the Secretary-General (A/2698) concerning the vacancy which will occur in the membership of the Board of Auditors at the expiration of the term of office of one of the members of the Board on 30 June 1955.

2. The Chairman had previously invited members of the Fifth Committee to make proposals with respect to Auditors-General (or officers holding equivalent titles) of Member States who might be recommended to the General Assembly for appointment to membership of the Board of Auditors. At the time the matter was considered by the Fifth Committee, the delegation of Norway had informed the Chairman that the services of the Auditor-General of Norway were available for this office should his appointment be desired by the General Assembly.

3. For the purpose of deciding who should be recommended for appointment, the Committee proceeded to a vote by secret ballot. The result of the ballot was as follows:

Number of ballot papers	56
Invalid ballots	0
Number of valid ballots	56
Abstentions	1
Number of members voting	55
Required majority	28

Number of votes obtained:

The Auditor-General (or officer holding equivalent title) of:	
Norway	49
Denmark	5
Colombia	1

4. The Auditor-General of Norway, having obtained the required majority, was declared recommended for appointment.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See Document A/RESOLUTION/211 below.]

DOCUMENT A/RESOLUTION/211

[Resolution 867 (IX)]

Resolution adopted by the General Assembly at its 496th meeting, on 29 October 1954

APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY:

(c) *Board of Auditors*

The General Assembly

Appoints the Auditor-General of Norway as a member of the Board of Auditors for a three-year term to commence on 1 July 1955.

DOCUMENT A/2722

Note by the Secretary-General

[Original text: English]
[14 September 1954]

1. General Assembly resolution 155 (II) of 15 November 1947, by which the Assembly confirmed the appointment by the Secretary-General of three persons to constitute the Investments Committee, provides as follows:

“The normal term of office of a member of the Investments Committee shall be three years, and members shall be eligible for reappointment. At the regular session of the General Assembly each year, the Secretary-General shall submit the appointments which he has made after consultation with the Advisory Committee on Administrative and Budgetary Questions.”

The present membership of the Committee is as follows:

Mr. Leslie R. Rounds (United States of America);

Mr. Jacques Rueff (France);
Mr. Ivar Rooth (Sweden).

2. Under the provisions of resolution 155 (II), the term of office of Mr. Leslie R. Rounds expires on 31 December 1954. It is therefore necessary to appoint a member for a three-year term to begin on 1 January 1955.

3. The Secretary-General considers it important that the United Nations should continue to have the assistance and advice which Mr. Rounds, as an active member of the Investments Committee, is able and willing to make available. He therefore submits to the General Assembly, for its approval, the reappointment of Mr. Leslie R. Rounds for a three-year term to begin on 1 January 1955. The Advisory Committee on Administrative and Budgetary Questions has concurred in this recommendation.

DOCUMENT A/2773**Report of the Fifth Committee**

[Original text: English]
[27 October 1954]

1. At its 444th meeting held on 22 October 1954, the Fifth Committee considered a note by the Secretary-General (A/2722) concerning the reappointment of Mr. Leslie R. Rounds of the United States of America to fill the vacancy which will occur in the membership of the Investments Committee at the expiration of the term of office of this member on 31 December 1954.

2. The Fifth Committee was informed that, in the opinion of the Secretary-General, it was important that the United Nations should continue to have the assistance and advice which Mr. Rounds, as an active member of the Investments Committee, is able and willing to make available. The Fifth Committee was further informed that the Advisory Committee on Administrative and Budgetary Questions had expressed its concurrence in the reappointment of Mr. Rounds. The Committee approved, without objection, the reappointment by the Secretary-General of Mr. Rounds.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See Document A/RESOLUTION/212 below.]

DOCUMENT A/RESOLUTION/212

[Resolution 368 (IX)]

Resolution adopted by the General Assembly at its 496th meeting, on 29 October 1954

APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY :

*(d) Investments Committee**The General Assembly*

Confirms the reappointment by the Secretary-General of Mr. Leslie R. Rounds as a member of the Investments Committee for a three-year term to commence on 1 January 1955.

DOCUMENT A/2699**Note by the Secretary-General**

[Original text: English]
[23 August 1954]

1. Article 3 (paragraphs 1 and 2) of the Statute of the Administrative Tribunal [General Assembly resolution 351 A (IV)], provides that :

“1. The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Only three shall sit in any particular case.

“2. The members shall be appointed by the General Assembly for three years, and they may be reappointed; provided, however, that of the members initially appointed, the terms of two members shall expire at the end of one year and the terms of two members shall expire at the end of two years. A member appointed to replace a member whose term of

office has not expired shall hold office for the remainder of his predecessor's term.”

2. The present composition of the Tribunal is as follows :

Mr. Djalal Abdoh (Iran) ;
Madame Paul Bastid (France) ;
The Right Honourable Lord Crook (United Kingdom of Great Britain and Northern Ireland) ;
Mr. Homero Viteri Lafronte (Ecuador) ;
Mr. Jacob Mark Lashly (United States of America) ;
Mr. Omar Loutfi (Egypt) ;
Mr. Bror Arvid Sture Petren (Sweden).

3. At its sixth session, the General Assembly (resolution 580 (VI)) appointed the following to be members of the Tribunal for a three-year term, ending on 31 December 1954 :

Mr. Bror Arvid Sture Petren,

Mr. Homero Viteri Lafronte.

The General Assembly will therefore be called upon, at its ninth session, to appoint two persons to fill the resulting vacancies. The persons so appointed will serve

for a period of three years, commencing on 1 January 1955.

4. At previous sessions of the General Assembly, the Fifth Committee, after a secret ballot, has submitted a draft resolution containing the names of the persons recommended for appointment to the Tribunal. With a view to expediting the business of the General Assembly, it is suggested that a similar procedure should be followed at the ninth session.

DOCUMENT A/C.5/L.280

Note by the Secretariat

[Original text: English and Spanish]
[19 October 1954]

The following persons have been proposed for appointment to the United Nations Administrative Tribunal, in whose membership two vacancies will occur on 1 January 1955, as a result of the expiration of the terms of Mr. Bror Arvid Sture Petren (Sweden) and Mr. Homero Viteri Lafronte (Ecuador) (A/2699) :

Mr. Mauro Méndez (Philippines)

Born in Manila, Philippines, 1896 ; Degrees received : A.B., University of the Philippines (State), B. Litt., Columbia University, LL.B. and LL.M., University of Santo Tomas, Manila, Member of the Bar of the Philippines ; Positions held outside the Government : City Editor, Manila *Tribune*, 1925-1926, Editor, Manila *Tribune*, 1927-1934, Editor-in-Chief, D-M-H-M Newspapers, 1935-1936, Head, Department of Journalism, University of Santo Tomas, 1945-1948, Professorial Staff, Faculty of Law, University of Santo Tomas, 1946-1948 ; Positions held in the Government Service : Member of Faculty, University of the Philippines, 1925-1926, Press Relations Officer, Office of the President of the Philippines, 1936-1938, Director, National Information Office, 1938-1941, Editor, Official Gazette, 1941, Press Secretary to the President of the Philippines, 1945-1946, Executive Secretary, Philippine Mission to the United Nations, 1948-1953, Legal Adviser, Philippine Mission to the United Nations, 1953-1954, Counsellor on legal, social and cultural affairs since 1954 ; International assignments : Delegate to Inter-Asian Relations Conference, New Delhi, India, March-April 1947, Alternate Representative to General Assembly (fourth, fifth, sixth, seventh, eighth and ninth sessions), Alternate Representative, Commission on Human Rights, 1949, Representative, Committee on Freedom of Information, 1950, Alternate Representative, Economic and Social Council, 1951-1952, Representative, Special Committee to revise Rules of Procedure of General Assembly, 1953, Representative, 1953 Committee on International Criminal Jurisdiction, and member of drafting sub-committee thereof, Representative, United Nations Conference on Customs Formalities for the Temporary Importation of Private Vehicles, and for Tourism, and member of legal committee and credentials thereof, Alternate Representative, Conference of Plenipotentiaries on the Status of Stateless Persons.

Mr. V. M. Pérez Perozo (Venezuela)

Born at Trujillo, Venezuela, on 18 December 1898 ; Graduated as an external student from the Faculty of Law at Bogotá, Colombia, in 1921, with a doctorate in jurisprudence and political sciences, which was later

reconfirmed at the Central University of Venezuela and the Central University of Quito, Ecuador ; Special studies in law at the Royal University and the Bocconi University in Milan, Italy ; Rector of the University of the Andes, Mérida, Venezuela ; Professor of Constitutional Law and of Public International Law at the same University ; Legal adviser to the Government of the State of Mérida, Venezuela ; Alternate Venezuelan representative to the United Nations from 1 March 1947, with the rank of Envoy Extraordinary and Minister Plenipotentiary until 1 July 1952 and of Ambassador since that date ; Principal Venezuelan representative on the following Main Committees of the United Nations General Assembly : The Fifth Committee, at the second part of the first session ; the Sixth Committee, at the second, third, fifth, seventh and ninth sessions ; the Third Committee, at the fourth session ; the First Committee, at the eighth session ; Member of the Venezuelan delegation to the fourth, fifth, sixth, seventh, eighth, ninth, fifteenth and seventeenth sessions of the United Nations Economic and Social Council ; Principal Venezuelan representative on the following bodies : the Committee on the Progressive Development of International Law and its Codification, 1947 ; the *Ad Hoc* Committee on Genocide ; the Special Committee on Refugees and Displaced Persons ; the Committee on International Criminal Jurisdiction, 1953 ; Principal Venezuelan representative at the Conference on Declaration of Death of Missing Persons ; Vice-Chairman of the Committee on International Criminal Jurisdiction, 1953 ; Diplomat *de carrière* in the Venezuelan Foreign Service ; has held diplomatic and consular posts in Ecuador, Italy, Peru and Costa Rica.

Mr. Bror Arvid Sture Petren (Sweden)

Born in Stockholm on 3 October 1908 ; Swedish law degree at Lund University 1930 and degree of humanities 1932 ; Served on various Law Courts 1933-1943 ; Associated judge Court of Appeals, Stockholm 1943 ; Director, Legal Department, Ministry of Foreign Affairs since 1949 ; Legal adviser to the Swedish Delegation to the United Nations General Assembly 1948, 1949-1950, 1952-1953, 1953 ; Legal adviser to the Swedish Representative in the Committee of Ministers of the Council of Europe since 1949 ; Alternate Vice-President of the Swedish Labour Court since 1950 ; Member of the Administrative Tribunal of the United Nations since 1952 ; Member of the European Commission on Human Rights since May 1954 ; Member of the Board of the Institute for Studies in History of Law since 1947 ; Assistant Professor Stockholm University of Economics since 1950 ; Various other functions and duties with respect to legal matters.

DOCUMENT A/2774

Report of the Fifth Committee

[Original text: English]
[27 October 1954]

1. At its 444th meeting held on 22 October 1954, the Fifth Committee considered a note by the Secretary-General (A/2699) concerning the vacancies which will occur in the membership of the United Nations Administrative Tribunal on the expiration of the terms of office of two of its members on 31 December 1954.

2. The Chairman had previously invited the members of the Fifth Committee to submit names of persons who might be recommended to the General Assembly for appointment to membership of the Administrative Tribunal in accordance with article 3 of its Statute. At the time when the matter was considered by the Fifth Committee, the names of three candidates had been proposed.

3. For the purpose of deciding who should be recommended for appointment, the Committee proceeded to vote by secret ballot.

4. Three candidates having obtained a majority of the valid votes cast, the Committee agreed that the two candidates who had received the highest number of votes should be recommended for appointment.

5. The result of the ballot was as follows:

<i>Number of ballot papers</i>	56
<i>Invalid ballots</i>	0
<i>Number of valid ballots</i>	56
<i>Abstentions</i>	0
<i>Number of members voting</i>	56
<i>Required majority</i>	29

Number of votes obtained:

Mr. V. M. Pérez Perozo	37
Mr. Bror Arvid Sture Petren	35
Mr. Mauro Méndez	30

One other person received 2 votes.

6. Mr. Pérez Perozo and Mr. Petren, having received the highest number of votes, were declared recommended for appointment.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See Document A/RESOLUTION/213 below.]

DOCUMENT A/RESOLUTION/213

[Resolution 869 (IX)]

Resolution adopted by the General Assembly at its 496th meeting, on 29 October 1954

APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF SUBSIDIARY BODIES OF THE
GENERAL ASSEMBLY:

(e) *United Nations Administrative Tribunal*

The General Assembly

1. *Appoints* the following persons as members of the United Nations Administrative Tribunal:

Mr. Victor Manuel Pérez Perozo;

Mr. Bror Arvid Sture Petren;

2. *Declares* Mr. Pérez Perozo and Mr. Petren to be appointed for a three-year term to commence on 1 January 1955.

DOCUMENT A/2748

Note by the Secretary-General

[Original text: English]
[8 October 1954]

1. At its seventh session, the General Assembly, by resolution 671 (VII), appointed the following persons as members and alternate members of the United Nations Staff Pension Committee, in accordance with article XXI of the regulations for the United Nations Joint Staff Pension Fund:

Members: Mr. Keith G. Brennan (Australia), Mr. R. T.

Cristóbal (Philippines), Mr. Francisco A. Forteza (Uruguay).

Alternates: Mr. Arthur H. Clough (United Kingdom), Mr. Warren B. Irons (United States of America), Mr. Fazlollah Nouredin Kia (Iran).

The terms of office of the above members and alternate members expire on 31 December 1955.

2. The Secretary-General has been notified of the resignation of Mr. Keith G. Brennan from this office, by a note verbale dated 10 September 1954 from the Permanent Representative of the Australian Mission. Thus it will be necessary for the General Assembly at its ninth session to appoint a successor to Mr. Brennan for the unexpired portion of his term of office.

3. In other elections of this nature the procedure has

been followed under which the Fifth Committee, after a secret ballot, submits to the General Assembly a draft resolution including the name or names of the individuals recommended by the Fifth Committee for appointment.

4. With a view to expediting the business of the General Assembly it is suggested that a similar procedure be followed with respect to the vacancy created by the above resignation.

DOCUMENT A/C.5/L.281

Note by the Secretariat

[Original text: English]
[19 October 1954]

The following person has been proposed for appointment to the United Nations Staff Pension Committee in whose membership one vacancy exists as a result of the resignation of Mr. Keith G. Brennan (Australia) (A/2748) :

Mr. Trevett Wakeham Cutts (Australia)

Born 28 May 1914. Bachelor of Laws (University of Melbourne). Barrister and Solicitor, Supreme Court, Victoria; Commonwealth Public Service, Department of Treasury, 1939-1940; War service 1941-1946; Official Secretary, Office of the Australian Commissioner for Malaya, Singapore, 1946-1948; Deputy Australian Representative, United Nations Commission for Indonesia, 1948-1949; Second Secretary, South-East Asia Section, Department of External Affairs, Canberra, 1949-1950; Australian Representative, United Nations Commission for Indonesia, 1950-1951; First Secretary, Pacific Section, Department of External Affairs, 1951; Official Secretary, Australian High Commission, Ottawa, Canada, 1952; First Secretary, Australian Mission to the United Nations, since July 1954. In 1952 attended the International Telecommunication Union Conference in Buenos Aires, the International Red Cross Conference in Toronto, and, as alternate representative, the seventh session of the United Nations General Assembly. In 1954, attended I.C.A.O. General Assembly at Montreal. Alternate representative to the ninth session of the General Assembly.

DOCUMENT A/2775

Report of the Fifth Committee

[Original text: English]
[27 October 1954]

1. At its 444th meeting held on 22 October 1954, the Fifth Committee considered a note by the Secretary-General (A/2748) concerning a vacancy which had occurred in the membership of the United Nations Staff Pension Committee upon the resignation of one of its members whose term of office would have expired on 31 December 1955.

2. The Chairman had previously invited the members of the Fifth Committee to submit the names of persons who might be recommended to the General Assembly for appointment to the vacant office. At the time when the matter was considered by the Fifth Committee, the name of one candidate had been proposed.

3. For the purpose of deciding who should be recommended for appointment, the Committee proceeded to a vote by secret ballot. The result of the ballot was as follows :

<i>Number of ballot papers</i>	54
<i>Invalid ballots</i>	0
<i>Number of valid ballots</i>	54
<i>Abstentions</i>	3
<i>Number of members voting</i>	51
<i>Required majority</i>	26

Number of votes obtained :

<i>Mr. T. W. Cutts</i>	51
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4. Mr. Cutts, having obtained the required majority, was declared recommended for appointment.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See Document A/RESOLUTION/214 below.]

DOCUMENT A/RESOLUTION/214

[Resolution 370 (IX)]

Resolution adopted by the General Assembly at its 496th meeting, on 29 October 1954

APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF SUBSIDIARY BODIES OF THE
GENERAL ASSEMBLY :(f) *United Nations Staff Pension Committee**The General Assembly*Appoints Mr. T. W. Cutts as a member of the United Nations Staff Pension
Committee to serve until 31 December 1955.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 496th plenary meeting, on 29 October 1954, the General Assembly adopted the draft resolutions submitted by the Fifth Committee (A/2770, A/2771, A/2772, A/2773, A/2774, A/2775). For the final texts, see documents A/RESOLUTION/209, A/RESOLUTION/210, A/RESOLUTION/211, A/RESOLUTION/212, A/RESOLUTION/213, A/RESOLUTION/214, respectively.

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A/C.5/L.287	Draft report of the Fifth Committee		Same text as A/2773
A/C.5/L.288	Draft report of the Fifth Committee		Same text as A/2774
A/C.5/L.289	Draft report of the Fifth Committee		Same text as A/2775
A/RESOLUTION/209	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	4	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 865 (IX)</i>
A/RESOLUTION/210	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	6	<i>Ibid.</i> , resolution 866 (IX)
A/RESOLUTION/211	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	7	<i>Ibid.</i> , resolution 867 (IX)
A/RESOLUTION/212	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	8	<i>Ibid.</i> , resolution 868 (IX)
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Agenda item 40: Headquarters of the United Nations

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DOCUMENT A/2778

Report of the Secretary-General

[Original text : English]
[29 October 1954]

1. The following information concerning the construction of the Headquarters of the United Nations and its financing is submitted pursuant to General Assembly resolution 780 (VIII), adopted on 9 December 1953.

I. CONSTRUCTION PROGRESS

2. As previously reported to the Assembly, the major construction work on the Headquarters was completed almost two years ago, and the buildings have been fully occupied and put to regular use by the various organs. During the past year, a number of improvements have been made, such as additional facilities for delegations which have been provided in the General Assembly building ; sound-proofing in certain work areas ; additional seating arrangements in the Council chambers and certain conference rooms ; improvements in the heating and ventilating system ; and the completion of interior painting and decorating.

3. The City of New York has completed the ornamental fence around the site ; it also finished during the present year the work on the United Nations Plaza traffic tunnel. The basic landscaping of the site is virtually finished. The contractors responsible for the work will have completed it by the end of this year, although drought conditions prevailing in New York during the autumn of 1953 and throughout the spring and early summer of 1954 have retarded the planting and full development of the landscaping of the grounds and have delayed final acceptance of the work.

4. Under arrangements made early in the Headquarters planning and construction period, the United Nations assumed an obligation to demolish the pier at 46th Street in the East River and to rehabilitate the entire water bulkhead from 42nd Street to 48th Street. The work was to have been done early in 1954, but the presence off the pier at 46th Street of a derelict sunken ship, the result of a marine accident, has made it impossible to carry out this responsibility. The ship has now been removed. It is expected that work on the bulkhead will be started soon, and will be completed in the first half of 1955.

5. Other projects which remain, in order to complete the building and to perfect its facilities, include re-development of the podium wall decoration scheme in the General Assembly auditorium ; modification of the public area in the first-basement level of the General Assembly building ; development of the warehouse and permanent storage facilities ; elimination of water leakage ; adjustments in elevator equipment ; and modifications in certain technical facilities.

II. EXPANSION OF RESTAURANT AND CAFETERIA FACILITIES

6. By resolution 786 (VIII) of 9 December 1953, the General Assembly authorized the expenditure of \$565,000 for the expansion and improvement of the dining-room and cafeteria facilities. During the early months of 1954 several studies and designs were made. The objectives of the plan were to provide increased seating capacity

in both the dining-room and the cafeteria, improved access to the dining-room and a separation of restaurant facilities for delegations and the public.

7. By May 1954, a suitable plan had been designed which included the provision of an additional escalator from the third to the fourth floor in order to improve access to the restaurant area and to facilitate circulation at peak periods. The east side of the dining-room and cafeteria wall is to be extended approximately 21 feet (6.4 metres) along the entire length of the 250-foot terrace (107 metres). The west side of the dining-room area is to be extended 14 feet (4.3 metres) by 102 feet (31.4 metres). The seating capacity of the dining-room will be increased by approximately 200 seats and that of the cafeteria by about 225 seats. Additional private dining-rooms and better accommodations have been planned. Consideration has also been given to developing appropriately the outside walls of the same area.

8. A contract for the construction has been finalized, and preliminary work has been undertaken. The major part of the construction will be postponed until after the ninth session of the General Assembly, but it is expected that the project will be finished by the middle of 1955.

III. GIFTS

9. A number of gifts from governments, individuals and organizations have been accepted and installed at Headquarters. For the most part, these have consisted of interior furnishings and art objects as announced in earlier reports.

10. The gifts which have been received and installed, or formally accepted, during the year under review include paintings from Pakistan, stone from Israel, rugs from Afghanistan, furniture from Thailand, a statue from Yugoslavia, a tapestry from Belgium, a ceremonial bell from the Japanese Association for the United Nations, and cherry trees from the Lasker Foundation.

11. Mural paintings from a number of countries, a decorative Foucault pendulum from the Netherlands, and carpeting from the Women's Organization of the Presbyterian Church in the United States of America are expected to be received within a few months.

12. A special stage platform which can be used in the General Assembly auditorium for musical and other special events has been made possible through a generous gift from the head of a private corporation.

IV. FINANCIAL REPORT

13. It will be recalled that the General Assembly at its sixth session approved the Secretary-General's request for authorization to incur expenditures not to exceed \$3 million in excess of the original \$65 million Headquarters construction budget adopted in 1947.

14. Of this amount, \$2 million was appropriated in the 1952 and 1953 budgets. Authorization for the remaining \$1 million was cancelled in 1953 at the Secretary-General's request when it became apparent that the construction costs could be kept within \$67 million.

15. The Headquarters construction accounts have been audited by the Board of Auditors through 31 December 1953. At that date, net expenditures amounted to \$66,164,925. As of 31 August 1954, net expenditures were \$66,436,636, compared with total funds of \$67,102,566, of which \$65 million was derived from the loan from the United States Government; \$2 million from appropriations by the General Assembly; and \$102,566 from donated funds. The amount available for further expenditures was thus \$665,930, of which \$25,000 represented a donation for a specific project as noted in paragraph 12. It is anticipated that the projects mentioned earlier in the present report can be completed with the funds available. It is expected that a final accounting and a complete financial report can be made at the end of 1955.

16. A sum of \$5 million has been paid to the Government of the United States of America in accordance with the provisions of the Headquarters loan agreement, leaving a balance of \$60 million still to be paid.

V. DRAFT RESOLUTION PROPOSED FOR ADOPTION BY THE GENERAL ASSEMBLY

17. The Secretary-General submits the following draft resolution for the consideration of the General Assembly:

Headquarters of the United Nations

The General Assembly

1. *Takes note* of the report of the Secretary-General on the Headquarters of the United Nations;

2. *Requests* the Secretary-General to submit to the General Assembly at its tenth session a further report on the construction of the Headquarters.

DOCUMENT A/2825

Report of the Fifth Committee

[Original text: English]
[2 December 1954]

1. At its 467th meeting on 24 November 1954, the Fifth Committee considered a report (A//2778) of the Secretary-General on the Headquarters of the United Nations, which had been submitted to the General Assembly pursuant to resolution 780 (VIII), adopted on 9 December 1953. The item had been referred to the Fifth Committee by the General Assembly at its 478th plenary meeting on 24 September 1954.

2. In response to questions, the Committee was informed that continued efforts were being made to expand and improve facilities at Headquarters for the convenience of delegations. Items which would receive special attention would be additional working space and restricted lounge areas for delegations. With the expansion of the restaurant and cafeteria, accommodations

would be greatly improved. Due attention would also be paid to the decorative aspects of any future structural alterations.

3. The Committee approved, by 37 votes to none, with 5 abstentions, a draft resolution taking note of the report of the Secretary-General on the permanent Headquarters and requesting him to submit a further report for the consideration of the General Assembly at its tenth session.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See document A/RESOLUTION/239 below.]

DOCUMENT A/RESOLUTION/239

[*Resolution 877 (IX)*]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

HEADQUARTERS OF THE UNITED NATIONS

The General Assembly

1. *Takes note* of the report of the Secretary-General on the Headquarters of the United Nations (A/2778) ;
2. *Requests* the Secretary-General to submit to the General Assembly at its tenth session a further report on the construction of the Headquarters.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2825). For the final text, see document A/RESOLUTION/239, above.

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Agenda item 41: Scale of assessments for the apportionment of the expenses of the United Nations

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DOCUMENT A/C.5/L.296

Canada: draft resolution

[Original text: English]
[15 November 1954]

The General Assembly

1. *Reaffirms* the decision of the seventh session of the General Assembly to defer further action on the *per capita* ceiling until new Members are admitted or substantial improvement in the economic capacity of existing Members permits the adjustments to be gradually absorbed in the scale;

2. *Decides* that the correct interpretation of this decision is that the percentage contributions of those

Members subject to the *per capita* principle are to be frozen against any increase over the level approved for the 1953 budget until they reach *per capita* parity with the highest contributor and that downward adjustments will occur when the conditions cited in resolution 665 (VII) have been fulfilled or changes in relative national incomes warrant lower assessments;

3. *Instructs* the Committee on Contributions to apply this interpretation to the 1956 scale of assessments.

DOCUMENT A/C.5/L.296/Rev.1

Canada: revised draft resolution¹

[Original text: English]
[17 November 1954]

The General Assembly

1. *Reaffirms* the decision of the seventh session of the General Assembly to defer further action on the *per capita* ceiling until new Members are admitted or substantial improvement in the economic capacity of existing

Members permits the adjustments to be gradually absorbed in the scale;

2. *Instructs* the Committee on Contributions to apply this decision to future scales of assessments, so that the percentage contributions of those Members subject to the *per capita* principle will be frozen against any increase over the level approved for the 1955 budget until they reach *per capita* parity with the highest contributor and that downward adjustments will occur when the conditions cited in resolution 665 (VII) have been fulfilled or changes in relative national incomes warrant lower assessments.

¹ This revised draft resolution incorporates in the original draft resolution proposed by Canada (A/C.5/L.296) the amendment thereto proposed by the United States (A/C.5/L.298) and accepted by Canada at the 463rd meeting of the Fifth Committee.

DOCUMENT A/C.5/L.297**Union of Soviet Socialist Republics: draft resolution**

[Original text: English]
[16 November 1954]

The General Assembly,

Having examined the recommendations presented by the Committee on Contributions regarding the draft scale of assessments for the financial year 1955;²

Decides that in accordance with rule 161 of the rules of procedure of the General Assembly the scale approved for 1954 should be maintained for the next three years.

DOCUMENT A/C.5/L.298**United States of America: amendment to draft resolution A/C.5/L.296**

[Original text: English]
[16 November 1954]

Replace paragraphs 2 and 3 of the draft resolution proposed by Canada (A/C.5/L.296) by the following paragraph 2:

"2. *Instructs* the Committee on Contributions to apply this decision to future scales of assessments, so that the percentage contributions of those Members subject to the *per capita* principle will be frozen against any increase over the level approved for the 1955 budget until they reach *per capita* parity with the highest contributor and that downward adjustments will occur when the conditions cited in resolution 665 (VII) have been fulfilled or changes in relative national incomes warrant lower assessments."

DOCUMENT A/C.5/L.300**Syria: amendment to the revised draft resolution A/C.5/L.296/Rev.1**

[Original text: English]
[17 November 1954]

1. To include as paragraph 2 of the revised draft resolution of Canada (A/C.5/L.296/Rev.1), the following text:

"*Reaffirms* its resolution 582 (VI) of 21 December 1951, by which the Committee on Contributions was requested to give additional recognition to countries with low *per capita* income, and instructs the Committee to continue to do so in the future."

2. Paragraph 2 of the revised draft resolution of Canada will become paragraph 3.

DOCUMENT A/2822**Report of the Fifth Committee**

[Original text: English]
[2 December 1954]

1. In accordance with the allocation of agenda items as approved by the General Assembly at its 478th plenary meeting on 25 September 1954, the Fifth Committee considered, at its 461st to 464th meetings inclusive, the report of the Committee on Contributions on the scale of assessments for the apportionment of the expenses of the United Nations.

² See *Official Records of the General Assembly, Ninth Session, Supplement No. 10*, document A/2716.

2. Tributes were paid by many delegations to the way in which the Committee had carried out its complex task of establishing an equitable scale acceptable to most Member States and to the impartiality and competence with which it had succeeded in reconciling the various directives given to it by the General Assembly. Some delegations, however, were not in agreement with the Committee's interpretation of the directive relating to the deferment of the application of the *per capita* ceiling principle, while others held that the Committee had not

made sufficient allowance for certain factors specifically mentioned in its terms of reference and that, consequently, the proposed increases in their assessments were unjustified.

3. The representative of Canada, who was supported by the representatives of other delegations, could not accept the Committee on Contributions' interpretation that the General Assembly's instruction to defer further action on the *per capita* ceiling until certain specific conditions had been fulfilled related to the *per capita* contribution and not to the rate of assessment. He recalled that the Canadian delegation at the seventh session of the General Assembly had agreed to further action on the *per capita* ceiling being deferred until new Members were admitted or until improvement in the economic capacity of other Members would permit the adjustments to be gradually absorbed in the scale. The Committee's present interpretation would defeat the purpose of the *per capita* ceiling principle that no Member State should pay a *per capita* contribution higher than that of the largest contributor, since it would in fact widen the disparity between the *per capita* contribution of Canada and that of the United States of America.

4. The representative of Canada could not agree with the opinion expressed by the Committee on Contributions that the *per capita* ceiling principle should be reconsidered for the reasons stated in paragraph 16 of that Committee's report; for, based on current population projections, unless there were drastic changes in national income, the only countries likely to be affected by the *per capita* principle during the next twenty-five years were the same as at present. Aware of the problem that would arise if recalculation of the scale were requested, the delegation of Canada was however prepared to vote for the proposed 1955 scale on the understanding that the General Assembly decision to defer further action on the *per capita* ceiling under the conditions specified in General Assembly resolution 665 (VII) of 5 December 1952 should be reaffirmed, that that decision should be interpreted to mean that the percentage contributions of the Members subject to the *per capita* ceiling should be frozen against any increase above the 1953 level and that the Committee on Contributions should be instructed to apply this interpretation to the 1956 scale (A/C.5/L.296).

5. The representative of the United States of America, recalling that his delegation had supported the *per capita* ceiling principle from the beginning, pointed out that there were sound reasons for its retention, especially as it would not be strictly applied until new Members were admitted or until there was an improvement in economic conditions. He supported the views expressed by the Canadian delegation, but proposed that the contributions in question should be frozen at the 1955 rather than at the 1953 level (A/C.5/L.298). This amendment was accepted by the Canadian delegation.

6. Other delegations expressed the view that the Committee's interpretation was a fair and objective one. They were of the opinion that the effect of the Canadian proposal, if adopted, would be that, irrespective of any increase in national income, the assessments of certain States would remain frozen far into the future, and this would represent a shifting of the financial burden from countries with higher *per capita* income to countries with middle or low *per capita* income. They considered that such an effect would be undesirable, and suggested, in consequence, that it would be preferable to include the substance of the Canadian proposal in the report of the Fifth Committee to the General Assembly. The Committee on Contributions could then be asked to take it into account in formulating its recommendations for the 1956 scale, together with such other views as had been expressed on the interpretation of the directive.

7. Several delegations expressed the view that the guiding principle for the establishment of an equitable scale should be capacity to pay, and doubted the desirability of maintaining the *per capita* ceiling principle. It was felt, however, that if this principle should be reconsidered, it should be done in conjunction with a review of all the other criteria for assessment laid down by the General Assembly.

8. During the discussion, the importance of continued recognition being given to countries with low *per capita* income was stressed. As these countries needed all their available resources to finance their economic and social development programmes, a number of delegations considered it essential that the allowance made for low *per capita* income should be adequate to prevent a shifting of the financial burden to these countries. For this reason, the representative of Syria proposed that the General Assembly resolution of 1951, by which the Committee on Contributions was requested to give additional recognition to countries with low *per capita* income, should be reaffirmed (A/C.5/L.300).

9. It was also noted with satisfaction that, following the discussion by the Fifth Committee during the eighth session, the specialized agencies had been informed of the formula used for making allowance in the United Nations scale for low *per capita* income, and the hope was expressed that this formula would be adopted by the specialized agencies and would result in greater uniformity in the scales of assessment used by the agencies.

10. Concern was expressed by certain delegations at the possible effect that the application of the various directives would have on the size of the contributions of the middle income countries. The ceiling on the largest contributor, the *per capita* ceiling and the allowance for low *per capita* income, were all factors tending to shift the financial burden more and more to the middle income group of countries. In order to avoid that result, the Committee on Contributions should, in their opinion, be allowed some discretion in recommending the manner in which these directives should be applied.

11. Other delegations maintained that the Committee had not made sufficient allowance for two of the factors mentioned in its terms of reference, namely (a) the ability of Members to secure foreign currency; and (b) the temporary dislocation of national economies arising out of the Second World War. In particular, the representative of the Union of Soviet Socialist Republics maintained that there was no justification for the proposed increase in the assessments of his country and that of the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic, which had almost doubled during the past five years, while the assessments of other countries, such as the United States and the United Kingdom, had been decreased. He considered that a further increase in these particular assessments was the more unwarranted as the Soviet Union and the peoples' democracies had continued to experience great difficulty in obtaining the dollar currency in which the contributions had to be paid, by reason of the policy of trade discrimination against them by the United States. These countries had also suffered more severely than others from war devastation and, although progress had been made in rebuilding, vast sums were still required for reconstruction purposes. He drew attention to the reasons which, in the view of his delegation, did not justify either a decrease in the 1955 level of assessment of the United Kingdom, nor the freezing of the assessment of the United States at the 1954 level of 33.33 per cent. He also pointed out that financial commitments of the Soviet republics had increased through their participation in a number of specialized agencies and in the

Expanded Programme of Technical Assistance, with a consequent increase in their foreign currency expenditure, a factor which had also not been taken into account. The representative of the USSR proposed that the scale approved for 1954 should, in accordance with rule 161 of the rules of procedure of the General Assembly, be maintained for the next three years (A/C.5/L.297). The representatives of the Byelorussian SSR, the Ukrainian SSR, Poland and Czechoslovakia expressed the views of their delegations in support of this proposal.

12. Several delegations were of the opinion that it was only proper that the assessments of the USSR and the people's democracies should reflect the considerable economic progress that had taken place in those countries since the war, which indicated not only that the dislocation suffered had been made good but that an economic standard higher than that before the war had been reached. Agreement was also expressed with the conclusion reached by the Committee on Contributions that current national income estimates made sufficient allowance for any dislocation of national economies arising out of the Second World War that might still persist. As to currency difficulties, they noted that the report of the Committee on Contributions stated that an allowance had been made for this factor in individual cases. It was also open to these countries, as to other Member States, to pay part of their contributions in currencies other than United States dollars. Furthermore, it was pointed out that the USSR was one of the largest gold producers in the world and could convert gold into dollars for the payment of its contribution.

13. It was recalled that, in the early days of the United Nations, certain States had assumed an unduly large share of the costs. It was therefore only fair that countries whose economic conditions had improved should be assessed at rates more in keeping with their capacity to pay, while reductions should be made in the assessments of those States which for so long had carried more than their fair share of the expenses. It was also pointed out that the United States contribution had been deliberately reduced to its present level by a directive of the General Assembly in observance of the principle that the Organization should not be dependent upon any one State for a predominant share of its financial support.

14. The recommendation of the Committee on Contributions that the proposed scale should remain in effect for only one year was generally supported, especially since the existing inequities had not been completely removed. In view of the gradual decline during the last few years in the percentage of total changes, several delegations expressed the hope that in 1955 it would be possible to remove the remaining divergencies and to establish a more permanent scale.

15. In connexion with the problem of establishing a more permanent scale of assessments, it was noted with satisfaction that there had been an improvement in the statistical material available. However, there were still countries for which no official estimates of national income were available, and in other cases the Committee on Contributions had had to take into account the varying reliability of the data. Since it was important to have as a basis information as complete and reliable as possible, Member States were again urged to make every effort to provide the necessary material. With reference to the Committee's decision to base its computations of relative capacity to pay on an average of national income estimates for three years, which had been widely welcomed last year, it was pointed out that this method of assessment would tend to be disadvantageous to countries with stable or declining economies, and emphasis should therefore be given to the method of taking into account recent economic trends in each country.

16. Other delegations, while endorsing the desirability of a more permanent scale, thought that it might still be too early to arrive at a scale for three years as envisaged by the rules of procedure; the possibility of drawing up a scale for two years was suggested.

17. A number of delegations expressed the view that the recommendations of the Committee on Contributions did not sufficiently reflect the special factors affecting the economies of their countries. It was suggested that that Committee, in connexion with its review of the scale, should consult with all Member States the assessments of which were likely to be revised. Although it was accepted that it might be helpful to contact delegations with a view to obtaining additional information, it was generally held that in no case should the Committee on Contributions be expected to enter into negotiations with governments concerning their assessments, since nothing should be done which would detract from the authority and prestige of the Committee as an independent group of experts.

18. The representative of Afghanistan maintained that insufficient allowance had been made for the low *per capita* income of his country. No decrease had been made despite Afghanistan's difficult economic position and despite the fact that a considerable portion of its foreign currency was absorbed by large-scale development works. A reduction of the assessment to 0.07 per cent had been requested last year; as it had not been granted, he expressed the hope that the factors he had mentioned would be fully reflected in the scale for 1956.

19. The representative of Brazil expressed the view that the proposed reduction in the percentage contribution of his country did not sufficiently reflect the serious economic difficulties with which it was faced, in particular the decline in its foreign exchange position. The scale was recommended for one year only, and since it was recognized that inequities still existed, and the present rate did not therefore represent a final appraisal of the economic position of Brazil, his delegation would be prepared to accept the scale proposed for 1955.

20. The representative of Chile accepted the assessment for his country, but feared that the Committee on Contributions would have to alter it later in view of the reduced rate of increase in *per capita* incomes in Latin America, the currency devaluation in Chile and other countries, the vast increase in the prices of necessary imports, and the existing difficulties in obtaining foreign currencies—factors which could not but affect the calculations of the Committee.

21. The representative of China held that, in relation to its national income and capacity to pay, the assessment of 5.62 per cent was excessive for his country, and his delegation had asked for a reduction to the more equitable rate of 4 per cent. The proposed assessment had been established without any reliable statistics on population and income which he regretted it had not been possible for his country to submit. In order not to cause a recalculation of the scale, he would not insist on a downward revision at the present time, but would accept the proposed assessment for 1955 in the hope that the Committee, next year, would be able to recommend a reduction in the assessment for China.

22. The representative of France stated that, although the national income of his country was increasing, he was not convinced that the substantial increase in its assessment was justified. The heavy losses suffered during the Second World War were still felt. Furthermore, the increase in the birth rate in France had resulted in a shifting of age groups and a decline in the active population. With these reservations, his delegation would accept the proposed scale.

23. The representative of Pakistan expressed his appreciation of the reduction made in the assessment for his country in recognition of its present economic difficulties. These difficulties, arising out of the low prices which Pakistan was receiving for its main export products—jute and cotton—at the same time as it was trying to industrialize its economy, were of a continuing nature, and he hoped that they would be taken into account by the Committee in the future.

24. The representative of Venezuela pointed out that the assessment of his country had been increased by 50 per cent since 1951, although there had not been a corresponding increase in its national income during that period. Subject to the reservation that a further increase in the contribution was not justified, his delegation would be prepared to accept the scale proposed for 1955.

25. As requested, the Committee on Contributions had studied the possibility of adopting the unit system of assessment instead of the present percentage system. The conclusion reached by the Committee that the percentage system should be continued for the United Nations scale was generally supported.

26. In view of the currency difficulties experienced by many Member States, the Committee's recommendation that the present arrangement for payment of part of the annual contributions in currencies other than United States dollars should be continued, and if possible extended, was strongly supported.

27. In connexion with the percentage rates for non-member States participating in certain United Nations activities, it was explained that they had been established according to the same principle as the assessments for Member States. These rates were subject to consultations with the respective Governments and had been communicated to the States concerned for their observations. The representative of Norway expressed concern as to the method followed in approving the rates of assessments for non-member States without their participation.

28. At the conclusion of the discussion, at the 464th meeting, the Fifth Committee had before it the following proposals :

(a) A draft resolution embodying the recommendations of the Committee on Contributions (A/C.5/L.295) ;

(b) A draft resolution submitted by the USSR (A/C.5/L.297) ;

(c) A revised draft resolution submitted by Canada (A/C.5/L.296/Rev.1), incorporating the original draft resolution of Canada (A/C.5/296) and the amendment thereto by the United States of America (A/C.5/L.298), which Canada had accepted ;

(d) An amendment by Syria (A/C.5/L.300) to the revised draft resolution of Canada.

29. The draft resolution submitted by the USSR (that the scale of assessments approved for 1954 should, in accordance with rule 161 of the rules of procedure of the General Assembly, be maintained for the next three years) was rejected by 43 votes to 5, with 3 abstentions.

30. The representative of Canada accepted the Syrian amendment, incorporating it as paragraph 2 of his draft resolution. A vote on this draft resolution was taken paragraph by paragraph with the following results :

Paragraph 1 (reaffirming the decision of the General Assembly at its seventh session to defer further action on the *per capita* ceiling until new Members were admitted or substantial improvement in the economic capacity of existing Members would permit the adjustment to be gradually absorbed in the scale) was adopted by 45 votes to none, with 7 abstentions.

Paragraph 2 (reaffirming resolution 582 (VI) of 21 December 1951, by which the Committee on Contributions was requested to give additional recognition to countries with low *per capita* income, and instructing the Committee to continue to do so in the future) was adopted by 40 votes to none, with 11 abstentions.

Before voting on paragraph 3, an oral amendment by the representative of Argentina to insert the word "real" between "reach" and "*per capita* parity with the highest contributor" was rejected by 19 votes to 9, with 22 abstentions.

Paragraph 3 (instructing the Committee on Contributions to apply the decision referred to in paragraph 1 to future scales of assessments so that the percentage contributions of those Members subject to the *per capita* principle would be frozen against any increase over the level approved for the 1955 budget until they reached *per capita* parity with the highest contributor and that downward adjustments would occur when the conditions cited in resolution 665 (VII) had been fulfilled or changes in relative national incomes warranted lower assessments) was adopted by 27 votes to 9, with 15 abstentions.

The draft resolution as a whole was adopted by 29 votes to 5, with 18 abstentions.

31. *The draft resolution embodying the recommendations of the Committee on Contributions* was then voted on, paragraph by paragraph, with the following results :

Paragraph 1 (scale of assessments for 1955) was adopted by 40 votes to 5.

Paragraph 2 (providing for review of the scale in 1955) was adopted by 45 votes to 5.

Paragraph 3 (authorizing the Secretary-General to collect part of the 1955 contributions in currencies other than United States dollars) was adopted unanimously.

Paragraph 4 (establishing rates at which non-member States shall be called upon to contribute towards the expenses of the United Nations organs or activities in which they participate) was adopted unanimously.

Paragraph 5 (relating to the contributions payable by non-member States towards the expenses of the International Court of Justice for 1955) was adopted unanimously.

Paragraph 6 (relating to the contributions payable by non-member States towards the expenses of the International Court of Justice for 1954) was adopted unanimously.

Paragraph 7 (relating to the contributions payable by non-member States towards the expenses resulting from international control of narcotic drugs) was adopted by 47 votes to none, with 5 abstentions.

Paragraph 8 (relating to the contributions payable by non-member States towards the expenses of the Economic Commission for Asia and the Far East and the Economic Commission for Europe for 1954 and 1955) was adopted by 46 votes to none, with 5 abstentions.

Paragraph 9 (relating to the assessment of non-member States that may become members of economic commissions) was adopted by 47 votes to none, with 5 abstentions.

Paragraph 10 (relating to the assessment of non-member States that may become parties to the Convention on the Declaration of Death of Missing Persons during 1954) was adopted by 47 votes to 5.

The draft resolution as a whole was adopted by 47 votes to 5.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See document A/RESOLUTION/238 below.]

DOCUMENT A/RESOLUTION/238

[Resolution 876 (IX)]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS

A

The General Assembly

1. *Reaffirms* the decision of the General Assembly at its seventh session to defer further action on the *per capita* ceiling until new Members are admitted or substantial improvement in the economic capacity of existing Members permits the adjustments to be gradually absorbed in the scale of assessments;

2. *Reaffirms* resolution 582 (VI) of 21 December 1951, by which the Committee on Contributions was requested to give additional recognition to countries with low *per capita* income, and instructs the Committee to continue to do so in the future;

3. *Instructs* the Committee on Contributions to apply the decision referred to in paragraph 1 above to future scales of assessments, so that the percentage contributions of those Members subject to the *per capita* principle will be frozen against any increase over the level approved for the 1955 budget until they reach *per capita* parity with the highest contributor and that downward adjustments will occur when the conditions cited in resolution 665 (VII) of 5 December 1952 have been fulfilled or changes in relative national incomes warrant lower assessments.

B

*The General Assembly**Resolves*

1. That the scale of assessments for the 1955 budget shall be as follows:

<i>Member State</i>	<i>Per cent</i>
Afghanistan	0.08
Argentina	1.32
Australia	1.80
Belgium	1.38
Bolivia	0.05
Brazil	1.32
Burma	0.13
Byelorussian Soviet Socialist Republic	0.53
Canada	3.63
Chile	0.30
China	5.62
Colombia	0.41
Costa Rica	0.04
Cuba	0.30
Czechoslovakia	0.94
Denmark	0.74
Dominican Republic	0.05
Ecuador	0.04
Egypt	0.40
El Salvador	0.06
Ethiopia	0.12
France	5.90
Greece	0.21
Guatemala	0.07
Haiti	0.04
Honduras	0.04
Iceland	0.04

<i>Member State</i>	<i>Per cent</i>
India	3.30
Indonesia	0.56
Iran	0.25
Iraq	0.11
Israel	0.17
Lebanon	0.05
Liberia	0.04
Luxembourg	0.06
Mexico	0.80
Netherlands	1.25
New Zealand	0.48
Nicaragua	0.04
Norway	0.50
Pakistan	0.67
Panama	0.05
Paraguay	0.04
Peru	0.18
Philippines	0.45
Poland	1.73
Saudi Arabia	0.07
Sweden	1.59
Syria	0.08
Thailand	0.18
Turkey	0.65
Ukrainian Soviet Socialist Republic	2.00
Union of South Africa	0.78
Union of Soviet Socialist Republics	15.08
United Kingdom of Great Britain and Northern Ireland	8.85
United States of America	33.33
Uruguay	0.18
Venezuela	0.44
Yemen	0.04
Yugoslavia	0.44

TOTAL 100.00

2. That, notwithstanding the provision of rule 161 of the rules of procedure of the General Assembly, the scale of assessments for the apportionment of the expenses of the United Nations shall be reviewed by the Committee on Contributions in 1955 and a report submitted for the consideration of the General Assembly at its next regular session;

3. That, notwithstanding the terms of financial regulation 5.5, the Secretary-General shall be empowered to accept, at his discretion and after consultation with the Chairman of the Committee on Contributions, a portion of the contribution of Member States for the financial year 1955 in currencies other than United States dollars;

4. That States which are not Members of the United Nations but which participate in certain of its organs or activities shall be called upon to contribute towards the expenses of such organs or activities on the basis of the following rates:

<i>Country</i>	<i>Per cent</i>
Albania	0.04
Austria	0.36
Bulgaria	0.17
Cambodia	0.04
Ceylon	0.13
Finland	0.42
Germany, Federal Republic of	4.35
Hashemite Kingdom of the Jordan	0.04

<i>Country</i>	<i>Per cent</i>
Hungary	0.50
Ireland	0.25
Italy	2.22
Japan	2.00
Korea, Republic of	0.12
Laos	0.04
Liechtenstein	0.04
Monaco	0.04
Nepal	0.04
Portugal	0.27
Romania	0.58
San Marino	0.04
Switzerland	1.26
Viet-Nam	0.17

Ceylon
Finland
Germany, Federal Republic of
Hashemite Kingdom of the Jordan
Hungary
Ireland
Italy
Japan
Laos
Liechtenstein
Monaco
Portugal
Romania
San Marino
Switzerland
Viet-Nam

5. That Japan, the Principality of Liechtenstein, San Marino and Switzerland, which are parties to the Statute of the International Court of Justice, shall be called upon to contribute towards the expenses of the Court for 1955 on the basis of the percentage rates given in paragraph 4 above ;

6. That San Marino, which became a party to the Statute of the International Court of Justice on 18 February 1954, shall be called upon to contribute 0.04 per cent applied to the expenses of the Court for 1954 ; and that Japan, which became a party on 2 April 1954, shall be called upon to contribute three-quarters of the assessment of 2 per cent applied to the expenses of the Court for 1954 ;

7. That the following non-member States, which are signatories of international instruments relating to the control of narcotic drugs, shall be called upon to contribute towards the annual expenses resulting from obligations placed on the United Nations by such instruments, commencing with the year 1954, on the basis of the percentage rates given in paragraph 4 above :

Albania	Bulgaria
Austria	Cambodia

8. That the following non-member States which under Economic and Social Council resolution 517 (XVII) have become members of the Economic Commission for Asia and the Far East or the Economic Commission for Europe :

Japan, with respect to ECAFE, on 24 June 1954 ;
Cambodia, with respect to ECAFE, on 20 August 1954 ;
Viet-Nam, with respect to ECAFE, on 23 August 1954 ;
Italy, with respect to ECE, on 19 July 1954,

shall be called upon to contribute towards the 1955 expenses of the respective economic commission on the basis of the percentage rates given in paragraph 4, and that for the year 1954 they shall be called upon to contribute 50 per cent of that rate applied to the expenses for 1954 ;

9. That, if any of the other countries mentioned in Economic and Social Council resolution 517 (XVII) as eligible for membership in the regional economic commissions should become members in the course of the year, they should be called upon to contribute an amount calculated, as from the quarter in which membership becomes effective, on the basis of the rate given in paragraph 4 ;

10. That, if any non-member States should become parties to the Convention on the Declaration of Death of Missing Persons during 1954, they should be assessed retroactively in respect of the 1954 expenses of the International Bureau for Declarations of Death under General Assembly resolution 493 (V) of 16 November 1950.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2822). For the final text, see document A/RESOLUTION/238, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/1859 and Corr.1	Report of the Committee on Contributions		<i>Official Records of General Assembly, Sixth Session, Supplement No. 10</i>
A/2161	Report of the Committee on Contributions		<i>Ibid., Seventh Session, Supplement No. 10</i>
A/2461	Report of the Committee on Contributions		<i>Ibid., Eighth Session, Supplement No. 10</i>
A/2663	Annual report of the Secretary-General on the work of the Organization 1 July 1953 - 30 June 1954		<i>Ibid., Ninth Session, Supplement No. 1</i>
A/2716	Report of the Committee on Contributions		<i>Ibid., Supplement No. 10</i>
A/2822	Report of the Fifth Committee	2	

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/C.5/584 and Corr.2	Use of income derived from the Staff Assessment Plan : report of the Secretary-General		<i>Official Records of the General Assembly, Ninth Session, Annexes, agenda item 38</i>
A/C.5/588 and Corr.1	Statement of advances to the Working Capital Fund, and contributions to the budgets for the financial years 1952, 1953 and 1954 as at 15 October 1954 : report of the Secretary-General		Mimeographed document only
A/C.5/588/Add 1	Statement of advances to the Working Capital Fund, and contributions to the budgets for the financial years 1952, 1953 and 1954 as at 15 October 1954 : addendum to the report of the Secretary-General		Ditto
A/C.5/L.295	Draft resolution on the report of the Committee on Contributions (A/2716) : note by the Secretariat		Ditto
A/C.5/L.296	Canada : draft resolution	1	
A/C.5/L.296/Rev.1	Canada : revised draft resolution	1	
A/C.5/L.297	Union of Soviet Socialist Republics : draft resolution ...	2	
A/C.5/L.298	United States of America : amendment to draft resolution A/C.5/L.296	2	
A/C.5/L.300	Syria : amendment to the revised draft resolution A/C.5/L.296/Rev.1	2	
A/C.5/L.309			Same text as A/2822
A/RESOLUTION/238	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	6	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 876 (IX)</i>



Agenda item 42: Report of the Negotiating Committee for Extra-Budgetary Funds

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A/2764	Report of the Fifth Committee	9
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DOCUMENT A/2730

Report of the Negotiating Committee for Extra-Budgetary Funds

*[Original text: English]
[20 September 1954]*

1. At its eighth session, the General Assembly, by resolution 759 (VIII) of 5 October 1953, decided to establish a Negotiating Committee for Extra-Budgetary Funds with the same functions as in previous years, to assist in obtaining funds for the Expanded Programme of Technical Assistance, for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), for the United Nations Korean Reconstruction Agency (UNKRA) and for the United Nations Children's Fund (UNICEF). The Committee's terms of reference were the same as those laid down in resolution 693 (VII) of 25 October 1952. Pursuant to the General Assembly's decision, the President of the Assembly appointed a committee of nine members for this purpose, composed of the representatives of Australia, Canada, Chile, Colombia, France, Lebanon, Pakistan, the United Kingdom and the United States. The Committee began its work on 7 October 1953 and re-elected Mr. Karim Azkoul of Lebanon as its Chairman. On Mr. Azkoul's departure from the United Nations, the Committee, on 7 January 1954, elected Mr. V. A. Hamdani of Pakistan to succeed him.

2. The Committee's first task was to prepare for the Fourth Technical Assistance Conference and, for this purpose, it held meetings with the representatives of Member and non-member States with a view to ensuring that as many representatives as possible were in a position to announce at the Conference firm pledges to the Expanded Programme. At that Conference, which took place on 12 and 13 November 1953, pledges

amounting to \$23,617,378 were made by sixty-two countries against a target of \$25 million. Pledges subsequently received have increased this figure to \$25,342,044.

3. The Committee then turned its attention to the pressing needs of UNKRA, UNRWA and UNICEF. With a view to raising pledges and contributions to all these three programmes, the Committee held a general meeting during the eighth session of the General Assembly, to which all delegations were invited. The Secretary-General addressed the meeting on the needs of the relief agencies, and the Agent-General of UNKRA, the representative of the Director of UNRWA and the representative of the Executive Director of UNICEF reviewed the financial position and requirements of their particular agencies.

4. The Committee has continued its efforts on behalf of these agencies in various forms throughout the year. Meetings with delegations have been held; the Chairman has from time to time addressed detailed letters to delegations for the information of their Governments, and the Chairman and members of the Committee have informally sought the advice and assistance of delegations in the attempt to meet the target figures set for the various programmes. Certain Governments have also undertaken to make diplomatic approaches to other Governments through their embassies in various countries, with a view to stimulating interest in, and support for, these programmes.

5. In addition to the efforts of the Negotiating Committee, the Directors of the various agencies concerned are also continually active in negotiating with delegations and with Governments concerning contributions, and a programme of visits by a representative of UNICEF and of the Expanded Programme of Technical Assistance to certain Latin-American countries has recently been arranged. These activities are complementary to the work of the Negotiating Committee and play a valuable part in the raising of extra-budgetary contributions.

6. Separate annexes giving summaries of the financial position of each of the four programmes on behalf of which the Committee negotiates are attached to the present report for convenient reference by the committees of the Assembly which may be considering the substance of those programmes. The Committee requests the Secretary-General to call the attention of the Assembly committees to the annexes at the appropriate time. A comparative table of pledges and contributions to all the programmes is also attached.

CONCLUSIONS

7. As will be seen, with the exception of the Expanded Programme of Technical Assistance, the total contributions received from governments towards the programmes amount to appreciably less than the approved target figures. The shortfall has been particularly marked in the cases of UNKRA and UNRWA. Despite the special efforts made on behalf of these two programmes by the Committee as a whole and by its individual members, Governments have not been willing to contribute to them with the same readiness as to the Expanded Programme and to UNICEF.

8. In an attempt to meet this situation, the Committee proposes that a general meeting with all Member States to discuss the financial demands of all programmes should be held at a relatively early stage during the ninth session of the Assembly, and its hopes that delegations will take part in this meeting and make constructive suggestions as to how the financial needs of the programmes, especially of UNKRA and UNRWA, are to be met.

9. The Committee feels that its activities on behalf of UNICEF and in preparation for the Technical Assistance Conference during the eighth session of the

General Assembly have produced useful results, and it hopes that such results will continue to be achieved in the future.

10. The Committee has carefully reviewed its own working methods and has introduced certain modifications and improvements. In addition, and especially in view of the serious shortfall in contributions to the approved programmes of UNKRA and UNRWA, it wishes to suggest a more realistic approach by the Assembly and other United Nations bodies in considering the financial targets of the programmes on behalf of which the Committee operates. There has undoubtedly been a tendency in the past to set target figures which were unrealistic in terms of potential contributions. Only at its last session the General Assembly raised the target figure for UNKRA to \$266 million, when experience had already shown that no total approaching that sum was likely to be available through extra-budgetary contributions from Governments. If the United Nations should fail to produce the requisite financial support for programmes which it has itself approved, this can only be a severe reflection on the Organization and may well cause throughout the world a loss of confidence in the ability of the United Nations to live up to its own resolutions. The Committee accordingly would suggest that proposals for target figures for extra-budgetary programmes should in all cases be referred, before final approval, to an appropriate body for a realistic appraisal of the amounts of money that are in fact likely to be available for the programme. It might in some cases be appropriate to seek the advice of the Negotiating Committee before the target figure for a particular programme is finalized. While such a procedure may mean that a smaller target figure is fixed for a programme in its early stages, it would undoubtedly avoid the later embarrassment and administrative complications that arise when a programme, designed according to a large target figure, is forced in fact to operate on a far smaller sum of money.

11. The Committee has one further minor suggestion to offer, namely that, if the General Assembly sees fit to reappoint it or a similar committee, the Committee's term of office should definitely run throughout the whole period of the session of the General Assembly so that it can work continuously with delegations during that crucial time. A suggestion to this effect has already been made in the Secretary-General's annual report on the work of the Organization.¹

¹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 1, document A/2663.*

Annex I

TABLE OF PLEDGES AND PAYMENTS OF CONTRIBUTIONS TO THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE, UNICEF, UNRWA AND UNKRA (UP TO 15 SEPTEMBER 1954)

MEMBER STATES	1954		UNICEF		1953-1954		UNRWA		1954-1955		15 September 1954	
	Expanded Programme		UNICEF		UNRWA		UNRWA		UNRWA		UNKRA	
	Pledge	Payment	Pledge	Payment	Pledge	Payment	Pledge	Payment	Pledge	Payment	Pledge	Payment
	Dollars (US)											
Afghanistan	10,000	10,000	8,000	-	-	-	-	-	-	-	-	-
Argentina	300,000	-	-	-	-	-	-	-	-	-	500,000	500,000
Australia	400,000	400,000	-	-	112,500	112,500	-	-	-	-	4,001,726	2,456,126
Belgium	337,500	270,000	-	-	-	-	-	-	-	-	300,000	300,000
Bolivia	7,895	-	15,000	-	-	-	-	-	-	-	-	-
Brazil	540,541	108,054	113,908	53,908	-	-	-	-	-	-	-	-
Burma	12,000	12,000	56,000	-	2,000	2,000	-	-	-	-	49,934	49,934
Byelorussian SSR	50,000	50,000	-	-	-	-	-	-	-	-	-	-
Canada	1,500,000	1,500,000	515,464	515,464	515,000	515,000	-	-	-	-	6,904,762	6,904,762
Chile	58,909	-	37,002	37,002	-	-	-	-	-	-	250,000 ^a	-
China	15,000	15,000	-	-	-	-	-	-	-	-	-	-
Colombia	140,000	140,000	100,000	-	-	-	-	-	-	-	-	-
Costa Rica	6,000	5,000	-	-	-	-	-	-	-	-	-	-
Cuba	-	-	-	-	-	-	-	-	-	-	-	-
Czechoslovakia	69,444	69,444	-	-	-	-	-	-	-	-	-	-
Denmark	434,342	283,944	50,680	50,680	43,478	43,478	-	-	-	-	860,000	289,555
Dominican Republic	10,000	-	-	-	-	-	-	-	-	-	10,000	-
Ecuador	6,400	205	17,000	4,000	-	-	-	-	-	-	-	-
Egypt	86,157	86,157	12,197	-	219,858	219,858	-	-	-	-	28,716	-
El Salvador	6,000	6,000	-	-	-	-	-	-	-	-	500	500
Ethiopia	20,000	-	-	-	-	-	-	-	-	-	40,000	40,000
France	1,207,500	1,207,500	500,000	500,000	1,364,361	1,364,361	571,429	121,429	-	-	142,857	142,857
Greece	5,000	5,000	-	-	2,730	2,730	-	-	-	-	12,063	12,063
Guatemala	7,500	-	-	-	-	-	-	-	-	-	-	-
Haiti	12,000	12,000	10,000	10,000	2,000	2,000	-	-	-	-	-	-
Honduras	8,000	-	-	-	-	-	-	-	-	-	2,500	2,500
Iceland	2,806	2,806	-	-	-	-	-	-	-	-	-	-
India	300,000	300,000	315,000	315,000	-	-	-	-	-	-	-	-
Indonesia	65,790	59,211	100,000	-	60,000	60,000	-	-	-	-	143,706	100,000
Iran	50,000	-	-	-	-	-	-	-	-	-	-	-
Iraq	14,002	-	42,000	-	-	-	-	-	-	-	-	-
Israel	50,000	40,000	13,889	13,889	-	-	-	-	-	-	33,600	33,600
Lebanon	6,846	-	-	-	13,689	13,689	-	-	-	-	50,000	50,000
Liberia	15,000	-	-	-	-	-	-	-	-	-	15,000	15,000
Luxembourg	2,500	2,500	3,000	3,000	2,000	2,000	-	-	-	-	40,000	40,000
Mexico	34,682	-	-	-	-	-	-	-	-	-	-	-
Netherlands	600,000	600,000	39,474	-	25,000 ^b	-	-	-	-	-	526,316	526,316
New Zealand	125,593	125,593	210,000	-	140,000	140,000	140,000	-	-	-	557,900	278,950
Nicaragua	5,000	-	-	-	-	-	-	-	-	-	-	-
Norway	97,998	55,999	56,000	56,000	42,000	42,000	-	-	-	-	1,725,323	1,725,323
Pakistan	166,213	166,213	60,450	-	30,151	30,151	30,151	-	-	-	453,375	-
Panama	3,000	3,000	10,000	10,000	-	-	-	-	-	-	3,000	-
Paraguay	8,000	-	5,000	-	-	-	-	-	-	-	10,000	10,000
Peru	12,000	-	78,947	13,158	-	-	-	-	-	-	-	-
Philippines	55,000	-	50,000	-	-	-	-	-	-	-	-	-
Poland	75,000	75,000	-	-	-	-	-	-	-	-	-	-
Saudi Arabia	15,000	15,000	-	-	40,000	40,000	-	-	-	-	20,000	20,000
Sweden	483,279	483,279	193,050	193,050	57,915	57,915	57,915	57,915	-	-	966,518	322,237
Syria	11,410	-	7,003	-	29,203	29,203	-	-	-	-	-	-
Thailand	40,000	40,000	529,757	529,757	-	-	-	-	-	-	-	-
Turkey	201,495	201,495	26,786	26,786	-	-	-	-	-	-	-	-

MEMBER STATES	1954		UNICEF		1953-1954		UNRWA		1954-1955		15 September 1954	
	Expanded Programme		UNICEF		UNRWA		UNRWA		UNRWA		UNKRA	
	Pledge	Payment	Pledge	Payment	Pledge	Payment	Pledge	Payment	Pledge	Payment	Pledge	Payment
	Dollars (US)											
Ukrainian SSR	125,000	125,000	-	-	-	-	-	-	-	-	-	-
Union of South Africa	-	-	-	-	-	-	-	-	-	-	-	-
USSR	1,000,000	-	-	-	-	-	-	-	-	-	-	-
United Kingdom	1,820,218	1,820,218	560,000	560,000	5,000,000	5,000,000	-	-	-	-	28,000,000	22,540,000
United States	13,861,809	3,904,188	8,300,000 ^a	-	15,000,000	15,000,000 ^a	12,000,000	-	-	-	162,500,000	73,902,615
Uruguay	75,000	-	-	-	-	-	-	-	-	-	-	-
Venezuela	45,000	32,500	20,000	20,000	-	-	-	-	-	-	100,000	100,000
Yemen	2,100	2,100	-	-	-	-	-	-	-	-	-	-
Yugoslavia	82,500	82,500	200,000	-	40,000	-	-	-	-	-	-	-
TOTAL	24,702,429	12,316,906	12,255,607	2,911,694	22,741,885	22,676,885	12,799,495	179,344	208,247,796	110,362,338		
NON-MEMBER STATES												
Austria	19,231	9,616	19,231	19,231	700	700	-	-	-	-	174,474	174,474
Cambodia	-	-	3,000	3,000	2,000	2,000	-	-	-	-	-	-
Ceylon	15,000	15,000	7,510	7,510	-	-	-	-	-	-	-	-
Federal Republic of Germany ..	148,810	148,810	119,047	111,428	-	-	-	-	-	-	-	-
Finland	10,000	10,000	6,087	-	-	-	-	-	-	-	-	-
Ireland	14,001	-	-	-	-	-	-	-	-	-	-	-
Italy	96,000	-	40,000	-	-	-	-	-	-	-	1,386,667	1,386,667
Japan	80,000	80,000	99,396	-	10,000	10,000	10,000	10,000	-	-	-	-
Jordan	2,815	2,815	-	-	168,000	-	-	-	-	-	-	-
Korea	3,000	3,000	-	-	2,000	-	-	-	-	-	-	-
Laos	2,857	2,857	-	-	-	-	-	-	-	-	-	-
Libya	3,600	3,600	-	-	-	-	-	-	-	-	-	-
Monaco	1,429	1,429	857	857	286	286	-	-	-	-	572	572
Portugal	-	-	-	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-	-	-	-
Switzerland	233,372	175,029	163,800	163,800	58,411	-	-	-	-	-	255,814	255,814
Vatican City	2,000	2,000	1,000	1,000	-	-	-	-	-	-	-	-
Viet-Nam	7,500	7,500	-	-	-	-	-	-	-	-	10,000	10,000
TOTAL	639,615	461,656	459,928	304,826	241,397	12,986	10,000	10,000	1,827,527	1,827,527		
OTHER CONTRIBUTORS												
Brunei	-	-	8,187	8,187	-	-	-	-	-	-	-	-
Hong Kong	-	-	3,500	3,500	-	-	-	-	-	-	-	-
Malaya	-	-	24,500	24,500	-	-	-	-	-	-	-	-
North Borneo	-	-	3,267	3,267	-	-	-	-	-	-	-	-
Qatar	-	-	-	-	-	-	10,500	10,500	-	-	-	-
Sarawak	-	-	16,333	-	-	-	-	-	-	-	-	-
Singapore	-	-	3,267	3,267	-	-	-	-	-	-	-	-
TOTAL	-	-	59,054	42,721	-	-	10,500	10,500	-	-	-	-
GRAND TOTAL	25,342,044	12,778,562	12,774,589	3,259,241	22,983,282	22,689,871	12,819,995	199,844	210,075,323	112,189,865		

^a The Government has placed at the disposal of the Agency, at a Chilean port, 5,000 tons of nitrate valued at \$250,000. Negotiations regarding shipment of these commodities are now in progress. On completion of delivery to Korea, this amount will, within the provisions of the financial regulations of the Agency, be recorded as a contribution received.

^b Subject to legislative action.

^c Not to exceed 60 per cent of total contributions made to central account of UNICEF by all Governments and not to exceed 33.33 per cent of all contributions, including those made by Governments for the benefit of persons located within territories under their control.

^d Not more than 70 per cent of total.

Annex II

EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

1. The Committee, on 16 October 1953, began its consultations with Governments of Members of the United Nations and of the specialized agencies participating in the Expanded Programme. It was working towards the achievement of a goal of \$25,300,000, which was the objective established by the Economic and Social Council in August 1953 for the contributions to be pledged for the year 1954. The main effort of the Committee was directed to ensuring that Governments were ready to announce pledges to the Programme for the year 1954 as much in advance as possible. For the first time since the establishment of the Programme in 1950, it became possible to hold the pledging Conference before the beginning of the fiscal period for which pledges were to be announced. The Conference was held on 12 and 13 November 1953, with sixty-two Governments participating, and the pledges made at that time amounted to the equivalent of \$23,617,378. The Conference agreed that the closing date for signing its Final Act would be 31 December 1953, by which time seventy Governments had pledged \$24,204,522. As at 15 September 1954, three more Governments had made pledges after the closing date of the Final Act of the Conference, bringing the total pledged for the year 1954 to \$25,342,044.

2. The figure of seventy-three Governments which have made pledges for 1954 represents an increase of four over the number for 1953, and the amount pledged for 1954 exceeded by \$2,937,411 the pledges for 1953.

EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE (1954)

As at 15 September 1954

Dollars (US)

Country	Pledges	Payments
Afghanistan	10,000	10,000
Argentina	300,000	-
Australia	400,000	400,000
Austria	19,231	9,616
Belgium	337,500	270,000
Bolivia	7,895	-
Brazil	540,541	108,054
Burma	12,000	12,000
Byelorussian Soviet Socialist Republic	50,000	50,000
Canada	1,500,000	1,500,000
Ceylon	15,000	15,000
Chile	58,909	-
China	15,000	15,000
Colombia	140,000	140,000
Costa Rica	6,000	5,000
Czechoslovakia	69,444	69,444
Denmark	434,342	283,944
Dominican Republic	10,000	-
Ecuador	6,400	205
Egypt	86,157	86,157
El Salvador	6,000	6,000
Ethiopia	20,000	-
Finland	10,000	10,000
France	1,207,500	1,207,500
Germany, Federal Republic of	148,810	148,810
Greece	5,000	5,000
Guatemala	7,500	-
Haiti	12,000	12,000
Honduras	8,000	-
Iceland	2,806	2,806
India	300,000	300,000
Indonesia	65,790	59,211
Iran	50,000	-
Iraq	14,002	-
Ireland	14,001	-
Israel	50,000	40,000
Italy	96,000	-
Japan	80,000	80,000
Jordan	2,815	2,815

Country	Pledges	Payments
Korea	3,000	3,000
Laos	2,857	2,857
Lebanon	6,846	-
Liberia	15,000	-
Libya	3,600	3,600
Luxembourg	2,500	2,500
Mexico	34,682	-
Monaco	1,429	1,429
Netherlands	600,000	600,000
New Zealand	125,593	125,593
Nicaragua	5,000	-
Norway	97,998	55,999
Pakistan	166,213	166,213
Panama	3,000	3,000
Paraguay	8,000	-
Peru	12,000	-
Philippines	55,000	-
Poland	75,000	75,000
Saudi Arabia	15,000	15,000
Sweden	483,279	483,279
Switzerland	233,372	175,029
Syria	11,410	-
Thailand	40,000	40,000
Turkey	201,495	201,495
Ukrainian Soviet Socialist Republic	125,000	125,000
Union of Soviet Socialist Republics	1,000,000	-
United Kingdom of Great Britain and Northern Ireland	1,820,218	1,820,218
United States of America	13,861,809	3,904,188
Uruguay	75,000	-
Vatican City	2,000	2,000
Venezuela	45,000	32,500
Viet-Nam	7,500	7,500
Yemen	2,100	2,100
Yugoslavia	82,500	82,500
GRAND TOTAL	25,342,044	12,778,562

OUTSTANDING CONTRIBUTIONS

Dollars (US)

Country	1953
Belgium	27,000 ^a
Brazil	84,908
Chile	34,838
Cuba	50,000
Ethiopia	20,000
Guatemala	5,000
Italy	93,000
Peru	10,000
Uruguay	375
TOTAL	325,121
Country	1952
Cuba	50,000
Korea	2,000
TOTAL	52,000
Country	30 June 1950- 31 December 1951
Uruguay	99,408

^a As the total contributions paid for 1953 has exceeded \$22,000,000, the Belgian contribution has been increased by the equivalent of \$13,500.

Annex III

UNITED NATIONS CHILDREN'S FUND

1. Up to 15 September 1954, forty-nine Governments have pledged to UNICEF for 1954 a total of \$12,774,589. The largest contributor has made its pledge of \$8,300,000 on the condition that it shall not exceed 60 per cent of the total contributions made to the central account of UNICEF by all Governments, and on the further condition that it shall not exceed 33.33 per cent of all contributions, including contributions made by Governments for the benefit of persons located within territories under their control. A number of further pledges from Governments for 1954 are expected by UNICEF during the remainder of the year. If certain Governments which have so far not stated their intention to contribute in 1954

and which contributed in 1953 make the same contributions during the rest of 1954, it may be anticipated that the total of contributions from Governments will reach \$13 million. This compares with \$14,266,860 contributed from fifty-five Governments during 1953.

At its meetings in September 1953, the Executive Board of UNICEF approved a target programme of allocations of \$20 million for 1954. It is certain that the total income for that year will fall short of this target. At its recent session, the Executive Board has approved a recommendation for the 1955 target programme of allocations in the amount of \$20 million.

UNITED NATIONS CHILDREN'S FUND

Statement of 1953 and 1954 contributions from Governments

	1953		1954	
	Pledge	Payment	Pledge	Payment
	Dollars (US)			
MEMBER STATES				
Afghanistan	8,000	8,000	8,000	—
Australia	224,000	224,000	—	—
Belgium	100,000	100,000	—	—
Bolivia	10,000	10,000	15,000	—
Brazil	161,725	161,725	113,908	53,908
Burma	56,000	56,000	56,000	—
Canada	507,614	507,614	515,464	515,464
Chile	47,213	47,213	37,002	37,002
Colombia	25,606	25,606	100,000	—
Costa Rica	10,001	10,001	—	—
Denmark	28,960	28,960	50,680	50,680
Dominican Republic	20,000	—	—	—
Ecuador	5,000	4,833	17,000	4,000
Egypt	43,050	43,050	12,197	—
Ethiopia	8,000	—	—	—
France	500,000	500,000	500,000	500,000
Greece	18,200	18,200	—	—
Haiti	10,000	10,000	10,000	10,000
Honduras	20,000	20,000	—	—
Iceland	3,094	3,094	—	—
India	315,000	315,000	315,000	315,000
Indonesia	100,000	100,000	100,000	—
Iran	5,000	5,000	—	—
Iraq	42,000	42,000	42,000	—
Israel	25,000	25,000	13,889	13,889
Luxembourg	3,000	3,000	3,000	3,000
Netherlands	39,474	39,474	39,474	—
New Zealand	140,000	140,000	210,000	—
Nicaragua	24,000	—	—	—
Norway	28,000	28,000	56,000	56,000
Pakistan	60,450	60,450	60,450	—
Panama	—	—	10,000	10,000
Paraguay	—	—	5,000	—
Peru	58,333	58,333	78,947	13,158
Philippines	50,000	50,000	50,000	—
Sweden	193,050	193,050	193,050	193,050
Syria	—	—	7,003	—
Thailand	573,538	573,538	529,757	529,757
Turkey	17,857	17,857	26,786	26,786
United Kingdom of Great Britain and Northern Ireland	280,000	280,000	560,000	560,000
United States of America	9,814,333	9,814,333	8,300,000*	—
Venezuela	—	—	20,000	20,000
Yugoslavia	170,386	170,386	200,000	—
TOTAL	13,745,884	13,693,717	12,255,607	2,911,694

	1953		1954	
	Pledge	Payment	Pledge	Payment
Dollars (US)				
NON-MEMBER STATES				
Austria	23,408	23,408	19,231	19,231
Cambodia	1,000	1,000	3,000	1,000
Ceylon	7,497	7,497	7,510	7,510
Finland	—	—	6,087	—
Germany, Federal Republic of ..	119,048	119,048	119,047	111,428
Ireland	28,000	28,000	—	—
Italy	40,000	—	40,000	—
Japan	100,000	100,000	99,396	—
Jordan	1,400	—	—	—
Korea	1,000	1,000	—	—
Liechtenstein	468	468	—	—
Monaco	1,143	1,143	857	857
Switzerland	163,800	163,800	163,800	163,800
Vatican City	2,000	2,000	1,000	1,000
Viet-Nam ..	4,445	4,445	—	—
TOTAL	493,209	451,809	459,928	304,826
OTHER CONTRIBUTORS				
Brunei	—	—	8,187	8,187
Hong Kong	—	—	3,500	3,500
Malaya	24,500	24,500	24,500	24,500
North Borneo	—	—	3,267	3,267
Sarawak	—	—	16,333	—
Singapore	3,267	3,267	3,267	3,267
TOTAL	27,767	27,767	59,054	42,721
GRAND TOTAL	14,266,860	14,173,293	12,774,589	3,259,241

* United States contribution not to exceed 60 per cent of total contributions made to central funds of UNICEF by all Governments and not to exceed 33.3 per cent of all contributions, including those made by Governments for the benefit of persons located within territories under their control.

Annex IV

UNITED NATIONS KOREAN RECONSTRUCTION AGENCY

1. The General Assembly, at its eighth session, adopted resolution 725 (VIII) which, *inter alia*, increased the authorized target for UNKRA from \$250 million to \$266 million, and also requested the Negotiating Committee to negotiate with Governments regarding their pledges to the Agency.

2. In spite of the efforts of the Committee, the Chairman is obliged to report that it has had little success in making progress towards this target. On 7 December 1953, the date on which resolution 725 (VIII) was approved, pledges to UNKRA totalled \$207,622,000. On 31 August 1954, pledges totalled \$210,075,323, an increase of little more than 1 per cent. Moreover, of the total amount pledged to the Agency, 96 per cent comes from four Governments.

3. Only thirty Member and five non-member States have made pledges to the Agency. Twenty-five Member and five non-member States have made payments totalling \$112,189,865 against their pledges of \$210,075,323 to the UNKRA programme. Ninety-five per cent of the funds actually received by the Agency have come from four Governments.

4. Since the approval of resolution 725 (VIII), additional pledges to the Agency have been received from twelve Governments. Of these, nine had made previous pledges to UNKRA. New pledging support has therefore been received from only three Governments. Additional payments totalling approximately \$23,400,000 have been made by fifteen Governments, all but two of which had previously supported the programme. Also, 83 per cent of this amount has been made available by two of the contributing Governments.

5. In short, the facts about UNKRA are the following:

(a) Despite an authorized target of \$266 million approved by the General Assembly by an overwhelming majority, payments from Governments have totalled only \$112 million.

(b) Contributions have, for the most part, come from a small group of Governments only, despite the urgent appeals by the Committee and by the Agent-General to all Governments.

(c) UNKRA, because of lack of support, has been forced to reduce the authorized programme for the financial year 1953-1954 from \$130 million to \$85 million, and less than half of the funds required for the reduced programme have so far been collected.

(d) Because of limitations placed upon their pledges by the principal contributor nations, the prospects for receiving additional funds from those nations are severely limited. Such additional funds can be received in the future only if further pledges and contributions are received from other Governments which have thus far failed to support the programme.

UNITED NATIONS KOREAN RECONSTRUCTION AGENCY

Statement of Government pledges and contributions as at 31 August 1954

MEMBER STATES	Dollars (US)	
	Amount pledged	Total received
Argentina	500,000	500,000
Australia	4,001,726	2,456,126
Belgium	300,000	300,000
Burma	49,934	49,934
Canada	6,904,762	6,904,762
Chile ..	250,000*	—

MEMBER STATES	Amount pledged	Total received	MEMBER STATES	Amount pledged	Total received
Denmark	860,000	289,555	United States of America	162,500,000	73,902,615
Dominican Republic	10,000	—	Venezuela	100,000	100,000
Egypt	28,716	—			
El Salvador	500	500	TOTAL	208,247,796	110,362,338
Ethiopia	40,000	40,000			
France	142,857	142,857	NON-MEMBER STATES		
Greece	12,063	12,063	Austria	174,474	174,474
Honduras	2,500	2,500	Italy	1,386,667	1,386,667
Indonesia	143,706	100,000	Monaco	572	572
Israel	33,600	33,600	Switzerland	255,814	255,814
Lebanon	50,000	50,000	Viet-Nam	10,000	10,000
Liberia	15,000	15,000			
Luxembourg	40,000	40,000	TOTAL	1,827,527	1,827,527
Netherlands	526,316	526,316			
New Zealand	557,900	278,950	GRAND TOTAL	210,075,323	112,189,865
Norway	1,725,323	1,725,323			
Pakistan	453,375	—			
Panama	3,000	—			
Paraguay	10,000	10,000			
Saudi Arabia	20,000	20,000			
Sweden	966,518	322,237			
United Kingdom of Great Britain and Northern Ireland	28,000,000	22,540,000			

* The Government has placed at the disposal of the Agency, at a Chilean port, 5,000 tons of nitrate valued at \$250,000. Negotiations regarding shipment of these commodities are now in progress. On completion of delivery to Korea, this amount will, within the provisions of the financial regulations of the Agency, be recorded as a contribution received.

Annex V

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

1. The General Assembly, at its eighth session, adopted resolution 720 (VIII) which, *inter alia*, increased the authorized expenditure by UNRWA from \$250 million, approved by the General Assembly in resolution 513 (VI), to \$292,800,000, and requested the Negotiating Committee for Extra-Budgetary Funds "to seek the funds required to meet the current needs of the relief programmes and to invite governments to take into account the need for the additional pledges which will be required to meet the total programme now established at \$292.8 million".

2. The Negotiating Committee continued its negotiations with Member and non-member States and stimulated pledges of contributions from seventeen Member and six non-member States to the Agency in cash and in kind for the fiscal year 1953-1954 amounting to \$22,500,000. This total was earmarked entirely for use against a budgeted relief expenditure of \$24,800,000 authorized by the General Assembly. Actual payments have been received from fifteen Member and four non-member States totalling \$22,424,391. Of this amount, payments of \$21,364,361 represented contributions from three Governments. In addition, host Governments have provided services and facilities totalling \$262,750 against pledges totalling \$430,750. Thus pledges from Governments for relief

for 1953-1954 fall short of the General Assembly's target of \$24,800,000 by \$2,300,000.

3. The General Assembly's authorized estimate of \$18 million for 1954-1955 relief expenditures was predicated on the expectation that the number of ration recipients would be substantially reduced through rehabilitation activities. This expectation has not been realized. Hence, cash requirements for 1954-1955 relief will amount to \$25 million.

4. No additional pledges were received during 1953-1954 against the rehabilitation fund continued at \$200 million by resolution 720 (VIII). To cover programme agreements already concluded with Governments, the anticipated final agreement with Libya and other rehabilitation project commitments, pledges totalling \$46,500,000 are immediately required and additional pledges are needed before any new programmes can be negotiated.

5. The Agency, having entered upon its 1954-1955 fiscal year, has indicated its estimated cash requirements for relief at \$25 million and for rehabilitation at \$26 million. The relief requirements are considerably increased above the estimate approved by Assembly resolution 720 (VIII). Pledges for 1954-1955 have been received from seven Governments to a total of \$12,800,000.

PLEDGES AND PAYMENTS OF CONTRIBUTIONS TO UNRWA AS AT 1 SEPTEMBER 1954

Dollars (US)

Country	Fiscal year 1953-1954		Fiscal year 1954-1955	
	Pledges	Payments	Pledges	Payments
Australia	112,500	112,500	—	—
Austria	700	700	—	—
Burma	2,000	2,000	—	—
Cambodia	2,000	2,000	—	—
Canada	515,000	515,000	—	—
Denmark	43,478	43,478	—	—
France	1,364,361	1,364,361	571,429	121,429
Greece	2,730	2,730	—	—
Haiti	2,000	2,000	—	—
Indonesia	60,000	60,000	—	—
Japan	10,000	10,000	10,000	10,000
Korea	2,000	—	—	—
Luxembourg	2,000	2,000	—	—
Monaco	286	286	—	—

Country	Fiscal year 1953-1954		Fiscal year 1954-1955	
	Pledges	Payments	Pledges	Payments
Netherlands	25,000	-	-	-
New Zealand	140,000	140,000	140,000	-
Norway	42,000	42,000	-	-
Pakistan	30,151	30,151	30,151	-
Qatar	-	-	10,500	10,500
Saudi Arabia	40,000	40,000	-	-
Sweden	57,915	57,915	57,915	57,915
Switzerland	58,411	-	-	-
United Kingdom	5,000,000	5,000,000	-	-
United States	15,000,000	15,000,000	12,000,000*	-
Yugoslavia	40,000	-	-	-
TOTAL	22,552,532	22,427,121	12,819,995	199,844

* Not more than 70 per cent of total.

CONTRIBUTIONS, SERVICES AND FACILITIES PROVIDED BY LOCAL GOVERNMENTS

	Dollars (US)	
	Pledges	Payments
Egypt	219,858	219,858
Jordan	168,000	-
Lebanon	13,689	13,689
Syria	29,203	29,203*
TOTAL	430,750	262,750

* Includes \$10,896 for period January 1953 through February 1954.

DOCUMENT A/2764

Report of the Fifth Committee

[Original text: English]
[25 October 1954]

1. In accordance with the allocation of agenda items decided upon by the General Assembly at its 478th meeting, on 25 September 1954, the Fifth Committee considered, at its 432nd, 433rd and 440th meetings, the report of the Negotiating Committee for Extra-Budgetary Funds submitted to the General Assembly at its ninth session (A/2730).

2. A number of representatives expressed their appreciation of the work which the Negotiating Committee appointed at the eighth session had carried out under the able guidance of its successive Chairmen. The satisfactory nature of the working methods of the Negotiating Committee was generally appreciated. However, it was emphasized that, as the Committee dealt with voluntary contributions, the assistance and co-operation of all delegations were essential if it were to succeed in its tasks.

3. In addition to reporting on the results of its activities, the Negotiating Committee, had, in paragraphs 7 and 10 of its report, drawn attention to the fact that, with the exception of the Expanded Programme of Technical Assistance and the United Nations Children's Fund, the total contributions received from Governments towards the programmes for which the Committee sought financial support amounted to appreciably less than the approved target figures. In commenting on the tendency to set target figures which were unrealistic in terms of potential contributions, the Negotiating Committee had stated its view that, if the United Nations failed to produce the requisite financial support for programmes which it had itself approved, this could only be regarded

as a severe reflection on the Organization and might lead to a loss of confidence in the ability of the United Nations to live up to its own resolutions. Accordingly, the Negotiating Committee had suggested that proposals for target figures for extra-budgetary programmes should be referred, before final approval, to an appropriate body for a realistic appraisal of the amounts of money that were in fact likely to be available for the programmes. The Negotiating Committee had further suggested that it might in some cases be appropriate that its advice should be sought before target figures were established. The discussion in the Fifth Committee indicated that there was general agreement with the considerations underlying these suggestions and appreciation of the Negotiating Committee's concern.

4. The Chairman of the Advisory Committee on Administrative and Budgetary Questions, replying to a request for an opinion, reported the view of the Advisory Committee that, inasmuch as the question did not come directly within its competence, the Committee did not itself feel able to make an appraisal of the funds likely to be available for any proposed programme. The Advisory Committee did, however, agree that it was in the interests of the United Nations to avoid a situation in which one or other of its extra-budgetary programmes could not be achieved because of a serious shortfall of contributions thereto; and therefore suggested that consultations with the Governments mainly concerned should be undertaken by the organ fixing a target for a programme before a final decision was taken on the target.

5. There was general agreement in the Fifth Committee with the suggestion noted in paragraph 11 of the report of the Negotiating Committee to the effect that, should the General Assembly see fit to reappoint it or a similar committee, the Committee's term of office should run throughout the whole period of the session of the General Assembly so that it could work continuously with delegations during that crucial time. At the request of the Fifth Committee the Rapporteur undertook to clarify the legal problem connected with the duration of the term of office of the Negotiating Committee and reported on the results of his consultations at the 440th meeting of the Fifth Committee.

6. A draft resolution (A/C.5/L.276), providing for the continuation of the Negotiating Committee and embodying those suggestions on which there had been general agreement in the Committee, was proposed by Australia and the United Kingdom of Great Britain and Northern Ireland and was approved at the 440th meeting by 38 votes to none, with 5 abstentions.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See document A/RESOLUTION/205 below.]

DOCUMENT A/RESOLUTION/205

[Resolution 861 (IX)]

Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954

REPORT OF THE NEGOTIATING COMMITTEE FOR EXTRA-BUDGETARY FUNDS

A

The General Assembly,

Having considered the report (A/2730) of the Negotiating Committee for Extra-Budgetary Funds appointed at the eighth session of the General Assembly,

Believing that provision should be made for the continuation of the work of the Committee,

1. *Requests* the President of the General Assembly to appoint a Negotiating Committee for Extra-Budgetary Funds consisting of not more than ten members with the same terms of reference as those laid down in General Assembly resolution 693 (VII) of 25 October 1952 to serve until the close of the tenth session of the Assembly,

2. *Requests* the Negotiating Committee to report to the General Assembly at its tenth session,

3. *Further requests* the Negotiating Committee to review, in the light of experience, its terms of reference

with a view to determining if any changes would be desirable, and to report thereon to the General Assembly at its tenth session,

4. *Decides* to include in the provisional agenda of the tenth session the item "Report of the Negotiating Committee on Extra-Budgetary Funds".

B

The General Assembly,

Having noted the concern expressed by the Negotiating Committee for Extra-Budgetary Funds at the effect of the establishment for activities supported by voluntary contributions of financial targets unlikely to be realized in actual receipts of contributions,

Requests the organs of the United Nations concerned with the approval of activities and programmes to be financed by voluntary contributions to satisfy themselves that the budgetary levels of those programmes are established at amounts consistent with the probabilities of collection of contributions for such activities and programmes.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 496th plenary meeting, on 29 October 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2764). For the final text, see A/RESOLUTION/205 above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2730	Report of the Negotiating Committee for Extra-Budgetary Funds	1	
A/2764	Report of the Fifth Committee	9	
A/C.5/L.276	Australia and the United Kingdom of Great Britain and Northern Ireland: draft resolution		Same text as A/RESOLUTION/205
A/C.5/L.283	Draft report of the Fifth Committee		Same text as A/2764
A RESOLUTION/205	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	10	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 861 (IX)



Agenda item 43 : Administrative and budgetary co-ordination between the United Nations and the specialized agencies

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DOCUMENT A/2835

Thirty-first report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[6 December 1954]

1. In accordance with its terms of reference, the Advisory Committee on Administrative and Budgetary Questions has examined the administrative budgets or budget estimates for 1955 of the following specialized agencies, whose agreements with the United Nations provide for the transmittal of their budgets for review by the General Assembly :¹ International Labour Organization (ILO), Food and Agriculture Organization (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), International Civil Aviation

Organization (ICAO), Universal Postal Union (UPU), World Health Organization (WHO), International Telecommunication Union (ITU), World Meteorological Organization (WMO).

2. The gross totals of the 1955 budgets or budget estimates of these agencies are shown in the table below, together with the appropriation figures for 1954 and actual expenditure for each of the three years 1951, 1952 and 1953.

¹ Under the relevant agreement with the United Nations, the International Bank for Reconstruction and Development and the International Monetary Fund are not required to transmit their budgets for examination by the United Nations.

	1951 actual expenses	1952 actual expenses	1953 actual expenses	1954 appropri- ations	1955 appropri- ations or estimates	1955 increase or decrease by comparison with 1954	Percentage of increase or decrease by comparison with 1954
Dollars (US)							
International Labour Organi- sation	5,834,589	6,389,539	6,509,775	6,643,887	7,082,913	439,026	6.60
Food and Agriculture Organi- zation	4,581,456	4,830,334	5,064,399	6,000,000	6,000,000	—	—
United Nations Educational, Scientific and Cultural Organi- zation ^a	7,989,102	8,726,107	7,972,937	8,834,662	10,005,961	1,171,299	13.25
International Civil Aviation Or- ganization	3,171,819	3,191,748	3,150,032	3,200,000	3,223,100	23,100	0.72
Universal Postal Union	354,098	416,978	435,413	489,169	482,510	(—6,659)	(1.36)
World Health Organization ^b ...	6,259,247	7,938,850	8,112,605	8,497,700	9,500,000	1,002,300	11.80
International Telecommunication Union ^c	1,643,240	1,591,875	1,455,733	1,453,553	1,430,678	(—22,875)	(1.57)
World Meteorological Organi- zation	185,755	179,259	271,911	363,000	341,668	(—21,332)	(5.90)
Sub-total (specialized agencies)	30,019,306	33,264,690	32,972,805	35,481,971	38,066,830	2,584,859	7.28
United Nations	48,628,383	50,270,153	49,292,552	47,827,110	46,821,300	(—1,005,810)	(2.10)
GRAND TOTAL	78,647,689	83,534,843	82,265,357	83,309,081	84,888,130	1,579,049	1.89

The following rates of exchange have been used in the above table: Canadian dollar at Canadian \$1.05=US\$1.00 for 1951; at par for subsequent years. Swiss francs: Sw. francs 4.28=US\$1.00 for 1950 and 1951; Sw. francs 4.33=US\$1.00 for 1952; Sw. francs 4.28=US\$1.00 for subsequent years.

^a Excluding undistributed reserve: 1954: \$870,453; 1955: \$769,939.

^b Excluding undistributed reserve: 1954: \$1,340,300; 1955: \$1,499,360.

^c Ordinary and extraordinary budgets.

3. The table shows an over-all increase, by comparison with the 1954 appropriations, of \$1,579,049, or 1.89 per cent in the amounts proposed or approved in respect of 1955 for the United Nations and the specialized agencies. This increase has occurred in spite of the reduction in the United Nations budget of \$1,005,810. Taking the eight specialized agencies alone, their appropriations or estimates for 1955 exceed the 1954 appropriation figures by \$2,584,859, or 7.28 per cent. The most significant of these increases has occurred in UNESCO (\$1,171,299, or 13.25 per cent) and WHO (\$1,002,300, or 11.80 per cent). A proportionately smaller increase (\$439,026, or 6.60 per cent) is shown by ILO, and a slight increase (\$23,100, or 0.72 per cent) by ICAO. Decreases are shown in the budgets of the three smaller agencies, namely, UPU, ITU and WMO, while the budget of FAO remains at the same level as in 1954.

4. Although some of the agencies, and especially the smaller ones, have largely succeeded in stabilizing their budgets, the three largest agencies seem to have moved further away from the objective set by the General Assembly on 1 December 1950 when it urged the specialized agencies "to intensify their efforts to stabilize their regular budgets by the elimination or deferment of less urgent projects" (resolution 411 (V)).

5. In its report on the 1954 budgets of the specialized agencies,² the Advisory Committee had suggested that a comprehensive financial appraisal might be made of the activities of the United Nations and the specialized agencies through inter-governmental discussions to be held at a central point. The importance of such a central review of activities is once again emphasized by the continuing increase in the financial burdens that Governments are called upon to bear in respect of their collective endeavour in various fields. Only by means of a process such as the suggested central review can an order of relative priority be determined among the

differend fields of activity. An increasing degree of co-ordination at the national level, which will ensure that Governments, through their delegations, bring to bear the proper perspective on proposals submitted to the various agencies, would no doubt be an important step towards the same objective.

6. The economies which are reflected in the 1955 budget of the United Nations result largely from the review that has been undertaken by the Secretary-General of the organization and work of the Secretariat and, in particular, from his initiative in making positive proposals to the Economic and Social Council (E/2598) towards a greater concentration of efforts and resources in economic and social activities. No similar action has been attempted by any of the specialized agencies, although in some of them management surveys are under way. It is true that in all the agencies certain normal and very useful functions of examination and review of programmes and budgets are exercised by governing bodies or executive boards, conferences and other legislative bodies. However, it seems to the Advisory Committee that fundamental reviews of agency activities might usefully be undertaken at intervals, with special reference to their basic aims and objectives and in the light of changing circumstances.

7. The Committee offers, in paragraphs 8 to 17 below, comments on certain general questions arising out of its review of the 1955 budgets of the specialized agencies. In addition, specific points with regard to the budgets of individual agencies are dealt with in subsequent paragraphs. A consolidated summary of appropriations or estimates by main heads of expenditure as compared with the corresponding figures for 1954 is also presented in respect of each of the agencies under review in order to show in condensed form the information contained in information annex II to the United Nations budget estimates for the financial year 1955.³

² See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 45, document A/2582, para. 5.

³ *Ibid.*, *Ninth Session, Supplement No. 5 A*, document A/2647/Add.1, pp. 4-7.

MEETINGS OF ASSEMBLIES OR OTHER BODIES AWAY FROM HEADQUARTERS

8. The Advisory Committee has on previous occasions suggested that meetings should be held as far as possible at the headquarters of the organization concerned. Once again the Committee has, in connexion with the 1954 session of the UNESCO Conference at Montevideo, considered the general question of meetings of assemblies or other bodies of an organization away from its headquarters. While the Committee recognizes that such meetings may be useful in making the people of different regions better acquainted with the work of the organization, it is not convinced that this consideration alone sufficiently justifies the additional costs involved. Most of the organizations have facilities, either their own or easily available to them, for holding large-scale conferences at their headquarters. The provision of such facilities in a new place, especially when they are needed for just one occasion, is usually costly. Moreover, even apart from the direct additional costs which have to be met, such meetings also involve the transfer of large masses of files and records resulting in a certain degree of dislocation in the normal functions of the organization's secretariat for some weeks both before and after the session. Administrative and financial considerations would, therefore, discourage the holding of meetings away from headquarters. If, on any occasion, there are other overwhelming reasons for holding such a meeting, the Committee suggests that all additional costs involved be met by the host Government or group of Governments. In this connexion, while the decision to hold a meeting away from headquarters necessarily lies with the appropriate legislative body of the organization, it is the duty of the secretariat to bring to the attention of that body the administrative and financial implications of such a decision.

ARREARS OF CONTRIBUTIONS

9. The following table shows the status of collection of contributions as at 31 August, in 1953 and 1954 respectively, together with the percentage of the current year's contributions collected at the same date :

	Total of contributions outstanding at 31 August		Percentage of current year's contributions collected at 31 August	
	1953	1954	1953	1954
	Dollars (US)		Percentage	
ILO	2,436,381	2,714,206	81.61	78.62
FAO	2,666,157	3,069,119	81.63	75.59
UNESCO	6,860,228	11,385,285	65.43	35.53 ^a
ICAO	1,647,515	1,513,555	83.87	83.44
UPU	109,312	118,976	74.02	72.74
WHO	8,055,385 ^b	9,215,475 ^b	70.72	73.65
ITU	921,490	590,650	80.20	86.41
WMO	90,415	125,766	78.86	72.88
United Nations	14,776,331	15,603,424	77.42	69.11

^a As of 31 August, the United States contribution, representing a third of total assessments, had not been paid.

^b Includes balances outstanding from China and from members which have indicated that they no longer wished to participate in the work of the organization. If these are excluded, amounts of contributions outstanding are \$2,002,344 at 31 August 1953, and \$1,832,134 at 31 August 1954.

WORKING CAPITAL FUND

10. The amounts approved for the Working Capital Fund in the United Nations and various agencies are shown in the following table :

	1955 gross budget	Working Capital Fund	Percentage of 1955 gross budget
	Dollars (US)		
ILO	7,082,913	2,250,000	31.77
FAO	6,000,000	1,750,000	29.17
UNESCO ^a	10,006,161	3,000,000	29.98
ICAO	3,223,100	1,156,416 ^b	35.88
WHO	9,500,000	3,385,369 ^c	35.64
United Nations ^a	46,821,300	21,500,000	45.92

^a Estimates.

^b Amount of the Fund on 19 November 1954; 1955 level is expected to be a little lower.

^c This figure will be increased by the extent of the assessments made on members joining after 30 April 1954.

The Working Capital Fund of WMO is subject to a maximum limit of 10 per cent of the General Fund expenditure estimates. ITU and UPU do not have Working Capital Funds, their expenditures, pending receipt of contributions, being financed by advances from the Swiss Government, on which these organizations pay interest.

COMMON FINANCIAL REGULATIONS

11. The General Assembly, by resolution 456(V) of 16 November 1950, adopted the Financial Regulations of the United Nations and expressed the hope that these regulations would likewise be adopted by the specialized agencies with only such alterations as were required to meet their constitutional provisions and organizational structure. Accordingly, ILO, FAO, UNESCO, ICAO, WHO and WMO adopted financial regulations generally in line with those approved in the above resolution. However, the Advisory Committee understands that certain deviations either in respect of the regulations or in respect of practices not covered by the regulations have occurred among the various organizations. In some cases, such deviations have been specifically authorized by *ad hoc* resolutions of the appropriate legislative body. In view of the fact that the present regulations have been in force in some cases for a period of almost five years, it may be useful to review them in the light of the collective experience of the several organizations. The Advisory Committee suggests that the Administrative Committee on Co-ordination might wish to undertake such a review through its Consultative Committee on Administrative Questions.

ESTABLISHED POSTS, TEMPORARY ASSISTANCE AND CONSULTANTS

12. The number of established posts authorized or requested for the three years 1953, 1954 and 1955 is as follows :

	Total 1953	Total 1954	Total 1955
ILO	742	766	782
FAO	822	862	872
UNESCO	820	839	864
ICAO	424	423	421
UPU	30	32	35
WHO	823	866	948
ITU	190	198	202
WMO	33	34	34
Sub-total (specialized agencies)	3,884	4,020	4,158
United Nations	4,095	4,107	3,986
TOTAL	7,979	8,127	8,144

13. The total of the amounts provided for temporary assistance in 1955 is \$1,145,710, representing a decrease

of over \$200,000 on the amount provided in 1954. The provision for consultants' fees also shows a decrease from \$750,508 in 1954 to \$712,953 in 1955.

TRAVEL OF STAFF ON OFFICIAL BUSINESS

14. The total of appropriations for travel of staff on official business in 1955 amounts to \$1,686,452, representing a decrease of about \$230,000 on the 1954 appropriations. However, taking account of the fact that the 1954 appropriations included an exceptional provision of over \$250,000 in connexion with the Montevideo Conference of UNESCO, there has been some increase in the amounts for normal travel of staff on official business. Although this net increase is small, in one or two cases large increases have occurred which are offset by reductions in others. It is sometimes argued that travel of staff is essential in order to obtain a realistic appraisal of substantive problems. While the Advisory Committee recognizes some merit in this argument, it believes that beyond a certain point further expenditures on travel would not bring proportionately useful results. In this connexion, increasing use should also be made of the personnel and facilities of regional and field offices that have grown in number in recent years. The Committee believes that further economies are possible in expenditures for travel of staff on official business and suggests that continuing efforts should be made in this direction.

DOCUMENTATION AND PRINTING

15. The total printing expenditures for the United Nations and the specialized agencies as proposed for 1955 (\$2,758,394) shows a slight decrease by comparison with the 1954 appropriations (\$2,840,108). However, the volume of documentation still remains heavy and the Committee would reiterate the comments which it made in its report on the 1954 budgets of the specialized agencies (A/2582).

16. In this connexion, the Advisory Committee notes that different arrangements exist in the various agencies as regards the publications programme. In the case of at least four of them, such arrangements involve some kind of publications revolving fund and are either partially or wholly outside their normal budgets. Although there may be justification for a revolving fund to meet the direct costs of reprints of publications and films, the use of such funds, sometimes subsidized from the budget, to meet normal publication costs is not consistent with the concept of a complete and unified budget covering all operations of an organization. The Committee also noted that income from the sale of publications credited to the ordinary budget shows considerable variation among different agencies in relation to printing costs. Thus, ICAO shows a much higher rate of revenue from publications than any of the other agencies. The experience of ICAO in this regard would seem to offer considerable scope for study by other agencies. The Administrative Committee on Co-ordination might wish to consider this matter as well as the question of a common approach to publications programmes.

ADMINISTRATION OF TECHNICAL ASSISTANCE ACTIVITIES

17. In accordance with General Assembly resolution 122 (VIII) of 23 October 1953, the Advisory Committee undertook during 1954 a review of the administrative procedures of the Technical Assistance Board and those of the participating organizations, as well as their administrative expenditures so far as those are financed from the Special Account. The Committee has made a separate report (A/2661) on that review to the ninth session of the General Assembly.

ADMINISTRATIVE CO-ORDINATION

18. During October 1954, the Advisory Committee had the opportunity of an exchange of views with the Administrative Committee on Co-ordination on points arising from the Advisory Committee's report on the Expanded Programme of Technical Assistance (A/2661) and also on the co-ordination of services between the United Nations and the specialized agencies. As regards the latter topic, a clearer picture of the general situation and of the problems still remaining for solution is expected when the Secretary-General's review of overseas offices of the United Nations is completed in 1955.

19. International Labour Organisation

	1954 appropriations	1955 appropriations
	Dollars (US)	
Personal services	4,648,940	4,879,945
General services	1,691,571	1,907,968
Special projects and activities	35,000	45,000
Other budgetary provisions..	22,659	4,283
TOTAL (gross)	6,398,170	6,837,196
Less: Casual revenue	87,000	92,000
TOTAL (net)	6,311,170	6,745,196

20. The Advisory Committee had an opportunity to discuss the 1955 budget of ILO with representatives of the Director-General.

21. The 1955 gross appropriations exceed those for 1954 by about \$440,000, largely because of automatic increases in salary costs, the expenses of two technical conferences scheduled to meet in 1955 and increases under such items as branch offices, travel and printing.

22. A part of the increased expenditure for branch offices relates to the opening of an additional branch office in Tokyo. The Advisory Committee has inquired into the working of the system of branch offices and national correspondents with special reference to recent developments in that regard. The functions of the branch offices and correspondents include the submission to the Director-General of monthly reports of developments in the country in the labour and allied fields, the preparation of special notes and studies and of articles on labour matters for publication, liaison with the Government as well as with employer and labour groups in the country, and the representation of the Director-General at conferences of interest to ILO in the country. The staffing of these offices is on a national basis and the terms and conditions of service correspond to conditions in the national government services of the country. The personnel of the offices, in other words, are not assimilated to the other international civil servants. On an examination of the relevant factors, the Advisory Committee does not see any advantage in modifying these arrangements at the present time. Nevertheless, it would be useful to keep the situation under review in the light of a possible duplication of efforts and expenditures in areas where ILO maintains a separate office for functions which are not so directly national in character.

23. The credits for travel of staff on official business, other than in connexion with meetings and conferences, have continuously decreased over the past several years from \$163,000 in 1948 to \$82,250 in 1954. The provision for this item in 1955 shows an increase to \$95,000. It is possible that in the process of determining the minimum credits for travel, the reductions during the past few years may have been pushed a little too far. From this

point of view, the increase can be understood ; however, the Advisory Committee trusts that this does not imply a reversal of the previous downward trend.

24. With regard to the increase in the provision for printing, the Advisory Committee inquired into the type of control that is exercised in ILO over printing and documentation. While the existing control appears to be effective, it would be useful to explore the possibilities of more economic reproduction of reports and documents as well as of increasing the revenue from sale of publications.

25. The reorganization of the Working Capital Fund of ILO, which was approved in 1950, will be completed in 1955.

26. *Food and Agriculture Organization*

	1954 appropriations	1955 appropriations
	Dollars (US)	
Personal services	4,279,636	4,524,849
General services	1,519,303	1,429,772
Special projects and activities	—	—
Other budgetary provisions..	201,061	45,379
TOTAL (gross)	6,000,000	6,000,000
Less: Casual revenue	74,500	110,000
TOTAL (net)	5,925,500	5,890,000

27. The budget of FAO was increased from \$5,250,000 in 1953 to \$6,000,000 in 1954 ; it is maintained for 1955 at the latter figure. The Advisory Committee understands that the decision regarding the budget level for 1954 and 1955 had no implication concerning a stabilization of the budget at that level. The Committee, however, trusts that early attention will be given to this matter.

28. The 1955 programme of work is based on the Programme of Work and Budget for 1954-1955 approved by the seventh session of the FAO Conference ; it has been reviewed by the FAO Council with due regard to the priorities established by the Economic and Social Council and the guide-lines laid down by a special working party which considered the long-term trends of the organization's programme.

29. The Advisory Committee notes that the seventh session of the FAO Conference approved a resolution by which funds budgeted for home leave in 1954, if not expended in that year, could be carried over into 1955 and be available for like expenditure during that year, notwithstanding the provisions of financial regulation 4.2 which requires the surrender of unobligated appropriations at the close of the year. It seems to the Committee that it may perhaps be preferable to even out the incidence of home leave rather than to attempt a solution of the problem by budgetary carry-forwards. The Committee understands, however, that apart from the budgetary carry-forward, FAO has taken steps to secure as far as possible a more even distribution of home leave. As the problem exists in varying degrees in all agencies, the Administrative Committee on Co-ordination may wish to consider the possibility of a common approach.

30. FAO has also established a Repatriation Grant Equalization Fund in order to equalize the incidence of costs connected with this grant during the six years beginning 1954, regardless of the number of staff members who may be separated from the service in any particular year. The Committee has some doubt whether the estab-

lishment of equalization funds represents a desirable trend ; if followed extensively, it could be applied to a considerable number of budget items, thus leading to a plethora of such funds, each providing a financial cushion. Where sufficient basis exists, either from actual experience or from firm premises, for a reasonable estimate of expenditure, orthodox methods of budgeting should be adhered to.

31. The Committee has noted with interest that the management survey authorized by the seventh session of the FAO Conference is being carried on by the Organizations and Methods Division of the United Kingdom Treasury. In the opinion of the Committee, this association of outside experts with such surveys can be of inestimable value and contribute to a more objective appraisal of methods and procedures. It is of interest also to note that the documentation process in FAO will be the subject of special examination by the management consultants.

32. *United Nations Educational, Scientific and Cultural Organization*

	1954 appropriations	1955 estimates
	Dollars (US)	
Personal services	5,088,483	5,217,939
General services ..	2,109,970	1,905,189
Special projects and activities	1,636,209	2,883,033
Other budgetary provisions.	870,453	769,739
TOTAL (gross)	9,705,115	10,775,900
Less: Casual revenue	233,666	526,381
TOTAL (net)	9,471,449	10,249,519

33. The Advisory Committee had an opportunity to discuss the budget estimates of UNESCO for 1955-1956 with representatives of the Director-General. These estimates have just been considered by the UNESCO General Conference at Montevideo and, while detailed figures are not yet available, the Committee understands that the Conference adopted a budget of \$21,617,830 for the two-year period 1955-1956. The final appropriations for the two-year period are lower than the original estimates by about \$450,000, with the result that the total 1955 figure in the above table is reduced by about \$225,000.

34. The Advisory Committee notes with some concern the continuing increase in the budget of UNESCO. The 1955-1956 appropriations represent an increase of about \$3 million, or 15.5 per cent over the 1953-1954 appropriations. Taking annual figures, the budget of UNESCO will have increased by about \$2,500,000, representing an increase of 30 per cent, over the period 1951-1955. It should be noted, however, that the appropriation resolution provides that obligations may be incurred only to the extent of the total income anticipated for each year. Contributions not expected to be received are estimated at about 5 per cent of the total assessments for 1955-1956.

35. The 1955-1956 programme and budget are based largely on priorities which were suggested by a working party appointed at the seventh session of the UNESCO General Conference in 1952. The priorities were determined in two stages : (a) priorities for a programme corresponding to the present budgetary level ; and (b) priorities for a programme corresponding to a higher budget level. The working party did not define these two concepts. The Director-General has, however, interpreted "present budgetary level" to mean that the collective membership, irrespective of the number of new members, should be

assessed in 1955-1956 for the same total amount as in 1953-1954. "Higher budgetary level" has been interpreted in the following manner: those member States which were assessed in respect of 1953-1954 would be assessed in respect of 1955-1956 for an amount identical with that applying to the earlier period. In addition, there would be an assessment on any new members. It may be noted that the distinction between these interpretations would be valid only in the event of new members entering the organization. The Advisory Committee wishes therefore to record the view that with a stable programme any addition to the number of contributors should be reflected in a reduction in the contributions of the present members.

36. The eighth session of the UNESCO Conference has been meeting at Montevideo at the invitation of the Government of Uruguay, which has provided certain facilities for the Conference: the Conference costs to the organization are nevertheless approximately double those incurred at its headquarters. This is the fourth conference of UNESCO to be held away from headquarters. Further comment on the general question of sessions away from headquarters is offered in the first part of the present report, and it is sufficient to note at this point that UNESCO is undertaking an appraisal of the results of holding conferences away from headquarters.

37. The provision for travel of staff on official business, other than travel in connexion with sessions of the General Conference, has been continuously increasing. The 1953 obligations amounted to \$148,519, the 1954 appropriations to \$171,427, while for 1955 \$208,408 is estimated on this account. Comment is offered in paragraph 14 above on the increase in travel expenses of certain of the organizations.

38. Reference may also be made to the finalization of proposals for the construction of the permanent headquarters of UNESCO in Paris. The site is being provided by the French Government, together with an interest-free loan of \$7,080,000 repayable over a total period of thirty years. The Committee is glad to note that consultations have been held with other specialized agencies regarding the possibilities of providing space in the new building for their offices in the Paris area.

39. *International Civil Aviation Organization*

	1954 <i>appropriations</i>	1955 <i>appropriations</i>
	<i>Dollars (US)</i>	
Personal services	2,546,750	2,578,650
General services	626,950	640,450
Special projects and activities	—	—
Other budgetary provisions..	26,300	4,000
TOTAL (gross)	3,200,000	3,223,100
<i>Less: Casual revenue</i>	469,690	477,840
TOTAL (net)	2,730,310	2,745,260

40. The Advisory Committee had the advantage of discussing the budget of ICAO with the Secretary-General of the organization.

41. The Committee notes with appreciation that the budget of ICAO has been held within fairly stable limits for the past several years. There was, in fact, an appreciable reduction in the budget from 1953 to 1954, and the 1955 appropriations, although slightly higher than those for 1954, remain below the 1953 figure. The steps taken to achieve this end include the provision for certain items such as home leave of amounts below the estimated

liability, in anticipation of savings, especially under salary costs from unfilled posts. As and when the need arises to fill the vacant posts, savings will dwindle and such items as automatic salary increases will tend to raise the budget level. A fuller degree of stabilization may not be possible without a reduction in the programme until such time as the salary increases are offset by savings occasioned by the replacement of retiring officials.

42. The work programme for 1955 has been developed within the framework of the three-year programme for 1954-1956 which was approved by the seventh session of the ICAO Assembly. Group priorities consistent with the directives of the Economic and Social Council are applied to projects in the technical, economic and legal fields that constitute ICAO's programme. Within each group of priorities a process of selection is carried on steadily throughout the year by the ICAO Council, in consultation with other programme organs and with the Secretary-General of ICAO. The criteria used in the determination of within-group priorities, apart from the appropriate directives of the ICAO Assembly, include urgency, intrinsic importance to international civil aviation, prospects of carrying the project through to a successful conclusion, cost, and avoidance of duplication or of placing unnecessary administrative burdens on contracting States. Such a continuous review of individual project priorities has, no doubt, been an important factor in the relative stability of the organization's budget.

43. It is expected that the investigation of the establishment, organization and methods of the secretariat, which is currently in progress will affect a further improvement in the working of the secretariat. The Advisory Committee notes with appreciation that, as the result of a slight reduction in established posts, ICAO will be the only organization other than the United Nations itself to budget for a smaller establishment in 1955.

44. With regard to the proposal, approved by the ICAO Assembly, that ICAO should acquire a building in Paris to house its European-African Office, the Advisory Committee is informed that consultations have taken place with UNESCO, and that ICAO expects to be able to have either a separate building or an annex within the precincts of the projected UNESCO building and to develop common services with the latter organization. This is a welcome arrangement, and the Committee trusts that all United Nations agencies planning to construct buildings either for their headquarters or other offices will consult other agencies with offices in the area on the possibility of joint accommodation and common services. Such consultations might usefully be undertaken through the Administrative Committee on Co-ordination.

45. The Advisory Committee has also been favourably impressed by the clear and concise documentation which is reflected in the budget document and the annual report of the Council on the activities of ICAO during 1953. Apart from the absence of repetitive texts of budget justification (with a consequent reduction in bulk), ICAO has also achieved economy by the adoption of new processes of reproduction. The use of printed cover pages for documents which are otherwise reproduced by photo-offset combines economy with an attractive format.

46. At its eighth session, the ICAO Assembly approved certain amendments to the ICAO financial regulations designed to assimilate these regulations more closely to those of the United Nations. An important step forward has been taken in treating the withdrawals from the Working Capital Fund as advances to be repaid to the Fund, instead of as non-reimbursable appropriations for expenditure.

47. *Universal Postal Union*

	1954 <i>appropriations</i>	1955 <i>appropriations</i>
	<i>Dollars (US)</i>	
Personal services	204,590	212,416
General services	223,598	243,225
Special projects and activities	60,981	26,869
Other budgetary provisions ..	—	—
TOTAL (gross)	489,169	482,510
<i>Less: Casual revenue</i>	22,547	22,196
TOTAL (net)	466,622	460,314

48. The appropriations for 1955 show increases over the 1954 budget in connexion with salaries and allowances, travel and printing. In view, however, of a reduction in the provision for special projects, there is a net decrease of about \$7,000. Ordinary expenses estimated at \$433,310 for 1955 remain within the ceiling of 1,300,000 gold francs (\$433,912) fixed by the 1952 Congress of the Union.

49. *World Health Organization*

	1954 <i>appropriations</i>	1955 <i>appropriations</i>
	<i>Dollars (US)</i>	
Personal services	5,384,485	5 854,401
General services	2,306,173	2,470,714
Special projects and activities	837,042	1,174,885
Other budgetary provisions..	—	—
TOTAL (gross)	8,527,700 *	9,500,000 *
<i>Less: Casual revenue</i>	905,000	950,000
TOTAL (net)	7,662,700	8,550,000

* This figure represents the "effective working budget" or the amount approved for actual expenditure. It is exclusive of an undistributed reserve (1954: \$1,340,300; 1955: \$1,499,360) comprising the assessments against "inactive" members.

50. The Advisory Committee had an opportunity of discussing the budget of WHO with representatives of the Director-General.

51. The Committee notes with some concern the sharp increase of almost a million dollars in the 1955 budget. Neither the extent of the needs in the fields covered by WHO nor the excellence of the work which the organization is undertaking can be questioned. Nevertheless, the Committee believes that early consideration should be given to the question of stabilizing the programme and budget of WHO in the light of the totality of resources available for international action in many fields.

52. The Committee understands that one of the reasons for the increase in the regular budget is the effect on the planning and execution of the programme of the organization of uncertainty as to the amounts which can be expected from the Expanded Programme of Technical Assistance. It is disturbing to note in this connexion that the seventh World Health Assembly felt it necessary not only to increase the appropriations under the regular programme but, further, to ask the Director-General, so far as practicable, to develop the regular programme and the technical assistance programme in such a way as to keep them completely separate. This decision does not appear to accord fully with the principle laid down in Economic and Social Council resolution 222 A (IX) of 15 August 1949, that "the work undertaken by the participating organizations under the Expanded Programme should be such as to be suitable for integration with their normal work". The Committee trusts that it will be possible during the next few years, through the removal of the uncertainties attending the Expanded

Programme, to revert to an integrated health programme. In the meantime, the Committee welcomes the assurance of the representative of the Director-General that the implementation of the World Health Assembly's resolution will not result in any duplication of administrative servicing or supervision.

53. The programme for 1955 has been developed within the framework of the general programme of work approved by the Fifth World Health Assembly for the period 1953-1956, and in the light of the priorities established by the Economic and Social Council (resolution 451 A (XIV) of 28 July 1952) which include, as priorities in the promotion of basic public-health programmes, the strengthening of public-health programmes and the prevention and control of the major communicable diseases.

54. The Committee inquired into the effectiveness of the procedures in WHO for the preparation, review and approval of the programme and budget estimates, with special reference to the role of the regional inter-governmental committees. The World Health Assembly approves a general programme of work for a specific period and annual programmes are developed within the framework of this period programme. The annual programme and the relevant budget for each region are prepared by the regional director and approved by the regional inter-governmental committee before submission to the Director-General, who then prepares an integrated world-wide programme and budget based on the several regional programmes and budgets. While there are doubtless great advantages in the preparation of programmes at the regional level, the Advisory Committee is not convinced that the approval of a regional budget by a regional inter-governmental committee before the Director-General has formulated his annual programme and budget is entirely satisfactory. Such a procedure may give rise to situations in which the Director-General finds it difficult effectively to modify regional budgets, even though preparation of an annual budget is his sole responsibility. The Committee has been assured, in this connexion, that such situations have so far been avoided in WHO by effective co-ordination and understanding between the Director-General, on the one hand, and the regional directors and regional committees, on the other. It believes nevertheless that, although functional bodies, regional bodies and similar subsidiary organs have a definite, and even an essential, role in the formulation of programmes, the examination and approval of budgets should be the exclusive responsibility, both in principle and in practice, of the supreme legislative organ.

55. In an earlier report (A/2582, paras. 32 and 33) the Advisory Committee expressed some doubts whether the assumption by the full Executive Board (composed of eighteen persons serving in their personal capacities) of the functions previously exercised by a Standing Committee on Administration and Finance, composed of a limited number of Board members, would produce as strict a control in financial and budgetary matters. The Advisory Committee therefore notes with approval a resolution (WHA 7.37) adopted by the seventh World Health Assembly, in accordance with which the Executive Board is to establish a Standing Committee on Administration and Finance to consist of seven of its members to make a detailed analysis of the financial aspects of the proposed programme and budget for 1956. The Advisory Committee trusts that experience in administration and budgeting will be given major weight in the selection of the individual members of this standing committee.

56. The Committee has previously commented on the practice in WHO of including in the budget an undistributed reserve equal to the assessments of those

member States which are formally described as "inactive". The organization does not anticipate receiving contributions against these assessments and consequently also adopts an "effective working budget", which excludes the undistributed reserve. The necessity for this procedure arises from the fact that there is no provision in the WHO Constitution for the withdrawal of members. It may be noted, however, that the seventh World Health Assembly adopted a resolution calling on the next Assembly to give consideration to methods of assessing "active" members only for the amount of the effective working budget in 1956 and subsequent years, any assessments of other members to be additional to that amount.

57. The Committee also notes that a new fund—the Executive Board Special Fund—has been established to cover the moneys which are made available to the Board to meet emergencies and unforeseen contingencies. These moneys have, in the past, been part of the Working Capital Fund. The Committee believes that, in general, a multiplicity of funds should be avoided even if an enlargement of existing funds is thereby called for to meet the new purposes.

58. International Telecommunication Union

	1954 appropriations	1955 appropriations
	Dollars (US)	
Personal services	1,172,365	1,183,205
General services	246,834	229,182
Special projects and activities	—	—
Other budgetary provisions..	34,354	18,291
TOTAL (gross)	1,453,553	1,430,678
Less: Casual revenue	129,408	111,355
TOTAL (net)	1,324,145	1,319,323

59. The above appropriations cover the "ordinary" expenses of ITU and the "extraordinary" expenditures which relate to meetings of various bodies of the Union. In addition, there is the cost of the basic publications programme, which is treated as a separate trading operation. The level of this programme is estimated at \$310,000 in 1955.

60. The Advisory Committee has drawn attention in the past to the question of bringing the ITU staff within the United Nations Joint Staff Pension scheme in preference to the continuance of the two relatively costlier

pension funds of ITU. The Administrative Council of ITU, which met in May 1954, reviewed the position briefly, and will revert to the question at its next session in May 1955, at which time it will have before it a comparative study of the pension scheme in question.

61. As regards the plans for the permanent headquarters of ITU, the Secretary-General of the United Nations has submitted a report (A/C.5/604) on the subject to the General Assembly. The related comments of the Advisory Committee are contained in a separate report (A/2812).

62. World Meteorological Organization

	1954 appropriations	1955 appropriations
	Dollars (US)	
Personal services	202,517	232,499
General services	90,395	99,145
Special projects and activities	65,500	3,000
Other budgetary provisions..	4,588	7,024
TOTAL (gross)	363,000	341,668
Less: Casual revenue	3,000	20,000
TOTAL (net)	360,000	321,668

63. The 1955 appropriations include provision for the holding of the second Congress of WMO. This additional amount, however, is more than offset by the appreciable decrease under "special projects" resulting from the completion in 1954 of the Cloud Atlas project.

64. The first financial period of WMO beginning 4 April 1951 will end on 31 December 1955. It is expected that the organization's expenditures during this period will remain within the maximum amount of \$1,273,000, which was fixed by the first Congress of WMO in 1951.

65. Based on a review of estimates originally proposed by the Secretary-General of WMO in the amount of \$1,997,000, the Executive Committee has recommended to the Second Congress of WMO, which is to meet in May 1955, maximum expenditures during the second financial period (1 January 1956-31 December 1959) of \$1,656,000.

66. The present position as regards the permanent headquarters of WMO has been reported to the General Assembly by the Secretary-General of the United Nations in document A/C.5/604. The comments of the Advisory Committee on this question are contained in a separate report (A/2812).

DOCUMENT A/C.5/L.319

Argentina: proposal for inclusion in the report of the Fifth Committee to the General Assembly

[Original text: Spanish]
[8 December 1954]

The Fifth Committee

Requests the Advisory Committee on Administrative and Budgetary Questions to continue its study of the questions raised in its first report to the ninth session of the General Assembly (A/2661), such study to be carried out at the headquarters of each of the specialized agencies participating in the Expanded Programme of Technical Assistance.

DOCUMENT A/2861
Report of the Fifth Committee

[Original text : English]
[11 December 1954]

1. The General Assembly, at its 478th meeting on 25 September 1954, decided to include in the agenda of its ninth session the following item : "Administrative and budgetary co-ordination between the United Nations and the specialized agencies : reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions". The Assembly further decided to refer the item to the Fifth Committee for consideration.

2. As a basis for its review of the question, the Fifth Committee had before it, at its 481st meeting, the thirty-first report of the Advisory Committee on Administrative and Budgetary Questions to the ninth session of the General Assembly (A/2835) and the information annex II to the budget estimates for the financial year 1955.⁴

3. The Chairman of the Advisory Committee, in introducing the Committee's report, made it clear that no attempt had been made to present a detailed or exhaustive analysis of agency budgets or budget estimates for 1955. These had been or would be examined by the competent bodies in each of the specialized agencies and, where appropriations had already been voted, there existed a record of the deliberations of the appropriate general conference or assembly, together with other pertinent material.

4. The Chairman of the Advisory Committee drew attention to the fact that the main emphasis in that Committee's report was on the continuing increase in the budgets of the agencies, especially of the larger ones. The Advisory Committee had been guided in its consideration of these budgets by the objective set by the General Assembly on 1 December 1950 when, in resolution 411 (V), it urged the agencies "to intensify their efforts to stabilize their regular budgets by the elimination or deferment of less urgent projects". The Advisory Committee's comments were not, however, meant to detract in any way from the excellent work the agencies were doing in their respective fields.

5. The Fifth Committee's attention was drawn to the comparative table of the budgets or budget estimates of the specialized agencies and of the United Nations, set out in the Advisory Committee's report. While the figures in that table, as they related to the financial year 1954, were still to a certain degree tentative, the comparative figures nevertheless pointed to an upward trend in the aggregate, in spite of the large decrease which had been achieved in the United Nations budget. The observations made by the Advisory Committee in paragraphs 4 to 6 of its report were noted as having particular reference to this fact.

6. The Fifth Committee's attention was also invited to the observations of the Advisory Committee on the question of meetings away from headquarters (para. 8 of the report) and on that of travel of staff on official business (para. 14 of the report).

7. Several delegations expressed concern at the continuously increasing trend of the budgets of the agencies. Other delegations, while agreeing that the agencies should carry out their programmes with the utmost regard to administrative economy, pointed out that the growing

demands which the agencies had to meet and which were of considerable importance could not be fulfilled by reduced budgets.

8. In connexion with the questions arising out of the Advisory Committee's review of the administrative procedures and expenses of the Expanded Programme of Technical Assistance (A/2661), Argentina submitted for inclusion in the Rapporteur's report a request to the Advisory Committee on Administrative and Budgetary Questions to continue its study of these questions, such study to be carried out at the headquarters of each of the specialized agencies participating in the Programme (A/C.5/L.319). It was noted that, at the 468th meeting of the Committee when it was considering agenda item 26, "Programmes of technical assistance", the delegation of Argentina had made a similar suggestion but had agreed to the postponement of its consideration in order to facilitate early action by the Committee on item 26.

9. In the discussion that followed, it was generally recognized that a further study of the problems concerned would be useful. Doubt was, however, expressed as to whether the best method was for the Advisory Committee to do this at the headquarters of the agencies. It was thought that it would be better if the Advisory Committee were to take up such an on-the-spot study only at the invitation of the agencies concerned. It was also suggested in this connexion that any proposed on-the-spot study should cover also the review, which was already provided for in the Advisory Committee's terms of reference, of the regular administrative budgets of the agencies. Attention was drawn to the constitutional implications of any extension of the functions of the Advisory Committee which would go beyond its existing terms of reference. While the present suggestions were within those terms, regard would have to be paid to this matter so as not to impinge on the system of relationships with the agencies.

10. As a result of the discussion, the representative of Argentina agreed to the substitution for the text proposed by him (A/C.5/L.319) of the following text submitted by the Rapporteur in the light of the views expressed in the Committee : "The Fifth Committee authorizes the Advisory Committee on Administrative and Budgetary Questions to respond favourably to any invitation received from a specialized agency to continue at the headquarters of such agency the study of administrative and budgetary co-ordination between the United Nations and the specialized agencies, including the questions raised in its first report to the ninth session of the General Assembly (A/2661), if in its judgment such a course would be desirable and practicable in the light of the Advisory Committee's existing responsibilities under its terms of reference". This formulation was accepted by the Fifth Committee. It was understood that it would be transmitted by the Secretary-General to the specialized agencies at an early date so that appropriate arrangements might be made as soon as possible. It was also suggested that at its tenth session the General Assembly should have before it a progress report by the Advisory Committee on this matter.

11. The Committee heard a statement from the representative of the World Health Organization in connexion with the Advisory Committee's comments in paragraphs 49 to 57 of its report.

⁴ *Ibid.*

12. A number of delegations noted that consideration by the Fifth Committee of the Advisory Committee's report, bringing to the attention of Members important aspects of administrative and budgetary co-ordination with the specialized agencies, had been taken up at a very late stage in the session. They considered it necessary to develop arrangements whereby the review of this item by the Committee would take place during the early part of future sessions.

Recommendation of the Fifth Committee

13. In the light of the review of the thirty-first report of the Advisory Committee (A/2835), the Fifth Committee decided, by 34 votes to none, with 5 abstentions, to recommend the adoption by the General Assembly of the following resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/264 below.]

DOCUMENT A/RESOLUTION/264

[Resolution 884 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954

ADMINISTRATIVE AND BUDGETARY CO-ORDINATION BETWEEN THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

The General Assembly

1. Takes note of the report (A/2835) of the Advisory Committee on Administrative and Budgetary Questions dealing with the administrative budgets of the specialized agencies for 1955;

2. Invites the attention of the specialized agencies to the recommendations and suggestions made in the Advisory Committee's report and to the views expressed in the Fifth Committee at the ninth session of the General Assembly.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2861). For the final text, see document A/RESOLUTION/264 above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2647/Add.1	Information annex II to budget estimates for the financial year 1955		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 5 A</i>
A/2661	<i>First report of the Advisory Committee on Administrative and Budgetary Questions</i>		Printed separately
A/2688	Second report of the Advisory Committee on Administrative and Budgetary Questions		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 7</i>
A/2835	Thirty-first report of the Advisory Committee on Administrative and Budgetary Questions	1	
A/2861	Report of the Fifth Committee	9	
A/C.5/L.319	Argentina: proposal for inclusion in the report of the Fifth Committee to the General Assembly	8	
A/C.5/L.323	Draft report of the Fifth Committee		Same text as A/2861
A/RESOLUTION/264	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	10	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 884 (IX)</i>
E/2607 and Corr.1	Sixteenth report of the Administrative Committee on Co-ordination		<i>Official Records of the Economic and Social Council, Eighteenth Session, Annexes, agenda items 8 ((b) and 26 (a))</i>



Agenda item 44: Review of audit procedure of the United Nations and the specialized agencies

C O N T E N T S

<i>Document No.</i>	<i>Title</i>	<i>Page</i>
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A/2746	Report of the Secretary-General	1
Plenary meetings (final phase)		
A/2776	Report of the Fifth Committee	2
A/RESOLUTION/215	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	3
Action taken by the General Assembly		3
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DOCUMENT A/2746

Report of the Secretary-General

[*Original text: English*]
[7 October 1954]

1. At its seventh session in 1952, the General Assembly adopted resolution 672 B (VII), by which the Assembly:

(a) Invited the Secretary-General and the executive heads of the specialized agencies, in consultation with the Joint Panel of Auditors, to review in the Administrative Committee on Co-ordination the present audit procedures and arrangements, and to make appropriate recommendations on any changes or improvements they might consider desirable;

(b) Invited the Governments of Member States to submit any views or recommendations they might have on this question to the Secretary-General for his consideration and for transmittal to the specialized agencies and the Advisory Committee on Administrative and Budgetary Questions; and

(c) Requested the Advisory Committee on Administrative and Budgetary Questions to examine the recommendations of the Administrative Committee on Co-ordination and to report thereon to the General Assembly at its eighth session.

2. In his report (A/2479) to the eighth session of the General Assembly on this question, the Secretary-General proposed that consideration of any possible changes in the existing audit arrangements should be postponed until the ninth session of the Assembly, noting that:

(a) The various specialized agencies were of the opinion

that their existing audit arrangements had fully met the requirements of their constitutions and legislative organs in the past and appeared adequate to meet the increasing requirements of the future;

(b) In consequence, there had been no formal meeting of the Joint Panel of Auditors called to consider the question;

(c) Copies of the replies received from Governments of Member States to the invitation by the General Assembly to submit their views or recommendations on the question had been transmitted to the specialized agencies and to the Advisory Committee on Administrative and Budgetary Questions; and

(d) Any proposals for changes in the audit arrangements for the United Nations itself were necessarily connected with internal arrangements for financial control which were due to be reviewed by the Secretary-General as a part of his over-all review of the organization of the work of the Secretariat.

3. The Advisory Committee, in its report¹ to the General Assembly on the subject, concurred in the Secretary-General's proposal for postponement of the item until the ninth session; and, following consideration

¹ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 43, A/2546.

by the Fifth Committee of the reports of the Secretary-General and of the Advisory Committee, the General Assembly adopted resolution 768 (VIII) deferring the item to the ninth session.

4. The Advisory Committee, in its report, had expressed the hope, however, that nothing would be done, in the course of the review of audit procedures, to weaken the basic principles underlying the establishment of the Joint Panel of Auditors and the common set of principles for the audits. The Fifth Committee, in its report² to the General Assembly, noted that this view of the Advisory Committee had received strong endorsement during the Fifth Committee's discussion, as had the opinion expressed by the Administrative Committee on Co-ordination³ to the effect that any full-time staff that might be set up to deal with questions of external audit should not replace the existing Board of Auditors or impair the accepted principle that final responsibility for external audit should rest with governmental auditors.

5. As regards a general review of the audit procedures of the United Nations and the specialized agencies, there have been no developments since the eighth session of the General Assembly which would indicate that any action is required at this time. The principles which commended themselves to the General Assembly in 1949⁴ and to the assemblies or conferences of the specialized agencies⁵ continue to govern the audits of the various organizations, which audits have been carried out under the direction of members of the Joint Panel of Auditors.

6. As regards the question of the establishment, within the basic audit principles, of a full-time external audit staff, it has been noted above that any such proposal was necessarily connected with the review of the organization of the work of the Secretariat carried out in 1954. The results of that review, in so far as the internal

arrangements for financial control are concerned, are at present before the Assembly under agenda item 53, entitled "Organization of the Secretariat". Because of the undertaking of that review, however, there has been no opportunity to take further steps on the question of the establishment of a full-time external audit staff.

7. The Secretary-General has at the present time no concrete proposals to offer on this agenda item and proposes that it should be deferred to the tenth session of the General Assembly. At that time, the Secretary-General would have had the advice of the Assembly on his proposal regarding the internal organization of the work of the Secretariat at Headquarters and would have derived further benefit from the survey he intends to make of offices and activities external to Headquarters. He would thus be in a better position to discuss with the Advisory Committee on Administrative and Budgetary Questions during the course of 1955 how best the needs of the Organization might be met with particular respect to the internal audit function and its relationship, on the one hand, with the functions of the Controller and, on the other hand, with that of the external auditors. In this connexion, it would be necessary to examine the relative responsibilities of the Secretary-General in regard to the requirements imposed upon him under the financial regulations in respect of internal control, and those of the Board of External Auditors operating as an arm of the General Assembly. He would also wish to give further study to the question of ensuring adequate controls with the minimum of expense to the Member States.

8. The Advisory Committee on Administrative and Budgetary Questions has expressed its concurrence with the proposal of the Secretary-General, on the understanding that, as stated in paragraph 7 above, the question would be taken up with the Committee during the course of 1955.

DOCUMENT A/2776

Report of the Fifth Committee

[Original text: English]
[27 October 1954]

1. In accordance with the allocation of agenda items decided upon by the General Assembly at its 478th meeting on 25 September 1954, the Fifth Committee considered, at its 443rd meeting, the report of the Secretary-General on the question of a review of the audit procedures of the United Nations and the specialized agencies (A/2746).

2. The Fifth Committee noted that the Secretary-General had no concrete proposals to make on this item and that he proposed that it should be deferred to the tenth session of the General Assembly. During 1955, he would be in a better position to discuss with the Advisory

Committee on Administrative and Budgetary Questions how best the audit needs of the Organization might be met. The Advisory Committee had concurred with the proposal of the Secretary-General that the item should be deferred, on the understanding that the Secretary-General would take up this question with the Advisory Committee during 1955.

3. Certain delegations emphasized the necessity of maintaining the principle of an independent external audit under the supervision of governmental auditors, and the desirability of maintaining and, if practicable, enlarging the scope of co-operation in the joint panel of auditors for the United Nations and the specialized agencies, and hoped that in preparing his proposals the Secretary-General would bear these views in mind.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See document A/RESOLUTION/215 below.]

² See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 43, A/2566.

³ Set out in the Secretary-General's report, A/2479.

⁴ Resolution 347 (IV).

⁵ Except the Universal Postal Union and the International Telecommunication Union, whose audits are performed by officials of the Swiss Government, and the International Bank for Reconstruction and Development and the International Monetary Fund.

DOCUMENT A/RESOLUTION/215[*Resolution 871 (IX)*]**Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954****REVIEW OF AUDIT PROCEDURES OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES***The General Assembly*

1. *Takes note* of the report of the Secretary-General on the question of a review of the audit procedures of the United Nations and the specialized agencies (A/2746) ;

2. *Decides* to postpone consideration of the item until the tenth session of the General Assembly.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 496th plenary meeting, on 29 October 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2776). For the final text, see A/RESOLUTION/215, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2746	Report of the Secretary-General	1	
A/2776	Report of the Fifth Committee	2	
A/C.5/L.290	Draft report of the Fifth Committee		Same text as A/2776
A/RESOLUTION/215	Resolution adopted by the General Assembly at its 496th plenary meeting on 29 October 1954	3	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 871 (IX)</i>
E/2446	Thirteenth report of the Administrative Committee on Co-ordination		<i>Official Records of the Economic and Social Council, Sixteenth Session, Annexes, agenda item 30 (a)</i>



Agenda item 45: Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account

CONTENTS

Document No.	Title	Page
Plenary meetings (first phase) :		
A/2852	Thirty-ninth report of the Advisory Committee on Administrative and Budgetary Questions	1
Plenary meetings (final phase) :		
A/2866	Report of the Fifth Committee	2
A/RESOLUTION/265	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	2
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DOCUMENT A/2852

Thirty-ninth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[9 December 1954]

1. The Secretary-General has submitted in document A/2721 the audit reports for the year ended 31 December 1953 relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account, to which are credited voluntary contributions to the Expanded Programme of Technical Assistance.

2. These audit reports, as well as the supporting schedules, have been examined by the Advisory Committee on Administrative and Budgetary Questions in accordance with paragraph 7 of General Assembly resolution 519 A (VI) of 12 January 1952. The Committee has also submitted in a separate report (A/2661) general observations on the administrative procedures and administrative expenses of the Expanded Programme.

3. During the year under review the total of allocations (and other credits) to organizations participating in the Expanded Programme amounted to \$24,528,046. Obligations were incurred to a total of \$23,157,842, leaving an excess of allocations over obligations of \$1,370,204.

4. Annex 1 to the Secretary-General's note (A/2721) shows the following position in respect of unliquidated obligations :

Dollars (US)

(a) Unliquidated obligations : 1953	2,443,513
(b) Unliquidated obligations : prior years	540,361

The Advisory Committee notes that, as regards item (b), the participating organizations, with the exception of the United Nations, generally have carried over unliquidated obligations from 1952 and, in one case, from 1951. The

United Nations adheres in this matter to the standard procedure laid down in the Financial Regulations governing its regular activities (financial regulations 4.3 and 4.4). Although the organizations concerned rely for their authority on Economic and Social Council resolution 222 A (IX) of 15 August 1949, the Advisory Committee suggests that, in view of the relatively high proportion of the unliquidated obligations, it is desirable that a uniform procedure should be adopted and that all participating organizations should conform to the United Nations practice. In a previous report (A/2724, para. 10), the Advisory Committee also drew attention, in connexion with certain *ex gratia* items charged to the Expanded Programme, to the risk that since such payments are not subject to review by the Technical Assistance Board, the various organizations might fail to adopt a consistent approach in the treatment of claims.

5. In view of these considerations, the General Assembly may wish to recommend that the several external auditors should review at each year-end all transactions under the Programme, in order :

(a) To make certain that technical assistance funds are applied solely to productive objectives ;

(b) To ensure that no such funds are unnecessarily recorded as unliquidated obligations ; and

(c) To ensure that uniformity in administrative procedures is pursued to the greatest practicable extent by all participating organizations.

6. The audit report discloses no other points on which the Advisory Committee desires to offer comment.

DOCUMENT A/2866

Report of the Fifth Committee

[Original text : English]
[13 December 1954]

1. In accordance with the allocation of agenda items as decided by the General Assembly at its 478th meeting on 25 September 1954, the Fifth Committee considered, at its 482nd meeting, the audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account. These audit reports had been submitted for the examination and approval of the General Assembly by the specialized agencies concerned pursuant to the requirements of Assembly resolution 519 A (VI), which calls on the specialized agencies to make such a submission after approval of the audit reports by the general conferences of the respective agencies or by such other authorities of the agencies as are constitutionally authorized to approve them.

2. The audit reports thus submitted by the agencies, which related to the financial year ended 31 December 1953, were transmitted to the General Assembly under a note by the Secretary-General (A/2721) in which he drew attention to the fact that, with the exception of the reports relating to the accounts of the Food and Agriculture Organization (FAO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), the audit reports had been approved by the competent organs of the respective agencies. The audit report for UNESCO was to be considered by its General Conference later in the year; and that for FAO at its next Conference in 1955. As a final annex to the note by the Secretary-General, there was included a statement consolidating the statements of income and obligations incurred for the year ended 31 December 1953 submitted by the specialized agencies and by the United Nations, thus reflecting the financial transactions of the Expanded Programme of Technical Assistance as a whole for that year.

3. In addition to the note by the Secretary-General transmitting the audit reports, the Fifth Committee also had, for its consideration of this item, a report (A/2852) of the Advisory Committee on Administrative and Budgetary Questions on the audit reports.

4. In its report, the Advisory Committee had drawn attention to its first report to the ninth session of the General Assembly (A/2661), in which it had submitted

general observations on the administrative procedures and administrative expenses of the Expanded Programme. The Fifth Committee had previously given consideration to that report

(i) At its 468th meeting¹ in connexion with item 26 of the agenda of the ninth session : Programmes of technical assistance ;

(ii) At its 481st meeting² in connexion with item 43 of the agenda of the ninth session : Administrative and budgetary co-ordination between the United Nations and the specialized agencies.

5. The Advisory Committee noted, in its report (A/2852), that for 1953 the allocations (and other credits) to organizations participating in the Expanded Programme totalled \$24,528,046. Obligations had been incurred totalling \$23,157,842, leaving an excess of allocations over obligations of \$1,370,204. Referring to specific points in the accounts, the Advisory Committee noted that there were divergencies of treatment of unliquidated obligations as between the participating organizations. The existence of differences in administrative procedures had previously been the subject of comment by the Advisory Committee and, in its present report, that Committee suggested that the General Assembly might wish to recommend that the several external auditors should review at each year end all transactions under the Programme in order :

(a) To make certain that technical assistance funds are applied solely to productive objectives ;

(b) To ensure that no such funds are unnecessarily recorded as unliquidated obligations ; and

(c) To ensure that uniformity in administrative procedures is pursued to the greatest practicable extent by all participating agencies.

6. The Fifth Committee decided unanimously to recommend to the General Assembly the adoption of the following draft resolution :

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly.
See document A/RESOLUTION/265 below.]

DOCUMENT A/RESOLUTION/265

[Resolution 385 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954

AUDIT REPORTS RELATING TO EXPENDITURE BY SPECIALIZED AGENCIES OF TECHNICAL ASSISTANCE FUNDS ALLOCATED FROM THE SPECIAL ACCOUNT

The General Assembly,

Takes note of the audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account, for the financial year ended 31 December 1953 (A/2721) and of the observations thereon of the Advisory Committee on Administrative and Budgetary Questions (A/2852).

¹ See report of the Fifth Committee on item 26 (A/2804).

² See report of the Fifth Committee on item 43 (A/2861).

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting on 14 December 1954 the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2866). For the final text, see document A/RESOLUTION/265 above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2661	First report of the Advisory Committee on Administrative and Budgetary Questions		Printed separately
A/2721	Note by the Secretary-General		Ditto
A/2852	Thirty-ninth report of the Advisory Committee on Administrative and Budgetary Questions	1	
A/2866	Report of the Fifth Committee	2	
A/C.5/L.271	Letter dated 29 September 1954 from the Chairman of the Second Committee to the Chairman of the Fifth Committee		Mimeographed document only
A/RESOLUTION/265	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	2	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 885 (IX)



EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE FOR THE ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES

First report of the Advisory Committee on Administrative and Budgetary Questions to the ninth session of the General Assembly

1. The General Assembly on 23 October 1953 adopted, on a report of the Second Committee,¹ resolution 722 (VIII) reading in part as follows:

"The General Assembly,

.....

"5. Requests the Advisory Committee on Administrative and Budgetary Questions to review as soon as possible the administrative procedures of the Technical Assistance Board and those of the participating organizations as well as their administrative expenditures so far as those are financed from the Special Account."²

2. Previously, in August 1952 and June 1953, the Advisory Committee had suggested,³ for the consideration of the General Assembly, the possibility of bringing certain joint administrative costs of the Expanded Programme under legislative review. The Committee had noted, in particular, that expenses relating to the TAB secretariat and to the offices of resident representatives were not submitted for examination to any legislative budget-approving body.⁴

3. The review has been made at the request of the General Assembly and under terms of reference laid down by that body. At the same time, however, since both the Economic and Social Council and TAC are closely associated with the request, the Advisory Committee considers it appropriate, in interpreting its mandate, to take cognizance of the relevant proceedings of the Council and its subsidiary body, no less than of those of the Second Committee,⁵ as the author of

the final text of the resolution adopted by the General Assembly.

I. REVIEW OF ADMINISTRATIVE PROCEDURES AND ADMINISTRATIVE EXPENSES

4. The comments offered in this part of the report are confined to the administrative procedures and administrative expenses of the Expanded Programme. In arriving at its conclusions, the Advisory Committee has had the benefit of testimony from the executive head or other representatives of each of the participating organizations, with the exception of the International Telecommunication Union and the World Meteorological Organization; in addition, the Committee has relied, throughout its review, on the submissions, both written and oral, of the Executive Chairman of TAB and his associates.

5. The United Nations Expanded Programme of Technical Assistance is financed by funds voluntarily contributed by the governments of members of one or more of the eight participating organizations. Such contributions are paid into a Special Account set up by the Secretary-General of the United Nations, from which annual allocations are made, under procedures authorized each year by the Economic and Social Council and the General Assembly, to the organizations rendering technical assistance.

6. Two tables are appended, of which the first gives a comparison of administrative and indirect operational costs with total costs of the Expanded Programme activities of each participating organization; the second compares the regular budgets of the participating specialized agencies with the additional amounts provided in their budgets out of Expanded Programme funds.

7. The amounts listed as "central administrative and indirect operational costs" do not represent the sole expenses incurred for the administration of the Expanded Programme. Under the guiding principles of the Council, participating organizations are expected to "ensure the fullest use of any existing facilities", and an appreciable contribution is in fact made by their regular services. In addition, requesting Governments normally assume responsibility for a substantial part of the costs of technical services with which they are provided.

8. But independently even of these supplementary contributions—which for the most part cannot readily be computed—the level of administrative expenditure

¹ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 27, document A/2519.

² The following abbreviations are used throughout this report:

ACC: Administrative Committee on Co-ordination
TAB: Technical Assistance Board
TAC: Technical Assistance Committee of the Economic and Social Council
UNTAA: Technical Assistance Administration of the United Nations.

³ See *Official Records of the General Assembly, Seventh Session, Supplement No. 7*, document A/2157, paragraph 132; *Ibid.*, *Eighth Session*, document A/2403, paragraph 112.

⁴ It may also be of interest, in tracing the origin of the General Assembly's resolution, to note that TAC, when reporting during July 1953 to the Economic and Social Council, expressed the view that the Assembly might wish to request the Advisory Committee to review the administrative procedures of TAB and those of the participating organizations, and their administrative expenditures financed from the Special Account. Such advice, the report added, would be welcomed by TAC in considering the policies of the Expanded Programme (E/2497, paragraph 48). This view was endorsed by the Council in its report to the eighth session of the General Assembly (See *Official Records of the General Assembly, Eighth Session, Supplement No. 3*, document A/2430, paragraph 585).

⁵ See *Official Records of the General Assembly, Eighth Session, Second Committee*, 255th and 256th meetings.

TABLE I

Organization		Central administrative and indirect opera- tional costs	Direct project costs	Total amounts budgeted for Expanded Programme activities	Ratio of administra- tive and indirect operational costs to total costs
		(Dollars)	(Dollars)	(Dollars)	Percentage
UNTAA	1954	713,300	3,945,600	4,658,900 ^a	15.3
	1953	(1,064,700)	(4,214,900)	(5,279,600)	(20.2)
ILO	1954	340,000	1,935,200	2,275,200	14.9
	1953	(321,800)	(1,942,000)	(2,263,800)	(14.2)
FAO	1954	1,055,000	4,633,500	5,688,500	18.5
	1953	(1,166,300)	(4,880,400)	(6,046,700)	(19.3)
UNESCO	1954	384,500	2,320,000	2,704,500	14.2
	1953	(423,900)	(2,303,200)	(2,727,100)	(15.5)
ICAO	1954	109,000	756,000	865,000	12.6
	1953	(112,700)	(902,200)	(1,014,900)	(11.1)
WHO	1954	712,400	3,993,200	4,705,600 ^b	15.1
	1953	(603,400)	(3,575,400)	(4,178,800)	(14.4)
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Total: Participating organ- izations	1954	3,314,200	17,583,500	20,897,700	15.86
	1953	(3,692,800)	(17,818,100)	(21,510,900)	(17.17)
<hr/>					
TAB central secretariat	1954	416,700	—	—	—
	1953	(486,600)	—	—	—
TAB field offices	1954	865,300	—	—	—
	1953	(812,900)	—	—	—
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Total: TAB secretariat and field offices	1954	1,282,000	—	22,179,700	5.78
	1953	(1,299,500)	—	(22,810,400)	(5.70)
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Grand total: (Expanded Pro- gramme only)	1954	4,596,200	17,583,500	22,179,700	20.72
	1953	(4,992,300)	(17,818,100)	(22,810,400)	(21.89)

^a Includes WMO and ITU portions of costs.

^b Includes \$333,234 for costs of staff employed in regional offices and assigned to two or more projects. It is understood

that it is not possible to identify these staff costs with any one project, and that TAB has accepted these costs being charged direct to project costs, though, in the Committee's view, these costs appear clearly to be administrative costs.

TABLE II

Organization		Regular budget	Amounts budgeted for Expanded Programme activities	Ratio of Expanded Programme budget to regular budget
		(Dollars)	(Dollars)	Percentage
ILO	1954	6,643,887	2,275,200	34.2
	1953	(6,530,585)	(2,263,800)	(34.7)
FAO	1954	6,040,000	5,688,500	94.2
	1953	(5,250,000)	(6,046,700)	(115.2)
UNESCO	1954	8,834,662 ^a	2,704,500	30.6
	1953	(8,242,302)	(2,727,100)	(33.1)
ICAO	1954	3,200,000	865,000	27.0
	1953	(3,259,384)	(1,014,900)	(31.1)
WHO	1954	8,497,700	4,705,600	55.1
	1953	(8,485,095)	(4,178,800)	(49.2)

^a Excludes undistributed reserve of \$870,453.

appears to be unduly high. The Advisory Committee has accordingly examined the organization and the various procedures of the Programme in order to ascertain whether and, if so, to what extent they are a factor in increasing the volume of overhead expenses. It is unnecessary to emphasize the importance of keeping the administrative expenses of the Programme to a minimum. These expenses are, in general, found from funds contributed by Member States, and any expenditure needlessly incurred for administration must inevitably reduce the amount available for actual projects.

9. The existing machinery for the implementation of Expanded Programme activities comprises the following principal elements:

(1) *Central TAB level* (Total: 40 posts—15 Professional or higher category, 25 General Service)

(a) Executive Chairman and his immediate office, comprising 12 posts (4 Professional or higher category and 8 General Service). This unit provides overall supervision of the TAB secretariat, performs the functions of Secretary to the Board, maintains liaison with participating organizations and delegations, and assists the Executive Chairman in the general co-ordination of the Programme. The staff costs of this unit are of the order of \$75,360 (net).

(b) The secretariat of TAB, comprising 28 posts (11 Professional or higher category and 17 General Service) provides the housekeeping and general ad-

ministrative services, manages the TAB field offices, and advises the Executive Chairman on the development and implementation of TAB administrative and financial policies, on the organization and conduct of technical assistance programming at Headquarters and at the country level and on the financial management of the Programme, including the collection and utilization of contributions from Governments. The staff costs of this unit are of the order of \$152,715 (net).

(2) *Participating organizations level* (Total: 484 posts—182 Professional or higher category, 302 General Service)

(c) The individual technical assistance departments within the secretariats of the participating organizations performing the functions of:

(i) Assisting Governments in drawing up requests for technical assistance in their respective fields of activity;

(ii) Recruiting and assigning experts in the field and furnishing them with technical guidance and administrative support in the course of their work, and reviewing their interim and final reports for presentation to Governments;

(iii) Technical and administrative management of the Programme within the respective fields of activity.

The numbers of staff employed by participating organizations and paid out of Expanded Programme funds are:

	<i>Professional</i>	<i>General Service</i>	<i>Total</i>	<i>Staff costs</i>	<i>Other Ancillary costs</i>	<i>Total costs</i>
				\$	\$	\$
UNTAA	58*	77	135	652,400	60,900	713,300
ILO	22	34	56	262,250	77,750	340,000
FAO	59	131	190	836,200	218,800	1,055,500
UNESCO	21	37	58	311,100	73,400	384,500
ICAO	5	11	16	80,700	28,300	109,000
WHO	39	95	134	515,667	196,794	712,461

* Does not include 15 posts charged to temporary assistance, 8 posts charged direct to projects, and 19 detailed posts.

(d) The regional or zonal offices (where they exist) of participating organizations. These have a substantial role both in the day-to-day administration of the Programme in the region, and in the provision of substantive guidance and supervision of the experts in the field. These offices also negotiate with and advise recipient Governments in the preparation of individual projects.

(3) *Field level*

(e) TAB field offices (including resident representatives). The basic function of the resident representative (or liaison officer) is the provision of assistance to Governments and participating organizations in the formulation and implementation of integrated country programmes. As and when appropriate, the representative serves as a point of co-ordination with field representatives of other bilateral and multilateral programmes. Field offices also provide administrative support services necessary for the experts in the field.

The total number of staff including resident representatives (numbering 21) employed in the field offices is 141 (51 Professional or higher category and 90 General Service) costing \$641,700.

(f) The chiefs of missions (or team leaders) appointed by the individual participating organizations, and their immediate offices. These mission chiefs are responsible for the co-ordination of the work of the experts, for negotiations with Governments in the drawing-up and implementation of projects, and for ensuring that administrative support services necessary for the work of the experts are provided.

(g) The counterpart machinery and support services furnished by the recipient Governments. This machinery is intended to perform the functions of co-ordination and liaison of Expanded Programme activities with national economic development schemes, and other bilateral and multilateral programmes that may be operating in the country. In terms of Economic and Social Council resolution 222A (IX), recipient Governments are expected to "assume responsibility for a substantial part of the costs of technical services . . . at least that part which can be paid in their own currencies". The support normally consists of providing furnished office space, communication services, office supplies, local transportation, secretarial and clerical assistance necessary for the work of the experts in the field, and the appointment of professional assistance to experts for

purposes of in-service training. It is difficult to estimate the exact money equivalent of the support services provided by the recipient Governments.

10. Thus, excluding staff referred to in (g) above, a total of 665 are employed exclusively on Expanded Programme activities, at a direct cost to Expanded Programme funds of \$4,596,671. To this must be added the assistance, both substantive and technical, rendered to the Programme by the regular programme departments of participating organizations. This structure provides administrative and technical backstopping for 1,974 experts and 1,762 fellowship holders.⁶

11. The complex processes involved in the formulation of a comprehensive country programme may be considered, in broad outline, at several stages:

(a) At the country level, where individual experts work with the interested technical officials of the government department concerned to draw up individual projects. Normally, at this stage the individual experts have the advice of the substantive departments (or regional offices) of the respective participating organization;

(b) The individual projects are then considered by the co-ordinating machinery established by most recipient Governments to mould them into a single programme fully integrated with any bilateral or multilateral programmes already in operation and into any plans for national economic development at this stage. The resident representative takes part in these discussions;

(c) The programme so developed is then submitted to the participating organizations and to the secretariat of TAB. The participating organizations examine such portions of the programme as fall within their spheres of activity, for technical soundness and balance in relation to their activities in the region as a whole. They also include it in their regular budget presentation to their respective governing organs. The secretariat of TAB studies the programme as a whole from the point of view of availability of funds and geographical distribution;

(d) The Executive Chairman submits the programme to TAB for its formal approval, with his recommendations.

12. The Advisory Committee notes that this complex machinery for the implementation of the Programme is so designed as to place emphasis on persuasion and co-operation among the participating organizations in addition to central direction and control. For the purpose of determining the efficiency of these arrangements, the Committee invited the views of the Executive Chairman and of representatives of participating organizations specifically on the following points:

(a) How co-ordination is achieved at each of the three levels, namely, at the field level, at the participating organization level, and at the central TAB level;

(b) The extent to which Expanded Programme activities are integrated with regular programme activities of participating organizations.

These processes of co-ordination and integration are not, of course, the only possible factors of economy and efficiency, and in part II of the present report, the Advisory Committee refers to certain other solutions that are related to constitutional issues.

⁶ These are the approved figures for the 1954 programme.

Resident representatives

13. The system of resident representatives plays an important part in securing co-ordination at the field or country level. While resident representatives are normally appointed by the Executive Chairman of TAB only at the request of recipient Governments and after consultation with participating organizations, such representatives are in fact now serving in most countries having a programme of any appreciable size. Their responsibilities are broadly the following: to assist Governments and participating organizations in formulating and executing country programmes; to co-ordinate and assist the work of experts in the field through the provision of administrative and support services; to maintain liaison with the government departments and agencies responsible for the programme; and to co-ordinate Expanded Programme activities with national, bilateral or multilateral programmes. With the shift in responsibility for programming to the country level, the importance of the representatives' role has been greatly enhanced, inasmuch as country programmes are now fully worked out in the field, with due regard to the country's immediate needs and in concert with interested agency experts, and are co-ordinated with other schemes in operation in the country.

14. Evidence presented to the Advisory Committee shows that participating organizations avail themselves of the services of resident representatives in varying degrees. With one exception, these organizations have expressed the view that since the resident representatives are normally not qualified in any of the highly specialized spheres of the Expanded Programme, their usefulness is limited to the provision of administrative support to experts in the field and to the function of liaison with recipient Governments at the ministerial level; and that while their responsibilities have increased with the changing emphasis in country programming, their role in this regard can be of only limited scope; they can help in formulating the comprehensive country programme in accordance with the policy and the budgetary level set by TAB, but individual projects still need to be worked out by the experts themselves in association with the competent government officials and with the area officers at the headquarters of participating organizations. Several organizations use their regional or zonal offices for assisting Governments in the drawing up of project requests and for supervising the progress of work in the field; others again depend on chiefs of missions or team-leaders for these purposes. Where resident representatives are not serving, reliance has to be placed on the individual chiefs of missions or on the regional offices, or finally on a system of control from the headquarters of the organization, based on periodic progress reports of the experts.

15. It appears to the Committee that the dual system resulting from the use of resident representatives side by side with agency regional representatives involves much overlapping and proliferation of staff. In a large measure, the negotiations undertaken with individual Governments are of an administrative character and should be well within the scope of the duties of a resident representative, leaving the functions of agency representatives to be confined to purely technical advice.

16. The Advisory Committee is satisfied that, particularly with the shift of emphasis to programming at the country level, resident representatives can per-

form a useful function. But, in the Committee's opinion, participating organizations do not make adequate use of the representatives' services. It considers that an appreciable economy without loss of efficiency would be achieved if:

(a) Participating organizations made full use of the resident representatives in all negotiations with recipient Governments and in co-ordinating the activities of experts in the field.

(b) Participating organizations dispensed with chiefs of missions (or team-leaders) where the functions performed by such officials are principally of an administrative and co-ordinative nature;

(c) All administrative and support services required in the field (including payments of subsistence allowances to experts) were centralized in the office of the resident representative and brought under his control.

17. The Committee notes that the arrangements for co-ordination at the participating organization level—the second of the three stages referred to above—provide for a system of area or liaison officers at the organization headquarters. These officers are technical experts in their own right and are charged with keeping close touch with the day-to-day operations in the field and with advising or guiding experts in their work. The scrutiny of the Expanded Programme portion of the budgets of the participating organizations is performed by the respective governing organs in the same manner as the scrutiny of budgets for regular programmes.

18. Finally, as regards the machinery at the TAB level, the Board considers the Programme as a whole to ensure an equitable geographical distribution, and gives its formal approval. It approves requests from participating organizations for allotments from funds not automatically distributed under the over-all percentages decided on by TAC and the Economic and Social Council. It is also responsible for guidance to participating organizations on the basis of policy directives issued by TAC and the Council.

Integration of Expanded Programme activities with regular programme activities

19. As regards the integration of Expanded Programme activities with regular programme activities, the evidence presented to the Advisory Committee establishes that the extent of such integration varies from one participating organization to another. This variation is due, it was represented, to the differences between one organization and another in the extent to which their regular activities are more or less operational in character. The Committee is, however, disturbed to note that the participating organizations, with few exceptions, tend to the view that Expanded Programme activities should "pay their way". Thus, the majority of the organizations appear to have set up separate technical assistance departments to deal with Expanded Programme activities. While some additional staff is necessary to deal with the increase in workload arising out of such activities, acceptance of the theory of Expanded Programme activities "paying their way" would, in the Committee's opinion, undermine the very basis of the Programme, namely, that the largest possible proportion of available funds should be devoted to operational, as distinct from administrative, costs. It is to secure this object that the Council in resolution 222A (IX) laid down the principles that

"the work undertaken by the participating organizations under the Expanded Technical Assistance Programme should be such as to be suitable for integration with their normal work" and "within the wide range of activities envisaged, the participating organizations should practise . . . concentration of effort and economy [and] . . . ensure the fullest use of any existing facilities".

Administrative and indirect operational costs

20. The Advisory Committee has examined in this connexion:

(a) The present division of Expanded Programme costs into three categories: (i) central administrative costs; (ii) indirect operational costs; (iii) direct project costs; and

(b) Whether it is practicable to limit administrative costs to a fixed proportion of total Programme costs.

21. As regards point (a), the Committee feels that the present distinction between central administrative and indirect operational costs is largely artificial, and that it encourages a tendency to class as an indirect operational cost any item of expenditure that is not purely administrative or that cannot be identified with a project. For example, expenditure incurred for the briefing of experts is currently classified as indirect operational on the ground that it cannot be regarded as a purely administrative item or be identified with any single project. It is, however, the Committee's view that, inasmuch as the briefing of an expert is designed to enhance his working efficiency in the field, such a service is similar in nature to the provision in the field of transport or secretarial services for the use of an expert, which, as being non-technical, is treated as an administrative cost. Among other items charged to indirect operational costs, note may be taken of the considerable number of posts established at the headquarters of participating organizations for the performance of ancillary work on behalf of experts in the field or of recipient Governments. Such posts include, for example, those of editors of documents and official records, library personnel, and translators, which, it is suggested, are in reality administrative in nature and should be so classified. The Committee further notes that in certain cases costs of purely administrative support staff, such as chauffeurs, secretaries and interpreters, are included in project costs, a practice which has the effect of distorting the ratio of administrative costs to project costs. Unless such services are essential to the success of the project, and for that reason can be classified as purely operational in nature, their cost should, it is suggested, be entered as an administrative cost.

22. Where point (b) is concerned, the Committee appreciates the force of the argument that to impose a ceiling on administrative costs is to disregard the fact that projects require administrative support to a varying extent. Thus, while a project for establishing a steel-rolling plant calls for little administrative support, considerable support would be needed for a project such as the establishment and operation of a public administration centre. The Committee is nevertheless of the opinion that, for a programme of the size now under review, a proportion of less than 12 per cent for administrative costs could be regarded as reasonable, as compared with an actual proportion, based on the 1954 budget figures, of 20.72 per cent. As indicated in the first of the tables appended to paragraph 6

above, this figure is made up of two elements: (a) costs of TAB (central secretariat and field offices)—\$1,282,000, representing 5.78 per cent of the total cost of the Expanded Programme (\$22,179,700); and (b) administrative costs of the eight participating organizations—\$3,314,200, representing 15.86 per cent of their total programme costs (\$20,897,700). In view, however, of the fact that a reduction, if applied within a twelve-month period to the Programme as a whole (including TAB), might prove an unduly abrupt transition and impair its operations, the Committee recommends that, as a first step, efforts should be made to reduce the level of administrative costs by the end of 1955 to 12 to 14 per cent in the case of the participating organizations and to 5 per cent in the case of TAB. In making this recommendation, the Committee has in mind (a) the considerable assistance, both substantive and administrative, rendered without charge to the Expanded Programme by regular departments of participating organizations; and (b) the large volume of support services provided by Governments receiving assistance under the Programme.⁷ Where TAB is concerned, the Committee takes account of the probability that, under the revised organization of the United Nations Secretariat, a larger measure of assistance will be given by the substantive departments, as well as of the fact that reductions are possible, in its opinion, in the number and classification of posts in the TAB secretariat at Headquarters, in the classification of certain of the posts of resident representatives and in the provision for official travel.

Central direction of the Programme

23. The Advisory Committee has also examined the question of centralization of administrative services—whether a fully centralized administration of the Expanded Programme would be administratively more efficient and economical than the existing structure. Although, in the abstract, a strong and fully centralized administration of the Programme, as a whole, would doubtless make for an efficient operation, such a course would postulate the consolidation of existing organizations or the creation of a new international agency adequately equipped with both the administrative and technical staff necessary to exercise a strong central direction. Irrespective of the constitutional considerations, the Committee feels that, at the present time, the increased cost of a measure of that kind, coupled with the fact that it would tend to duplicate services and skills already available in the participating organizations, argues against its adoption. It seems indeed that the Council had regard to these very factors in establishing the Programme as a United Nations programme in which the specialized agencies participate, and in calling for (a) the maximum integration with regular activities of the participating organizations; and (b) the maximum use of existing facilities. Accordingly, the Advisory Committee has suggested, in paragraph 54 below, an improved procedure within the present framework.

Central administration of local costs

24. As part of the problem of centralization of administrative services, the Advisory Committee has also given attention to the proposed central administra-

⁷ UNTAA, for example, estimates that, in relation to its total project costs of \$4,036,600, the value of support services provided by recipient Governments in 1953 was \$1,700,000.

tion of the "local costs" plan. The "local costs" referred to under this plan represent the payments made by recipient Governments towards the subsistence costs of experts. Prior to 1 January 1954, recipient Governments, under the terms of the agreements for furnishing technical assistance, met costs arising in the field for the provision of lodging for experts either in cash or in kind, while the participating organizations paid the difference between "lodging costs" defrayed by Governments and the full subsistence entitlements of the experts. In view, however, of the disadvantages of a system of dual payments, a system has been introduced, since 1 January 1954, under which participating organizations assume full responsibility for the payment of all subsistence entitlements of experts, while recipient Governments make lump sum payments, in advance, to TAB towards their share of these expenses.

25. The Committee agrees that the central collection from Governments of local costs payments was an advantageous step. It has some doubts, however, as to the wisdom of a scheme under which centralization would be confined to the payment of subsistence allowances, while concurrently the participating organizations would retain the existing machinery for the payment of the experts' salaries. The Committee understands that, at its session in May 1954, TAB gave careful consideration to the administrative advantages that are anticipated from such a centralization, and decided in favour of the scheme. The Committee therefore refrains from making any specific recommendations in the matter at this stage, and would prefer to review the situation at a later date after experience has been gained of the working of scheme and an assessment of the resulting administrative economies is possible.

Administrative divergence between the Expanded Programme and regular programmes

26. On the question of the administrative and financial regulations established for Expanded Programme activities, it is the view of the Advisory Committee that the existence of differences between the TAB regulations, on the one hand, and the regulations adopted by the participating organizations for their normal activities, on the other, has contributed to avoidable expenditure and administrative confusion.

27. It is open to question whether it would not have been wiser, at least in the early years of the Programme, to follow the regulations and rules laid down by the United Nations for its normal activities and to draw up such special regulations as were required for Expanded Programme activities only after sufficient experience had been gained.

28. The Committee further suggests that, to the extent that divergencies in regulations between regular programmes and the Expanded Programme are attributable to provisions in the basic resolutions, it is incumbent upon the Executive Chairman of TAB to bring such provisions to the notice of the Economic and Social Council and of the General Assembly.

Currency problems

29. The Executive Chairman of TAB and the representatives of participating organizations, in their testimony before the Advisory Committee, attributed

certain of their difficulties, as well as an increase in administrative costs, to (a) the multitude of currencies in which contributions are paid by Governments; and (b) the fact that the majority of the currencies are either non-convertible or of limited convertibility, or that in certain cases restrictive conditions are imposed on the use of contributions. They further claimed that uncertainties connected with the financing of the Programme, and the difficulty of immediately adjusting administrative staff to fluctuations in available funds, were contributory factors in this situation.

30. As regards points (a) and (b), the Committee recognizes that, apart from the additional expense of currency management and clearing-house arrangements, the factor of convertibility may adversely affect the cost of individual projects, by reason, for example, of higher travel expenses for experts and of the higher cost of freight and equipment. The Committee notes, however, that at its seventeenth session the Economic and Social Council adopted resolution 521 A (XVII) of 5 April 1954 in which it recommends to the General Assembly that the Special Reserve Fund should be increased in size and reconstituted as a Working Capital and Reserve Fund to be used, among other purposes, for improving and facilitating currency management. The General Assembly's approval of this recommendation would contribute towards reducing and ultimately eliminating the difficulties in question.

31. In so far as the other factors mentioned in paragraph 29 are concerned, the Committee appreciates that it is not always practicable for participating organizations to increase or reduce staff in exact proportion to the increase or decrease in the funds allocated for Expanded Programme activities, that attempts rigidly to follow fluctuations in amounts available would merely produce administrative waste, and that, irrespective of the size of the Programme, a minimum administrative staff has to be maintained. These difficulties are, however, present in the administration of any programme, and the Advisory Committee is not convinced that they afford adequate justification for the present high level of administrative costs.

Sessions of TAB

32. Attention may also be drawn to the frequency of the sessions of TAB and its various working parties, since the Advisory Committee is not satisfied of the necessity for the holding, for example, during 1953 of as many as five sessions of the Board. The pattern of such sessions during the years 1952 and 1953 and, to date, during 1954 is illustrated in the following table:

Sessions of Technical Assistance Board

	<i>New York</i>	<i>Geneva</i>	<i>Paris</i>	<i>Total</i>
1952	3	2	1	6
1953	2	2	1	5
1954 (to 15 June)	1	1		2

Apart from the travel and subsistence costs incurred by representatives of participating organizations, the frequent and/or prolonged absence from their headquarters of senior officials attending such sessions tends to inflate administrative costs, and, as indicated in the 1954 TAB estimates, to necessitate an increased staffing of its secretariat. On the basis of the evidence presented, the Committee suggests that, so long as the present organization is maintained, two sessions of

TAB and its working parties should normally be sufficient in each year.

Inter-agency bodies dealing with Expanded Programme matters

33. The Advisory Committee also takes note of the fact that there are now three bodies composed of representatives of the United Nations and the specialized agencies which consider various aspects of Expanded Programme activities, namely, ACC, the Consultative Committee on Administrative Questions and TAB. The Consultative Committee, a subsidiary body of ACC, is presided over by the Director of Finance or the Director of Personnel of the United Nations. ACC is presided over by the Secretary-General of the United Nations, while TAB is presided over by its Executive Chairman and includes the Secretary-General, or his representative, as one of the members of the Board.

34. While in the early days of the Expanded Programme it was perhaps advantageous to have a separate inter-agency body such as TAB to concern itself exclusively with technical assistance matters, the justification for the continued existence of as many as three high-level inter-agency bodies, each of which considers technical assistance matters, now appears tenuous.

Appraisal of programmes

35. The Advisory Committee has also studied the method of appraising the effectiveness of technical assistance activities. It is a responsibility of TAC "to make for the Council critical examinations of activities undertaken and results achieved under the Expanded Programme", while that of the Executive Chairman of TAB is to appraise "the effectiveness of the activities of the participating organizations financed from the Special Account and the results achieved".

36. During 1953, TAC requested of TAB suggestions regarding the best methods of making such appraisals (E/2497, paragraph 33), and the report accordingly submitted (E/TAC/41) for consideration at the Council's eighteenth session (June-July 1954) sets forth the several steps in the process of appraisal. These are:

(a) Appraisal of individual projects, intended (i) to improve existing projects; (ii) to afford guidance in the reshaping of the objectives of existing projects or in the selection of new projects; and (iii) to measure the success achieved by projects;

(b) Appraisal of country programmes, intended to assess the impact of a given programme on the overall economic and social development of the recipient country, and subsidiarily to ensure that programmes comprise projects of the highest priority and that they accord with wider national plans or other international programmes for economic development; and

(c) Over-all appraisal of the Expanded Programme, intended (i) to determine how far its objectives are progressively being achieved; (ii) to assure contributing Governments of the advantageous use of funds; and (iii) to afford general guidance to TAB and the participating organizations.

37. The report recognizes the importance of the machinery of review instituted by recipient Governments as a necessary counterpart to appraisals undertaken by participating organizations or by TAB. It is

indeed, in the Advisory Committee's opinion, both an interest and the primary responsibility of such Governments to determine for themselves the efficacy of technical assistance programmes; they are best placed to measure the success of any particular project with reference to their own economies and to appraise the work done under the Expanded Programme in relation to parallel activities under other programmes, national or international. The Committee concurs also in the view expressed by TAB that "an elaborate and costly system of project evaluation would not be justified in relation to the possible benefits to be derived" (E/TAC/41, paragraph 8), and it considers that the responsibility of the Executive Chairman of TAB should be confined to studying how far TAB commitments under the various agreements with recipient Governments have been met.

38. In this connexion, it is expected that, under the plans for a re-organization of the United Nations Secretariat, a larger measure of assistance in this work will be rendered to TAB by the Departments of Economic Affairs and Social Affairs. The Advisory Committee considers that these departments, when unified, should be able to make such appraisals (within the limitations indicated above) as part of their regular duties. In view of the acknowledged difficulty of making a scientific appraisal of programmes—only certain projects lending themselves to an exact measurement in terms of concrete results—the amount of work devoted to that purpose should be strictly limited.

Administrative co-ordination with other programmes

39. Finally, the Advisory Committee has also studied the question of administrative co-ordination between the Expanded Programme, on the one hand, and regular or extra-budgetary programmes on the other. Although much remains to be done in this field, the question does not appear to call for detailed treatment in the present report. Such a co-ordination is implicit in the guiding principles of the Economic and Social Council relating to co-ordination of effort, and has, more generally, been the subject of repeated and extensive discussion in the General Assembly of the United Nations. Furthermore, the offices of resident representatives, on which observations have been offered in earlier paragraphs, are the most important of the possible areas of administrative co-ordination.

40. Where other extra-budgetary programmes are concerned, there is ample scope for eliminating administrative overlapping, and the Committee notes with interest that progress has already been made in negotiations undertaken for this purpose between TAB and the United Nations Children's Fund (UNICEF). Specifically, it understands that UNICEF would in principle agree to a consolidation of functions in areas where resident representatives and UNICEF representatives are stationed, and would generally be willing to consider the possible amalgamation of any given UNICEF post with a technical assistance post. The Committee urges that similar negotiations embracing all aspects of the concentration of resources should be entered into with the United Nations Relief and Works Agency for Palestine Refugees in the Near East and other agencies.

II. GENERAL CONSIDERATIONS

41. In part I of the present report the Advisory Committee deals with the details of the existing ad-

ministrative arrangements. The comments in part II have reference to certain constitutional issues which have been the subject of decision by sovereign political bodies. The Committee therefore wishes to make it clear that such comments are prompted solely by considerations of administrative efficiency. The general policies governing the Expanded Programme and the substance of projects and programmes financed from the Special Account are, strictly speaking, outside the terms of reference of the present enquiry. The Committee feels, however, that the objectives of the review it has been asked to undertake would not properly be fulfilled if it refrained from drawing attention to policy decisions of the General Assembly or of the Economic and Social Council which have given rise to administrative difficulties or have served to increase unduly the administrative expenses of the Expanded Programme. Nor would it be doing its duty if it refrained from indicating possible remedies for such a situation.

42. The inherent difficulties of an administrative order to which the Committee has given attention fall into two main categories, of which the first comprises difficulties that arise out of the original decision reached by the framers of the United Nations Charter. The situation of fact in respect of these decisions is too well known to call for detailed elaboration. The report of Commission II of the San Francisco Conference on International Organization explicitly stipulated that the provisions for agreement between the United Nations and any specialized organization should not deprive the latter of responsibilities in its own field as defined in its basic instrument. Yet that report also included a no less explicit recommendation that such agreements should be sufficiently flexible to enable satisfactory arrangements to be worked out on the basis of need and experience. Furthermore, Commission II was instrumental in raising the Economic and Social Council to the status of a principal organ of the United Nations which, though not granted authority directly to modify agency programmes or budgets, was intended to exercise a large co-ordinative power. To the extent, therefore, that machinery is available for the correction of structural weaknesses, related administrative defects may also be susceptible of correction. Indeed, in resolutions 50 (I), 124 (II) and 309 (IV), the General Assembly has shown its concern that the provisions of the agreements concluded between the United Nations and the specialized agencies should correspond to actual requirements, and that, in other words, those agreements should confer upon the United Nations the leadership in co-ordinating activities in the economic and social fields, in accordance with Chapter IX of the Charter.

43. The second category comprises difficulties attributable to decisions which, though conditioned in certain cases by the constitutional provisions of the Charter, pertain specifically to the Expanded Programme. These difficulties were illustrated in a report (E/2161) issued by ACC in December 1951, which, after pointing out that (a) no new international organization was set up by the Economic and Social Council to administer the Expanded Programme; and (b) the Council, in lieu of placing the whole of the responsibility on any existing international body, divided it among six international organizations, each charged with carrying out an appropriate segment of the task, goes on:

"During the short period of its existence, TAB has been faced with an extremely complex and difficult task. A great new programme has had to be launched, as it were, from six different shipyards, each with its own traditions and techniques, its own designers, yardmasters, and ultimate directing authorities."

The Advisory Committee recognizes, of course, that the situation existing at the end of 1951, when the Expanded Programme was still at a formative stage, is not identical with the situation of today. An appreciable improvement took place during the succeeding financial periods, 1952 and 1953, due perhaps in part to increasing experience and in part to amendments of the basic 1949 resolution of the Council providing, among other things, that the deliberations of the Board should be subject to majority agreement in place of the rule of unanimity which had been in force during the first two years. Yet the cardinal fact remains that the responsibility for the Programme continues to be dispersed among a number of international organizations, and that administrative arrangements and administrative procedures continue to be governed by factors which, as it seems, have less to do with the exigencies of the Programme than with the constitutional relationship between those organizations. In this situation the co-ordinating power of the Council cannot be fully exercised in the manner contemplated in the guiding principles of the Expanded Programme.

44. The Expanded Programme was set up under Economic and Social Council resolution 180 (VIII), which requested the Secretary-General of the United Nations "in consultation with the executive heads of the interested specialized agencies through the Administrative Committee on Co-ordination . . . to prepare a report for the ninth session of the Council setting forth:

"1. A comprehensive plan for an expanded co-operative programme of technical assistance for economic development through the United Nations and its specialized agencies, paying due attention to questions of a social nature which directly condition economic development;

"2. Methods of financing such a programme including special budgets; and

"3. Ways of co-ordinating the planning and execution of the programme".

45. It appears implicit both in the substance and the phrasing of the above request that it was the aim of the Council that the programme of technical assistance should be primarily a United Nations activity, though relying heavily on the co-operation of interested specialized agencies. Thus, the report was to be submitted by the Secretary-General of the United Nations; his consultation with the executive heads of agencies was to take place through the medium of ACC, in which body the "leadership of the Secretary-General" had been expressly recognized by the Council at the time of its establishment (resolution 13 (III)).

46. The report actually submitted to the Economic and Social Council (E/1327/Add.1) was described in the introductory note as "a co-operative product of the secretariats of the United Nations organizations". It was in two parts: the first, which represented a text agreed to by these secretariats of all the organizations

concerned, set out the objectives and the nature of the programme, the fields of work covered and the proposed financial arrangements. The second part was subdivided into chapters setting forth, not under the responsibility of the Secretary-General of the United Nations but individually and independently under that of the executive head of each interested organization, proposals for technical assistance activities to be undertaken by the United Nations and five specialized agencies.

47. The report thus departed materially from the conception of a United Nations activity as contemplated in resolution 180 (VIII). Similarly, the proposals on methods of financing the programme, though formally submitted by the Secretary-General, did not represent his considered opinion but a compromise arrangement reflecting the largest measure of possible agreement among the executive heads of the interested organizations.

48. Technical assistance as such did not have its origin in the Expanded Programme of 1949. Almost all the specialized agencies had rendered such assistance prior to that date. Thus, even before the Second World War, the International Labour Office had in many cases provided technical assistance to Governments while, in addition, the League of Nations had undertaken similar work through the agency of the Health Committee, the Economic and Financial Committees, the Committee on Intellectual Co-operation and other bodies. A later parallel may be found in the work of UNRRA, and as regards the post-war period, interest in the promotion of such activities was one of the principal reasons for the establishment of certain of the specialized agencies. Similarly, in the case of the United Nations, a series of technical assistance programmes was initiated during that period by the Economic and Social Council and approved by the General Assembly in resolutions 52 (I), 58 (I) and 200 (III).

49. Nevertheless, it seems equally appropriate to keep in mind the important point that the Expanded Programme was conceived not as a mere grouping together of fragmentary activities previously undertaken, but rather as a new approach to technical assistance based on the principles of the United Nations Charter. The Programme was established by the General Assembly on the recommendation of the Council as a United Nations programme; custody of the moneys of the Special Account is a responsibility of the United Nations; and although TAB has been established as an inter-secretariat body to afford representation to participating organizations, it is intended to operate under principles laid down by the United Nations through the Economic and Social Council. Even though this clear line of authority was somewhat blurred in the 1952 modifications of the TAB structure, when—as it seems to the Advisory Committee—insufficient attention was paid to the relationship between the Secretary-General of the United Nations and the Executive Chairman of TAB, the basic principle remains unimpaired.

50. The Committee suggests moreover that if, because of the existing constitutional situation, efforts at a substantial administrative economy must necessarily be directed at this stage towards securing the maximum integration with regular activities and the maximum use of existing facilities, the possibility

should not be overlooked of taking action, in terms of Chapter IX of the Charter, to emphasize the overriding importance in the economic and social fields which the Governments of Members attach to problems of economic development in general and to Expanded Programme activities in particular. Subordinate to these issues, yet not without high importance, is the relationship between TAB and the participating organizations, which must be viewed in the light of the constitutional revision of the Board approved in 1952, and with reference to the above premises.

51. The Advisory Committee has reached the conclusion that, as at present constituted, the Board is not in a position either to exercise such a direction or, as a corollary, to ensure the original objective of a balanced, integrated, and flexible programme of technical assistance. Indeed, while it is true that the revision of 1952 served to remove some of the disabilities under which TAB had previously been required to function (and foremost among these must be cited the rule of unanimity), it appears also to have served to create other obstacles. In the first place, the administration of the Expanded Programme by a representative board is unsatisfactory from a constitutional point of view and, since it is not desirable on administrative and financial grounds that TAB should be in continuous session, presents great practical difficulty. Secondly, the Committee feels that the formal relationship of the Executive Chairman to the Secretary-General of the United Nations is both ambiguous and equivocal. Appointed, in accordance with the revised procedure of 1952, by the Secretary-General, who himself exercises important functions under the Programme—for example, as the custodian of moneys contributed to the Special Account—the Executive Chairman, acting in his own capacity as well as on behalf of the Board, has power (by the fact of appointment) over the Secretary-General. For the latter, in the capacity of executive head of a participating organization (UNTAA), comes under the authority of TAB and of its Executive Chairman in a number of important respects. Thirdly, the authority of the Executive Chairman in relation to the participating organizations, as exercised in practice, is not clear. Points (a), (b) and (c) of his terms of reference, as approved in Economic and Social Council resolution 222 (IX), amended by Council resolution 433 A (XIV), provide for his performing the following, among other, functions:

“To examine programme proposals submitted by participating organizations . . . ;

“To make such recommendations to TAB as he may deem appropriate with respect to all programme proposals or projects . . . ;

“After approval of programme proposals or projects by the Board, to earmark the necessary funds, and as projects become final, to allocate funds without further reference to the Board.”

But, despite these powers, the budgetary control of the Expanded Programme as exercised by TAB is more apparent than real. Even where estimates for the following year's programme are presented in detail to the appropriating authority of a participating organization,⁸ they are, in view of the date of presentation, purely tentative in character, and any review that is

attempted must of necessity be based solely on a notional figure subject to later adjustment. A detailed review linked to an actual figure of anticipated contributions is possible only towards the end of the financial year. It does not, however, appear to the Advisory Committee that TAB is equipped to undertake such a review, involving eight participating organizations, in other than a perfunctory manner. This conclusion is in no sense a criticism of the Headquarters office of the Executive Chairman; the Committee on the contrary is aware of the successful efforts made by TAB, on the proposal of its Executive Chairman, to achieve a substantial reduction, by comparison with 1953, in the 1954 level of administrative and indirect operational costs.

52. As indicated previously, there are pending, at the date of the present report, before the Economic and Social Council and the General Assembly, a number of decisions directly connected with the Expanded Programme. Closely bound up with such decisions are certain proposals which the Secretary-General will shortly submit in respect of the organization of the Secretariat of the United Nations, and which have been foreshadowed in his statement of 30 March 1954 to the Economic and Social Council (E/2598, annex), in which reference is made to a closer co-ordination between the work of a unified Department of Economic and Social Affairs and that of the Technical Assistance Administration, as well as in a note by the Secretary-General to the Council (E/2598), in which it is proposed that the purposes of the Expanded Programme, as an overriding objective of the total economic and social programme of the United Nations, shall constitute “the guiding principle in the elaboration of the programmes and projects within the Secretariat directly concerned with or necessary for the achievement of that objective”.

53. After examination of all the relevant factors, the Committee sees no escape from the conclusion that the present unduly high level of administrative expenditure of the Expanded Programme, with its attendant duplication of effort and other administrative weaknesses to which the Committee has drawn attention, must be ascribed mainly to the existing inconsistencies of direction described above.

54. The Advisory Committee believes that an effective co-ordination of the Programme can be achieved only if a clear and direct line of authority runs from the Secretary-General of the United Nations through whatever Secretariat unit he may require to carry out instructions issued by him in accordance with the directives of the Economic and Social Council and subject to the overriding authority of the General Assembly. In view of the fact that the authority to be exercised will be mostly co-ordinative and administrative in character, it seems appropriate that the Secretary-General should act, for this purpose, in the capacity of Chairman of ACC, and exercise the powers of leadership assigned to him by the Economic and

⁸ As regards UNTAA, the General Assembly confines its review to the administrative expenditure proposed for the UNTAA programme and to that part of the operational programme which is financed out of a direct grant-in-aid from the United Nations budget. The regular budget document contains virtually no information on the operational part of the Expanded Programme executed by UNTAA.

Social Council in resolution 13 (III).⁹ In that event, ACC under the leadership of the Secretary-General would become directly responsible for the conduct of the Expanded Programme (with the present voting procedures of TAB maintained), assisted perhaps by a subsidiary advisory body, while the Secretariat unit would be under the direct authority of the Secretary-General.

III. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

55. Part I of the present report deals with the administrative expenses and existing administrative procedures of the Expanded Programme; part II consists of an analysis of administrative weaknesses in the Programme which, in the opinion of the Advisory Committee, may be attributed to factors of a constitutional nature. The Committee presents in the following paragraphs a summary of its conclusions and recommendations on the principal matters considered in the course of the inquiry.

Matters reviewed in part I

(a) The dual system resulting from the use of resident representatives side by side with agency regional representatives involves an overlapping of functions. An appreciable economy without loss of efficiency is possible if participating organizations make full use of the representatives' services and dispense with chiefs of missions charged primarily with administrative duties (paragraphs 13 to 16).

(b) In view of the ratio of Expanded Programme funds to regular expenditure, full use should be made of existing administrative facilities in promoting the objectives of the Programme. In lieu of the concept of Expanded Programme activities "paying their way", the question to be determined is: what is the minimum addition to existing services which the execution of the Programme calls for? (paragraph 19).

(c) The present distinction between "administrative" and "indirect operational" costs should be removed, all costs not of a direct operational character being classified as administrative costs (paragraph 21).

(d) In view of the substantial contributions which recipient Governments make in the form of administrative support services, efforts should be made to reduce the level of administrative costs (including those at present classified as indirect operational costs) by the end of 1955: (i) in the case of the participating organizations to 12 to 14 per cent of total programme costs; (ii) in the case of TAB to 5 per cent of the total cost of the Expanded Programme (paragraph 22).

(e) By reason of the constitutional situation of fact, a radical change in the organizational structure of the

Programme cannot at present be recommended. Economy should therefore be pursued through measures designed to yield the utmost advantage broadly within the existing structure. Such measures include the maximum integration with regular activities and the maximum use of existing facilities (paragraphs 23 and 50).

(f) The Committee doubts the wisdom of the proposed centralization of local costs payments. The system should be reviewed at a later date in the light of actual experience (paragraphs 24 and 25).

(g) The existence of differences between the TAB regulations and the regulations adopted for the normal activities of participating organizations has contributed to administrative confusion and avoidable expenditure (paragraphs 26 to 28).

(h) The recommended increase in the Special Reserve Fund and its reconstitution as a Working Capital and Reserve Fund should, if approved by the General Assembly, contribute towards eliminating currency difficulties (paragraphs 29 and 30).

(i) It is suggested that, so long as the present organization is maintained, two sessions of TAB in each year should normally be sufficient (paragraph 32).

(j) The existence of as many as three high-level inter-agency bodies, each of which considers technical assistance matters, seems no longer justified (paragraphs 33 and 34).

(k) As regards the appraisal of programmes, the Committee considers that (i) the amount of time devoted by the TAB secretariat or substantive departments of the United Nations Secretariat to this task should be strictly limited, and costly processes avoided; and (ii) the primary responsibility for determining the effectiveness of programmes rests with the recipient Governments (paragraphs 35 to 38).

(l) On the question of administrative co-ordination with other programmes, ample scope exists for eliminating overlapping at the administrative level. Negotiations similar to those already initiated between TAB and UNICEF, with a view to the possible consolidation of functions and posts, might usefully be extended to other extra-budgetary agencies and should embrace all aspects of the concentration of resources (paragraphs 39 and 40).

Matters referred to in part II

(a) It was the aim of the Economic and Social Council in 1949 that the programme of technical assistance should be primarily a United Nations activity though relying heavily on the co-operation of interested specialized agencies. The Expanded Programme was not intended as a mere amalgam of fragmentary activities, but as a new approach to technical assistance based on the principles of the Charter (paragraphs 45 to 49).

(b) The absence of a stringent budgetary control is noted, and it is strongly urged that such a control should now be established (paragraph 51).

(c) To ensure an effective co-ordination of the Programme, a clear and direct line of authority should run from the Secretary-General through whatever Secretariat unit may, in his opinion, be required. The Secretary-General should act, for this purpose, in his

⁹ Council resolutions 13 (III) of 21 September 1946 establishing ACC reads in part as follows:

"The Economic and Social Council,

.....

"2. Requests the Secretary-General of the United Nations to establish a standing committee of administrative officers consisting of himself, as chairman, and the corresponding officers of the specialized agencies brought into relationship with the United Nations, for the purpose of taking all appropriate steps, under the leadership of the Secretary-General, to ensure the fullest and most effective implementation of the agreements entered into between the United Nations and the specialized agencies."

capacity of Chairman of ACC, exercising the powers of leadership granted to the holder of that office by the Economic and Social Council. ACC, under the leadership of the Secretary-General, would become

directly responsible for the conduct of the Expanded Programme, perhaps assisted by an advisory body. The Secretariat unit would be under the direct authority of the Secretary-General (paragraph 54).

**AUDIT REPORTS RELATING TO EXPENDITURE BY SPECIALIZED AGENCIES FOR TECHNICAL ASSISTANCE FUNDS ALLOCATED FROM THE SPECIAL ACCOUNT**

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Note by the Secretary-General

1. In accordance with the requirements of resolution 519 A (VI) of the General Assembly adopted on 12 January 1952, there are submitted herewith the audit reports for the year ended 31 December 1953 relating to expenditures by the specialized agencies of technical assistance funds allocated from the Special Account. Paragraph 7 of the resolution reads as follows:

"Calls on the specialized agencies participating in the Expanded Programme of Technical Assistance to provide, in their regular budget documents, information concerning their estimates for the expenditure of technical assistance funds; and to transmit to the General Assembly, for examination and approval, the audit reports relating to expenditure of technical assistance funds allocated from the Special Account after approval of the appropriate audit reports by the general conferences of their agencies or by such other authorities of the agencies as are constitutionally authorized to approve them."

2. Attached to the present document is a combined statement (annex 1) showing the status of allocations to the participating organizations under the Expanded Programme as at 31 December 1953, which summarizes the separate audited financial statements submitted by the specialized agencies, together with similar information regarding the transactions of the United Nations under the programme.

3. The audited financial statements of the specialized agencies are attached as annexes 2 to 6; these comprise for each agency the financial statement showing the status of its allocations, in the form prescribed by the Technical Assistance Board, bearing the certificate of the external auditors and, in certain cases, extracts, pertaining to technical assistance matters, from audit reports submitted to the general conference of the agency concerned. The detailed supporting schedules furnished by the several agencies, to which references are made in the financial statements, are not included in this submission but are being made

available to the Advisory Committee on Administrative and Budgetary Questions.

4. The audit reports, except those relating to the accounts of the Food and Agriculture Organization and the United Nations Educational, Scientific and Cultural Organization, have been approved by the general conference or such other authorities of the agencies concerned as are constitutionally authorized to approve them, as follows: in the case of the International Labour Organisation, on 21 June 1954; in the case of the World Health Organization, on 14 May 1954; and in the case of the International Civil Aviation Organization, on 14 June 1954. The audit report of UNESCO will be submitted to its General Conference in November 1954. The FAO audit report will be submitted to the eighth session of the Conference to convene in 1955.

5. The audit reports of FAO for 1951 and 1952, which had not been approved at the time of their submission to the General Assembly at its eighth session, were approved at the seventh session of the FAO Conference, held 23 November to 11 December 1953.

6. The separate financial statements covering the operations of the United Nations under the Expanded Programme are included in the financial report and accounts for the year ended 31 December 1953.¹ There are also included in that document statements showing the status of the Special Account as at 31 December 1953 (schedule J, page 28) and the allocations and obligations incurred for the TAB secretariat (statement V, pages 33 and 34), as well as the report of the Board of Auditors regarding the Expanded Programme (pages 42 and 43). A consolidated statement which combines these statements with those submitted by the specialized agencies (annexes 2 to 6 to the present document) is attached as annex 7. This consolidated statement thus reflects the financial transactions of the Programme as a whole.

¹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 6*, document A/2649, statement IV, pages 29 to 32.

ANNEX 1

**Expanded Programme of Technical Assistance
for the Economic Development of Under-Developed Countries**

COMBINED STATEMENT SHOWING THE STATUS OF ALLOCATIONS TO THE PARTICIPATING ORGANIZATIONS AS
AT 31 DECEMBER 1953 BASED ON THE ACCOUNTS CERTIFIED BY THEIR EXTERNAL AUDITORS

(Expressed in United States dollars)

	<i>United Nations</i> \$	<i>ILO</i> \$	<i>FAO</i> \$	<i>UNESCO</i> \$	<i>ICAO</i> \$	<i>WHO</i> \$	<i>Totals</i> \$
Excess of allocations over obligations incurred as at 31 December 1952 (see note 2)	14,834	861,720	228,869	(215,941)	56,781	645,544	1,591,807
<i>Less:</i>							
Surrenders (net) to the special account	14,834	861,720	228,869	(215,941)	56,781	645,544	1,591,807
	—	—	—	—	—	—	—
Allocations during 1953 (net)	5,355,949	2,417,466	6,183,971	2,983,988	1,007,585	4,596,816	22,545,775
Amount available from regular United Nations budget	1,779,600	—	—	—	—	—	1,779,600
Other credits	42,864	474	71,743	8,687	8,325	7,248	139,341
Savings on 1952 obligations	—	—	59,855	—	3,475	—	63,330
Total allocations or other credits	7,178,413	2,417,940	6,315,569	2,992,675	1,019,385	4,604,064	24,528,046
<i>Less:</i>							
Obligations incurred during 1953 project costs	5,607,864	1,942,026	4,733,560	2,303,198	902,189	3,575,387	19,064,224
Technical and operational costs	982,479	186,468	613,392	123,338	8,440	310,271	2,224,388
Central administrative costs	468,881	135,307	551,322	300,545	104,311	293,148	1,853,514
Exchange adjustments	—	4,305	—	—	860	10,551	15,716
Total obligations incurred	7,059,224	2,268,106	5,898,274	2,727,081	1,015,800	4,189,357	23,157,842
Excess of allocations, etc., over obligations incurred as per certified accounts	119,189	149,834	417,295	265,594	3,585	414,707	1,370,204
<i>Less:</i>							
Savings on 1952 obligations which revert to the special account (note 1)	—	—	59,855	—	3,475	—	63,330
	119,189	149,834	357,440	265,594	110	414,707	1,306,874
Represented by:							
Cash at banks, on hand and in transit	901,079	362,910	617,507	441,609	51,090	692,895	3,067,090
Undrawn allocations	289,271	165,413	104,000	561,673	(9,444)	357,832	1,468,745
Accounts receivable, advances, deposits, etc.	103,000	89,578	208,673	31,252	23,747	—	456,250
	1,293,350	617,901	930,180	1,034,534	65,393	1,050,727	4,992,085
<i>Less:</i>							
Unliquidated obligations—1953	866,450	330,894	470,257	394,649	29,208	352,055	2,443,513
Prior years	—	98,979	29,629	327,032	29,677	55,044	540,361
Sundry credit balances	128,522	38,194	12,999	34,069	2,923	203,070	419,777
Savings on liquidation of prior year's obligations accountable to the Special Account	179,189	—	59,855	13,190	3,475	25,851	281,560
	1,174,161	468,067	572,740	768,940	65,283	636,020	3,685,211
	119,189	149,834	357,440	265,594	110	414,707	1,306,874

NOTES:

(1) In order to present the accounts of all agencies in a common format, the accounts as certified by the external auditors have been in certain cases summarized or rearranged. Particularly, it is noted that the "excess of allocations, etc., over obligations incurred" has been in the cases of two agencies reduced by the amounts of savings on 1952 obligations which they reported as income, but which all other agencies dealt with as amounts

accountable to the Special Account, in accordance with the relevant decision of the TAB.

(2) The amount shown in respect of FAO's excess of allocations over obligations incurred as at 31 December 1952 and, correspondingly, the total against this caption, has been increased by \$124,818 over the closing figures shown in the report for 1952 (A/C.5/546) representing obligations incurred in 1952 which were disallowed.

ANNEX 2

**Expanded Programme of Technical Assistance
for the Economic Development of Under-Developed Countries**

STATEMENT SHOWING THE STATUS OF ALLOCATIONS TO THE INTERNATIONAL LABOUR ORGANISATION
AS AT 31 DECEMBER 1953

(Expressed in United States Dollars)

	\$	\$
Excess of allocations over obligations incurred as at 31 December 1952	861,719.54	
Redistribution of net unobligated funds as at 31 December 1952	(701,903.00)	
	<hr/>	
Net assets carried over from 1952	159,816.54	
Allocations during the year ended 31 December 1953	2,187,833.00	
	<hr/>	
	2,347,649.54	
Bonus allocations during the year ended 31 December 1953	72,065.61	
	<hr/>	
Total allocations during the year ended 31 December 1953	2,419,715.15	
Exchange adjustment:	\$	
(i) Applicable to allocations during 1953	(2,249.19)	
(ii) Applicable to 1952 unexpended balance	474.28	1,774.91
	<hr/>	
Net allocation for 1953		2,417,940.24
<i>Obligations incurred during 1953:</i>		
Project costs	1,942,025.53	
Indirect operational costs	186,468.52	
Administrative costs	135,306.84	
Exchange adjustments	4,305.27	2,268,106.16
	<hr/>	
Excess of allocations over obligations incurred to 31 December 1953		149,834.08
		<hr/>
<i>Represented by:</i>		
Cash on hand and in banks	362,910.24	
Allocations made but not drawn	165,413.18	
Accounts receivable	77,575.80	
Advances	12,002.02	
	<hr/>	
	617,901.24	
<i>Less: Unliquidated obligations</i>		
1951	716.51	
1952	98,262.85	
1953	330,894.24	
	<hr/>	
	429,873.60	
Accounts payable	36,365.99	
Other credits	1,827.57	468,067.16
	<hr/>	
		149,834.08
		<hr/>

Certified correct

(Signed) D. W. STACEY
Finance Officer

(Signed) F. H. WHEELER
Treasurer and Financial Comptroller

AUDIT CERTIFICATE}

The financial statements relating to the net allocations made to the International Labour Organisation in connexion with the Expanded Programme of Technical Assistance for the economic development of underdeveloped countries for the year ended 31 December 1953, have been examined in accordance with the directions of the undersigned. All the information and explanations required have been obtained, and this is to certify, as a result of the audit, that, in the opinion of the undersigned, the above Statement and the related schedules of project costs, indirect operational costs, and administrative costs are correct, subject to the observations in my report.

(Signed) Uno BRUNSKOG
External Auditor

EXTRACT FROM THE REPORT BY MR. UNO BRUNSKOG ON THE AUDIT OF THE
ACCOUNTS OF THE INTERNATIONAL LABOUR ORGANISATION FOR THE
35TH FINANCIAL PERIOD (1953)

Expanded Programme of Technical Assistance

Savings in the unliquidated obligations for 1952 have made it possible for the organization to return \$30,000 to the Special Fund administered by the Technical Assistance Board.

I have examined the accounts and the financial records of the organization pertaining to the funds received and expenses in connexion with technical assistance. These accounts and records are satisfactory and require no further comments.

ANNEX 3

**Expanded Programme of Technical Assistance
for the Economic Development of Under-Developed Countries**

STATEMENT SHOWING THE STATUS OF ALLOCATIONS TO THE FOOD AND AGRICULTURE ORGANIZATION
DURING THE PERIOD 1 JANUARY 1953 TO 31 DECEMBER 1953

(Expressed in United States dollars)

	\$	\$	\$
Excess of allocations over obligations incurred as at 31 December 1952.....	104,050.74		
Fellowship commitments disallowed by Technical Assistance Board.....	124,818.26	228,869.00	
		<hr/>	
Redistribution of net unobligated allocations as at 31 December 1952.....		192,164.00	
Allocations during 1953.....		5,768,867.00	6,189,900.00
		<hr/>	
Less: Exchange adjustments applicable to allocations during 1953			5,929.03
			<hr/>
			6,183,970.97
Other credits:			
Savings in liquidation of prior years' obligations.....	85,854.78		
Less:			
Amount surrendered to Technical Assistance Board.....	26,000.00	59,854.78	
Interest earned.....		2,896.38	
Exchange adjustments.....		2,190.35	
Other.....		66,656.37	131,597.88
		<hr/>	<hr/>
			6,315,568.85
Obligations incurred during 1953:			
Project costs.....	4,733,559.61		
Indirect operational costs.....	613,392.31		
Administrative costs.....	551,321.68		
		<hr/>	<hr/>
			5,898,273.60
Excess of allocations over obligations incurred to 31 December 1953.....			417,295.25
			<hr/> <hr/>
Represented by:			
Cash on hand, in banks and in transit.....	617,507.20		
Undrawn allocations.....	103,999.92		
Accounts receivable.....	77,073.43		
Current account with regular Programme.....	121,618.89		
Other advances.....	9,980.78		
		<hr/>	930,180.22
Less: Unliquidated obligations 1952.....	29,629.06		
1953.....	470,256.62	499,885.68	
		<hr/>	
Accounts payable, etc.		12,999.29	512,884.97
		<hr/>	<hr/>
			417,295.25
			<hr/> <hr/>

(Signed) W. K. MUDIE
Chief, Finance Branch

(Signed) P. V. CARDON
Director-General

I have examined the above statement. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion this statement and the related schedules of project costs, indirect operational costs and central administrative costs are correct.

(Signed) F. N. TRIBE
(Comptroller and Auditor General, Great Britain)
External Auditor

EXTRACT FROM THE REPORT BY MR. F. N. TRIBE ON THE AUDIT OF THE ACCOUNTS
OF THE FOOD AND AGRICULTURE ORGANIZATION FOR THE YEAR 1953

Part III. Expanded Programme of Technical Assistance

1. Part II of the accounts of the Food and Agriculture Organization for the year 1953, which were submitted to me on 8 May 1954, consists of the statement of account of the technical assistance funds allocated to the organization, together with the related schedules of project, indirect operational and central administrative costs. My examination has been carried out in conjunction with, and on the same lines as, my audit of the accounts of the Regular Programme of the organization as described in Part I of this report. In accordance with the arrangements made between the Technical Assistance Board and the Joint Panel of Auditors of the United Nations, a certified copy of the technical assistance statements and copies of parts I and III of this report have been sent to the Board.

2. Examination of agreements with countries receiving technical assistance and of the corresponding project budgets has shown that expenditure on equipment and supplies has sometimes exceeded the limits prescribed in the relative agreements. The organization informed me that hitherto no arrangements had been made to co-ordinate budgetary provisions and agreement limits as they had regarded the limits in

the agreements as a figure set for their own purposes, since a Government would not be likely to protest if equipment were supplied in excess of the figure given in the agreement. The organization had in the past felt free to exceed that figure should the development of a project make it clear that such action was desirable.

3. Arrangements have however now been made to exercise a stricter control and to ensure that the sums included in project budgets for equipment and supplies will not exceed limits laid down in relevant agreements.

I wish to record my appreciation of the willing co-operation of the officers of the organization during my examination.

(Signed) F. N. TRIBE
(Comptroller and Auditor General,
Great Britain)
External Auditor

16 July 1954

ANNEX 4

**Expanded Programme of Technical Assistance
for the Economic Development of Under-Developed Countries**

STATEMENT SHOWING THE STATUS OF ALLOCATIONS TO THE UNITED NATIONS
EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION AS AT 31 DECEMBER 1953

(Expressed in United States dollars)

	\$	\$	\$
Excess of allocations over obligations incurred in 1952 as per financial statement dated 31 December 1952.....			(215,941)
Allocations received from 1 January to 31 December 1953			
Reallocation of carry-overs from 1952:			
Special allocation to cover excess of obligations over allocations in 1952 . .		215,941	
Share in reallocation of carry-overs 1952.....		203,274	
		<hr/>	
		419,215	
Allocations during 1953.....		2,760,572	
Allocations from savings on liquidation of 1952 obligations.....		23,004	3,202,791
		<hr/>	
			2,986,850
<i>Deduct:</i> Exchange adjustments on allocations.....			2,862
			<hr/>
			2,983,988
<i>Add:</i> Gain on exchange.....			8,567
Miscellaneous income.....			120
			<hr/>
Net available funds.....			2,992,675
Obligations incurred during 1953:			
Project costs (schedule A).....		2,303,198	
Administrative costs (schedule B).....		300,545	
Undistributed project costs (schedule C).....		123,338	2,727,081
		<hr/>	
Excess of allocations over obligations incurred to 31 December 1953.....			<u>265,594</u>
Represented by:			
Cash on hand and at bank.....		441,609	
Allocations made but not drawn.....		561,673	
Accounts receivable, deposits, advances, etc.....		31,252	1,034,534
		<hr/>	
<i>Less:</i> Accounts payable.....		1,574	
Unliquidated obligations 1952.....	327,032		
Unliquidated obligations 1953.....	394,649	721,681	
		<hr/>	
Provisional surplus 1950-1951.....	32,495		
Provisional surplus 1952.....	13,190	45,685	768,940
		<hr/>	
			<u>265,594</u>

Certified correct:

(Signed) LUTHER H. EVANS
Director-General

(Signed) R. HARPER-SMITH
Comptroller

I have examined the above Statement. I have obtained all the information and explanations that I have required, and I certify as the result of my audit, that in my opinion this Statement and the related Schedules of project costs, administrative costs and undistributed project costs are correct.

(Signed) F. N. TRIBE
(Comptroller and Auditor General, Great Britain)
External Auditor

EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE: REPORT OF MR. F. N. TRIBE
ON THE STATEMENT SHOWING THE STATUS OF ALLOCATIONS TO THE UNITED NATIONS
EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION AS AT 31 DECEMBER 1953

Item 8.4.8.1. of provisional agenda

1. The statement is presented in a form similar to that notified by the Executive Chairman of the Technical Assistance Board as proposed for incorporation in the Manual of Financial Policies and Procedures in respect of 1953. It distinguishes between the obligations incurred for administrative costs (schedule B) and undistributed project costs (schedule C) which in previous years were included on one schedule as "administrative costs".

Surrender of savings

2. The statement shows that at 31 December 1953 there were provisional surpluses of \$32,495 in respect of 1950-51 and \$13,190 in respect of 1952. These figures were arrived at after the surrender to the Special Account of \$40,889, representing the known 1953 savings on prior year obligations at 30 November 1953. The savings, which were made up of \$21,241 relating to 1952 and \$19,648 for 1950-51, were surrendered in accordance with the decision of the Technical Assistance Board at its 27th and 28th Meetings.

The form of statement notified by the Board does not appear to provide for the separate mention of this type of transaction.

(Signed) F. N. TRIBE
(Comptroller and Auditor General, Great Britain)
External Auditor

4 June 1954

ANNEX 5

**Expanded Programme of Technical Assistance
for the Economic Development of Under-Developed Countries**

STATEMENT SHOWING THE STATUS OF ALLOCATIONS TO THE INTERNATIONAL CIVIL AVIATION ORGANIZATION
AS AT 31 DECEMBER 1953

(Expressed in United States dollars)

	\$	\$
Excess of allocations over obligations incurred as at 31 December 1952.....		56,781
Redistribution of net unobligated allocations as at 31 December 1952.....		9,438
Allocations during 1953.....		941,681
Exchange adjustments applicable to allocations during 1953.....		Dr. 315
		<hr/>
		1,007,585
Other credits:		
Savings in liquidation of 1952 prior year's obligations, \$28,975, less \$25,500 transferred to the credit of undrawn allocations.....	3,475	
Interest earned.....	37	
Exchange adjustments.....	—	
Other (exchange suspense).....	8,288	11,800
		<hr/>
		1,019,385
Obligations incurred during 1953:		
Project costs (schedule A).....	902,189	
Indirect operational costs (schedule B).....	8,440	
Administrative costs (schedule C).....	104,311	
Other:		
Exchange adjustments.....	860	
Other.....	—	1,015,800
		<hr/>
		3,585
Excess of allocations over obligations incurred to 31 December 1953.....		<hr/> <hr/>
Represented by:		
Cash on hand in banks and transit.....	51,090	
Undrawn allocations.....	Cr. 9,444	
Accounts receivable.....	5,465	
Advances.....	14,363	
Deposits.....	3,919	
Deferred charges.....	—	65,393
		<hr/>
Less:		
Unliquidated obligations 1952.....	29,677	
Unliquidated obligations 1953.....	29,208	
Accounts payable, etc.....	—	
Other credits.....	2,923	61,808
		<hr/>
		3,585
		<hr/> <hr/>
Certified correct		Approved
<i>(Signed)</i> B. T. TWIGT Chief, Finance Branch		<i>(Signed)</i> C. LJUNGBERG Secretary-General

AUDIT CERTIFICATE

The above Statement showing the Status of Allocations to the International Civil Aviation Organization in connexion with the Expanded Programme of Technical Assistance for Economic Development of Under-Developed Countries has been examined. I have obtained all the information and explanations required and certify, as a result of the audit, that the statement and the related schedules of project costs, indirect operational costs and administrative costs, are in accordance with the accounts maintained by the Organization and are, in my opinion, correct.

(Signed) Watson SELLAR
External Auditor

**Expanded Programme of Technical Assistance
for the Economic Development of Under-Developed Countries**

REPORT BY MR. WATSON SELLAR TO THE ASSEMBLY OF ICAO ON THE
AUDIT OF ACCOUNTS FOR THE YEAR ENDED 31 DECEMBER 1953

1. The audit has been made, in the manner required by article 33 of the TAB Manual of Financial Policies and Procedures, of the 1953 accounts maintained by ICAO with respect to the Organization's participation in the Expanded Programme of Technical Assistance for economic development of under-developed countries.

2. 1953 allocations of funds to ICAO totalled \$1,007,585 (after exchange adjustments). This included reallocations of unobligated balances of the preceding year and a portion of the savings in liquidating 1952 obligations. When other credits of \$11,800 were added, the total available became \$1,019,385, as shown in the financial statement. Obligations incurred totalled \$1,015,800, and are classified in the statement as follows:

	\$
Project costs	902,189
Administrative costs	104,311
Indirect operational costs	8,440
Exchange adjustments	860
	1,015,800
	1,015,800

A listing of project costs, by countries, is given in schedule "A" to the financial statement, and a classification of administrative costs in schedule "C".

3. The financial statement lists \$58,885 of unliquidated obligations as at 31 December 1953, with \$29,677 of the total dating from 1952 and representing the estimated liability remaining as at 31 December 1953 with respect to obligations incurred for fellowships in 1952. The unliquidated obligations of the year 1953 amounted to \$29,208, a summary classification of the items making up the amount being:

	\$
Obligations for supplies and equipment ordered prior to 31 December 1953	4,366
Obligations with respect to fellowships	11,425
Estimate of advances to be made to employees in 1954 in connexion with their liability for United States income tax for 1953	3,820
Miscellaneous obligations, including those for travel on recruitment, leave and termination	9,597
	29,208
	29,208

Article 13 of the TAB Manual of Financial Policies and Procedures defines the term "obligations" as follows:

Obligations means contracts or purchase orders which have resulted or will result in a legal liability for payment of services rendered or goods received by 31 December of a financial period, and, in respect of fellowships, the full cost of completion of fellowships

awarded before 31 December of the financial period. However, document TAB/SR/27 of 21 December 1953 includes the following:

At the request of FAO, the Board reviewed the decision taken at its August meeting in Geneva enabling Agencies to utilize their carry-overs available as at 1 January 1954 for expenditure on projects started in 1953 and which were reapproved by the Board for continuation in 1954. The Board reaffirmed that such carry-overs could be utilized for such approved projects, for procurement of supplies and equipment ordered in 1953, as well as for the provision of experts for whom a contractual commitment has been made during 1953.

None of the supplies and equipment items included in the \$4,366 item listed above had been received by 31 December 1953, but the "interpretation" given in TAB/SR/27 was construed as having for its purpose that of modifying the definition set out in article 13 of the TAB Manual, and thus permitted recording of obligations for supplies and equipment ordered though not received. The interpretation given is reasonable and was accepted in the audit. It is now noted because it is a change from the practice of previous years.

4. Conversely, document TAB/CM/443 of 12 January 1954 narrows the field with respect to fellow-ship obligations. It reads:

In respect of fellowships . . . an award will be considered to have been made on the date notification of an award to a named individual is made (mailed), provided that, prior to that date arrangements have been completed with a host country (or countries) and the individual's programme of study approved.

The obligations entered at the close of the year with respect to fellowships were calculated in accordance with this modification of the definition.

5. The financial statement showing the status of allocations as at 31 December 1953 is in the form requested by document TAB/CM/443 of 12 January 1954. An audit certificate, without qualification, has been given.

6. All information required for the purposes of the audit was provided, and the audit was facilitated by the co-operation and assistance of staff members associated with the financial administration of the allocation made to the Organization.

(Signed) Watson SELLAR
External Auditor

12 February 1954

ANNEX 6

**Expanded Programme of Technical Assistance
for the Economic Development of Under-Developed Countries**

STATEMENT SHOWING THE STATUS OF ALLOCATIONS TO THE WORLD HEALTH ORGANIZATION
AS AT 31 DECEMBER 1953

(Expressed in United States Dollars)

	\$	\$
Excess of allocations over obligations incurred as at 31 December 1952		645,544
Redistribution of net unobligated allocations as at 31 December 1952		348,585
Allocations during 1953	4,252,715	
Less: Exchange adjustments applicable to allocations during 1953	4,484	4,248,231
Other credits		7,248
<i>Total income</i>		4,604,064
Obligations incurred during the period:		
Project costs (schedule A)	3,575,387	
Indirect operational costs (schedule B)	310,271	
Administrative costs (schedule C)	293,148	
Other—Exchange adjustments	10,551	4,189,357
Excess of allocations over obligations incurred to 31 December 1953		414,707
Represented by:		
Cash in hand, in banks and transit	692,895	
Undrawn allocations	357,832	
	1,050,727	
	\$	
Less:		
Unliquidated obligations 1952	55,044	
1953	352,055	
	407,099	
Sundry creditors	203,070	
Balance of savings on prior year's obligations	25,851	636,020
		414,707

Certified correct

(Signed) Ted L. SMITH
Chief, Finance and Accounts Section

(Signed) Milton P. SIEGEL
Assistant Director-General,
Department of Administration and Finance

AUDIT CERTIFICATE

The financial statements relating to the allocations made to the World Health Organization and the adjustment on the redistribution of the carry-over of net assets from 1952 in connexion with the Expanded Programme of Technical Assistance for the economic development of under-developed countries for the year ended 31 December 1953 have been examined in accordance with the directions of the undersigned. All the information and explanations required have been obtained, and this is to certify, as a result of the audit, that, in the opinion of the undersigned, the above statement and the related schedules of project costs, indirect operational costs and administrative costs are correct subject to the observations in my report.

(Signed) UNO BRUNSKOG
External Auditor

EXTRACT FROM THE REPORT BY MR. UNO BRUNSKOG ON THE AUDIT OF THE ACCOUNTS
OF THE WORLD HEALTH ORGANIZATION FOR THE FINANCIAL YEAR 1953

Technical assistance

10. I have examined the accounts and financial records of the organization pertaining to the funds received and expended in connexion with the Expanded Programme of Technical Assistance for economic development. These accounts and records are satisfactory and require no further comments. As stated in paragraph 2, I have appended an audit certificate to the separate financial statement which is submitted through the Executive Chairman of the Technical Assistance Board to the United Nations General Assembly.

ANNEX 7

**Expanded Programme of Technical Assistance
for the Economic Development of Under-Developed Countries**

CONSOLIDATED STATEMENT OF INCOME AND OBLIGATIONS INCURRED FOR THE YEAR ENDED 31 DECEMBER 1953

(Expressed in United States dollars)

	\$		\$
Balance at 31 December 1952.....	3,643,252		
Add: adjustment in respect of disallowed 1952 obligations.....	124,818		3,768,070
			<hr/>
Savings effected in 1953 in liquidating 1952 obligations:			
Surrendered by agencies during 1953, on account.....	643,462		
Additional savings as determined at 31 December 1953.....	298,522		941,984
			<hr/>
Contributions received during 1953.....			20,152,318
Miscellaneous income, exchange adjustments, etc. (net).....			201,496
Amount made available from regular budget appropriations of the United Nations.....			1,779,600
			<hr/>
			26,843,468
			<hr/>
			<hr/>
<i>Less:</i>			
Obligations incurred:			
United Nations.....	5,607,864	982,479	468,881
ILO.....	1,942,026	186,468	135,307
FAO.....	4,733,560	613,392	551,322
UNESCO.....	2,303,198	123,338	300,545
ICAO.....	902,189	8,440	104,311
WHO.....	3,575,387	310,271	293,148
	<hr/>	<hr/>	<hr/>
	19,064,224	2,224,388	1,853,514
TAB secretariat.....	—	812,888	486,602
	<hr/>	<hr/>	<hr/>
	19,064,224	3,037,276	2,340,116
			<hr/>
<i>Balance at 31 December 1953</i>			2,401,852
			<hr/>
Represented by:			
Cash.....			5,735,397
Investments.....			2,497,034
Accounts receivable, advances, deposits, etc.....			773,058
Contributions in services, accepted but not yet used.....			179,311
			<hr/>
			9,184,800
<i>Less:</i>			
Unliquidated obligations—1953.....	2,531,353		
Unliquidated obligations—prior years.....	540,361		
Other credit balances, accounts payable, etc.....	458,176		
Advance collections.....	253,058		3,782,948
			<hr/>
			5,401,852
Special reserve.....			3,000,000
			<hr/>
Balance at 31 December 1953, as above.....			2,401,852
			<hr/>

NOTE:—The balance at 31 December 1953 is made up as follows:

	\$
Excess of participating organizations allocations over obligations incurred by them.....	1,306,874
Unallocated funds in the Special Account.....	689,313
Savings on liquidations of prior year's obligations accountable to the Special Account.....	281,560
Excess of TAB secretariat allocations over obligations incurred.....	124,105
	<hr/>
	2,401,852



Agenda item 46 : United Nations Joint Staff Pension Fund :

- (a) Annual report of the United Nations Joint Staff Pension Board ;
- (b) Acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund ;
- (c) Admission of staff members of the Interim Commission for the International Trade Organization to membership in the United Nations Joint Staff Pension Fund ;
- (d) Revision of the administrative rules of the United Nations Joint Staff Pension Fund

C O N T E N T S

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A/2664	Report of the United Nations Joint Staff Pension Board	2
Plenary meetings (final phase) :		
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DOCUMENT A/2749
Report of the Secretary-General

[Original text : English]
[8 October 1954]

1. By resolution 678 (VII), adopted on 21 December 1952, the General Assembly recommended that the appropriate governing organs of the specialized agencies concerned should accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of Pension Fund regulations. An interim report on this subject was presented by the Secretary-General to the eighth session of the General Assembly (A/2463).

2. By resolution 771 (VIII), adopted on 27 November 1953, the General Assembly requested the Secretary-General to report further through the Joint Staff Pension Board on the action taken by the appropriate governing organs of the specialized agencies concerned in response to the recommendation contained in resolution 678 (VII).

3. In a report which he presented on 21 April 1954 to the fifth session of the United Nations Joint Staff

Pension Board, the Secretary-General informed the Board that four of the member organizations of the Fund—the Food and Agriculture Organization, the International Civil Aviation Organization, the International Labour Organisation and the World Health Organization—had notified their acceptance in principle of the jurisdiction of the United Nations Administrative Tribunal in relation to the regulations of the Fund, and that formal action by the governing bodies of two other member organizations—the United Nations Educational, Scientific and Cultural Organization and the World Meteorological Organization—had not yet been completed. Reference to the Secretary-General's report may be found in paragraph 17 (1) of the annual report of the Board to the General Assembly.¹

¹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 8*, document A/2659.

4. Since the presentation of his report to the Board, the Secretary-General has conducted consultations with the specialized agencies concerned as to the form and the contents of the agreements to be concluded to extend the jurisdiction of the United Nations Administrative Tribunal to participants of the Fund who are members

of the staff of these agencies, and as to the necessary administrative and financial arrangements. The Secretary-General hopes to be in a position to submit to the General Assembly, at its tenth session, a report on agreed provisions which will give effect to the above-mentioned recommendation of resolution 678 (VII).

DOCUMENT A/2749/Add.1

Addendum to the report of the Secretary-General

[Original text : English]
[29 October 1954]

With reference to paragraph 3 of the original report (A/2749) on item 46 (b) of the agenda of the ninth session, the Secretary-General has now received a letter dated 5 October 1954 from the Acting Secretary-General of the World Meteorological Organization (WMO) informing the Secretary-General that the Executive Committee of WMO has formally accepted in principle the competence of the Administrative Tribunal of the United Nations for appeals relating to non-observance of the regulations of the United Nations Joint Staff Pension Fund.

DOCUMENT A/2664

Report of the United Nations Joint Staff Pension Board

[Original text : English]
[6 July 1954]

1. The General Assembly, by resolution 773 (VIII) of 27 November 1953, requested the United Nations Joint Staff Pension Board, upon receipt of a request on behalf of the Interim Commission for the International Trade Organization (ICITO) for admission to participation in the United Nations Joint Staff Pension Fund, to prepare amendments to the regulations of the Fund which would admit the organization to the Fund but without representation with voting rights on the Board.

2. At its fifth session in April 1954, the Board had before it a request dated 5 February 1954 (reproduced as annex I to the present report) from the Executive Secretary of ICITO for admission of the organization to the Fund. Pursuant to resolution 773 (VIII), the Board examined the consequential amendments to the regulations of the Fund which would be necessary to give effect to the General Assembly's decision in that resolution, and submits herewith, for approval by the General Assembly, a draft amendment to the regulations which was unanimously adopted by the Board and which is set out in annex II of the present report.

3. The proposed change will enable ICITO, by concluding an agreement with the Secretary-General of the United Nations under article XXVIII of the regulations of the Fund, to become a member organization of the Fund with full rights and duties, except for the right to vote in the Joint Staff Pension Board and its Standing Committee.

in Havana by the United Nations, it was contemplated at that time that within a short period the Havana Charter would be ratified and the International Trade Organization would be established. To enable ICITO staff members to join the United Nations Pension Fund as soon as the International Trade Organization was set up, a transitional arrangement was made and a Staff Benefit Fund was created. ICITO members are admitted in the Staff Benefit Fund after one year of continuous service, but they have the option of retroactive participation as from the date of their entry into service. All ICITO members have made use of this option and for a number of them the pensionable services start from April 1948.

We expect that the same practice will be followed for ICITO as for other agencies which have joined the United Nations Joint Staff Pension Fund, and that if ICITO is considered eligible for membership to the Joint Staff Pension Fund, the pensionable services of ICITO members will be computed from the date on which they joined ICITO.

As indicated in my letter of 14 April 1953 addressed to the former Secretary of the Fund, the application for membership is made on the understanding that this will be the case.

I would greatly appreciate it if you could keep me informed of the action taken by the Joint Staff Pension Board and, in particular, of the text of the proposed amendments to the regulations which will have to be considered at the fifth session of the Joint Staff Pension Board.

I remain at your disposal for any further information which the Board may need in order to examine our request.

(Signed) E. Wyndham WHITE
Executive Secretary

ANNEX I

LETTER DATED 5 FEBRUARY 1954 FROM THE EXECUTIVE SECRETARY OF THE INTERIM COMMISSION FOR THE INTERNATIONAL TRADE ORGANIZATION, ADDRESSED TO THE SECRETARY OF THE UNITED NATIONS JOINT STAFF PENSION FUND

In accordance with the resolution adopted by the General Assembly at its 458th plenary meeting on 27 November 1953, I have the honour to submit herewith an official request on behalf of the Interim Commission for the International Trade Organization, for the admission of ICITO to membership in the United Nations Joint Staff Pension Fund.

When ICITO was set up in March 1948 at the close of the Conference on Trade and Employment which was convened

ANNEX II

DRAFT AMENDMENT TO THE REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

Supplementary Article A

The Interim Commission for the International Trade Organization

For the purposes of these regulations, the Interim Commission for the International Trade Organization shall be treated as if it were a specialized agency except that its representatives shall not have the right to vote in the United Nations Joint Staff Pension Board and its Standing Committee.

DOCUMENT A/2797

Report of the Fifth Committee

[Original text : English]
[22 November 1954]

1. In accordance with the allocation of agenda items as decided by the General Assembly at its 478th meeting held on 25 September 1954, the Fifth Committee, at its 448th meeting on 1 November 1954, considered the following item :

"46. United Nations Joint Staff Pension Fund :

"(a) Annual report of the United Nations Joint Staff Pension Board ;²

"(b) Acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund : report of the Secretary-General ;³

"(c) Admission of staff members of the Interim Commission for the International Trade Organization to membership in the United Nations Joint Staff Pension Fund : report of the United Nations Joint Staff Pension Board ;⁴

"(d) Revision of the administrative rules of the United Nations Joint Staff Pension Fund : report of the United Nations Joint Staff Pension Board⁵".

2. The Committee noted that point (d) of this item was included pursuant to the provision of article XXXVI of the regulations of the United Nations Joint Staff Pension Fund⁶ which requires that the Joint Staff Pension Board make administrative rules necessary for carrying out the regulations and report such rules to the General Assembly and to the competent organ of each member organization.

3. With regard to the annual report of the United Nations Joint Staff Pension Board, the Committee heard, from the Chairman of the Board, a summary of the operations of the Fund for the year ended 31 December 1953. No new organizations had joined the Fund, but the number of participants therein had increased by approximately 400 during the year, reaching a total of 8,562 participants. The principal of the Fund stood at \$37,220,000 on 31 December 1953, an increase of \$8,066,000 over the corresponding figure for 1952. The investments of the Fund totalled \$36,030,000 and had obtained, during 1953, an average yield of 2.98 per cent as against the 2.50 per cent minimum actuarial yield on which the Fund was based.

4. Certain observations and suggestions relative to the Fund's portfolio of investments were offered by the representative of Argentina. He also expressed satisfaction with the establishment of a reserve for interest equalization. He was, however, doubtful as to the adequacy of the reserve against principal losses. He further suggested that future reports of the Board might include a more complete analysis of changes in participation in the Fund, including reasons for separations.

² See *Official Records of the General Assembly, Ninth Session, Supplement No. 8*, document A/2659.

³ A/2749 and Add.1.

⁴ A/2664.

⁵ A/2690.

⁶ See annex to General Assembly resolution 680 (VII) of 21 December 1952.

5. In reply, the Chairman of the Joint Staff Pension Board, referring to the reserve against principal losses, stated that where the value of the Fund's investments was concerned, a reserve fund of \$22,000 might appear small in relation to the difference between the book and market values of those investments. However, the Fund normally purchased bonds in order to hold them until maturity, and it was therefore the book value of such investments that came into question. The reserve had been set up when the Fund had begun to purchase common stock and it had become necessary to have some safeguard against sales of stock necessitated by falls in prices. The reserve had been in existence for less than a year at the time of the report ; it would increase in the normal course of its development.

6. The Committee decided, without objection, to recommend that the General Assembly should take note of the report of the United Nations Joint Staff Pension Board (A/2659).

7. The Committee next considered the question of acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund. Note was taken of the fact that consultations had been initiated with the specialized agencies concerned as to the form and content of the agreements to be concluded for that purpose, and as to the necessary administrative and financial arrangements. It was also noted that the Secretary-General hoped to be in a position to submit to the General Assembly, at its tenth session, a report on agreed provisions which would give effect to the recommendation of the General Assembly on this question.⁷ The Committee decided, without objection, to recommend that the General Assembly should take note of the interim report presented by the Secretary-General on the progress of the question (A/2749 and Add.1).

8. The Committee then considered the report of the United Nations Joint Staff Pension Board on the admission of staff members of the Interim Commission for the International Trade Organization to membership in the United Nations Joint Staff Pension Fund (A/2664). It was noted that action by the Joint Staff Pension Board on the admission and conditions of admission of staff members of ICITO had been taken in accordance with the decision taken by the General Assembly at its eighth session⁸ and that the amendment to the regulations of the Pension Fund now proposed by the Joint Staff Pension Board, on which the Assembly was required to take action, was in pursuance of that same decision.

9. Several delegations stated that, on the question of principle concerning the admission of staff members of an organization which was not a specialized agency they maintained the position which had determined their opposition to the proposal when it was considered at the eighth session of the General Assembly. They requested,

⁷ See General Assembly resolution 678 (VII) of 21 December 1952.

⁸ See General Assembly resolution 773 (VIII) of 27 November 1953.

therefore, that the amendment to the regulations of the Fund proposed by the Joint Staff Pension Board should be put to the vote.

10. A proposal to postpone consideration until after the current conference of the Contracting Parties to the General Agreement on Tariffs and Trade was withdrawn, following a discussion of the implications of General Assembly resolution 773 (VIII).

11. The Committee decided, by 28 votes to none, with 15 abstentions, to recommend to the General Assembly the approval of the amendment as proposed.

Recommendations of the Fifth Committee

[*Texts adopted without change by the General Assembly. See documents A/RESOLUTION/234, A/RESOLUTION/235, A/RESOLUTION/236, below.*]

DOCUMENT A/RESOLUTION/234

[*Resolution 872 (IX)*]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

ANNUAL REPORT OF THE UNITED NATIONS JOINT STAFF PENSION BOARD

The General Assembly

Takes note of the annual report⁹ of the United Nations Joint Staff Pension Board.

DOCUMENT A/RESOLUTION/235

[*Resolution 873 (IX)*]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

ACCEPTANCE BY THE SPECIALIZED AGENCIES OF THE JURISDICTION OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL IN MATTERS INVOLVING APPLICATIONS ALLEGING NON-OBSERVANCE OF THE REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

The General Assembly

Takes note of the interim report (A/2749 and Add.1) presented by the Secretary-General pursuant to paragraph 2 of General Assembly resolution 771 (VIII) of 27 November 1953.

DOCUMENT A/RESOLUTION/236

[*Resolution 874 (IX)*]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

ADMISSION OF STAFF MEMBERS OF THE INTERIM COMMISSION FOR THE INTERNATIONAL TRADE ORGANIZATION TO MEMBERSHIP IN THE UNITED NATIONS JOINT STAFF PENSION FUND : AMENDMENT TO THE REGULATIONS OF THE FUND

The General Assembly

Approves the amendment of the regulations of the United Nations Joint Staff Pension Fund by the inclusion of a supplementary article as follows :

Supplementary Article A

The Interim Commission for the International Trade Organization

For the purpose of these Regulations, the Interim Commission for the International Trade Organization shall be treated as if it were a specialized agency except that its representatives shall not have the right to vote in the United Nations Joint Staff Pension Board and its Standing Committee.

⁹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 8, A/2659.*

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted draft resolutions A, B and C submitted by the Fifth Committee (A/2797). For the final text, see documents A/RESOLUTION/234, A/RESOLUTION/235, and A/RESOLUTION/236, respectively, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2659	Annual report of the United Nations Joint Staff Pension Board		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 8</i>
A/2664	Report of the United Nations Joint Staff Pension Board	2	
A/2690	<i>Report of the United Nations Joint Staff Pension Board</i>		Printed separately
A/2749	Report of the Secretary-General	2	
A/2749/Add.1	Addendum to the report of the Secretary-General	2	
A/2797	Report of the Fifth Committee	3	
A/C.5/L.299	Draft report of the Fifth Committee		Same text as A/2797
A/RESOLUTION/234	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	4	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 872 (IX)</i>
A/RESOLUTION/235	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	4	<i>Ibid.</i> , resolution 873 (IX)
A/RESOLUTION/236	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	4	<i>Ibid.</i> , resolution 874 (IX)



Agenda item 47: System of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations

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DOCUMENT A/2687

Report of the Secretary-General

[Original text : English]
[6 August 1954]

1. The General Assembly, on 27 November 1953, adopted resolution 775 (VIII), reading as follows :

"The General Assembly,

"Noting resolution 505 F III (XVI), adopted by the Economic and Social Council on 28 July 1953, concerning the question of the remuneration of members of the Permanent Central Opium Board and the Drug Supervisory Body,

"Noting also the intention of the Secretary-General to undertake, during 1954, a comprehensive study of the system of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations, and to submit proposals to the General Assembly at its ninth session,

"Requests the Secretary-General to circulate his proposals, together with the comments of the Advisory Committee on Administrative and Budgetary Questions, to all Members four weeks before the opening of the ninth session of the General Assembly."

2. The present report is based on the comprehensive study referred to in the resolution above and deals in paragraphs 21 to 23 below with the particular question of remuneration of members of the Permanent Central Opium Board and the Drug Supervisory Body.

THE SYSTEM OF SUBSISTENCE ALLOWANCES

3. It is not necessary for the purposes of the present report to go back beyond the year 1948, when the General Assembly adopted, in resolution 231 I (III) of 8 October 1948, basic principles to govern the payment of travelling and subsistence expenses to members of the bodies under reference. While the rate subsistence allowances was raised during 1950¹ from \$20 to \$25 per day for Headquarters meetings, the General Assembly made no change in the general principles established in 1948. Those

¹ General Assembly resolution 459 (V) of 1 December 1950, para. 2.

principles were in fact reaffirmed by the General Assembly,² and they continue in force at the present time. Deviations authorized by the General Assembly during the years 1949 to 1953, as well as the special reasons for such deviations, are the subject of comments in paragraphs 5 to 14 below, while the separate question of honoraria is considered in paragraphs 15 to 20.

4. In resolution 231 I (III) the General Assembly confirmed "the policy [previously] followed by the Secretary-General as regards the payment of travelling expenses and of subsistence allowances at the meeting-place of a commission or committee". The terms of that policy are set forth in the following extracts from the Advisory Committee's first report of 1948 :³

"There appear to the [Advisory] Committee to be only two main categories of membership in the organs and subsidiary organs of the United Nations: (a) representatives of participating Members; and (b) members serving on commissions, committees and other bodies in their individual capacity.

"It may be noted that the Secretary-General introduced, in March 1946, a provisional rule (SGB/9) making a clear distinction between the two categories:

"The travel expenses and allowances of officials representing Governments to international conferences, commissions and committees will *not* be paid by the United Nations, but the travel expenses and allowances of members of expert commissions will be met by the United Nations."

"The General Assembly has, however, taken action varying this rule in a number of specific cases covered by resolutions 70 (I), 106 (S-I), 164 (II), 166 (II), 181 (II).

"The Committee is of the opinion that the Secretary-General should continue to pay to members of commissions or committees who are selected in an individual capacity an allowance to cover their subsistence at the meeting place of the commission or committee. The accepted principle that such a payment represents subsistence and not a fee for services is confirmed."

Annex A to the present report shows how the principle adopted by the General-Assembly in resolution 231 I (III) has been applied to particular organs and subsidiary organs of the United Nations.

5. The pattern thus laid down by the General Assembly for determining eligibility for travelling and subsistence expenses afforded, with minor exceptions,⁴ a rational basis for the system. Where strictly adhered to, the system has not presented administrative difficulty. As already indicated, however, the General Assembly has found it necessary to authorize several deviations which must be considered in some detail for a proper understanding of the problem under review.

6. When the Administrative Tribunal was established in December 1949, the Secretary-General proposed, with the concurrence of the Advisory Committee,⁵ the inclusion in the 1950 budget of an amount to cover a daily allowance of \$50 for the members of the Tribunal, this

figure providing both for the reimbursement of subsistence expenses and for an honorarium for services rendered.⁶ The discussion of this proposal in the Fifth Committee centred on two main points; first, was the rate of allowance excessive in view of the status of the Administrative Tribunal in relation to the International Court of Justice, on the one hand, and to the International Law Commission or any other commission of the General Assembly, on the other hand; and secondly, was there not an essential difference between the members of the International Law Commission and those of the Administrative Tribunal, namely, that the latter had to act as judges, whereas the former were members of a commission of the General Assembly. The Fifth Committee, after rejecting a proposal that the daily allowance of members of both these bodies should be fixed at \$50, adopted an alternative proposal, which was subsequently approved by the General Assembly, that the rate should be fixed at \$30 for the Administrative Tribunal, comprising \$20 as per diem, plus \$10 as a "special allowance".

7. This special allowance was, however, maintained for only one year. The Advisory Committee, when reporting⁷ during 1950 on the adequacy of the general rate of subsistence allowances and recommending an increase from \$20 to \$25 in the Headquarters rate, suggested that the General Assembly might wish to reconsider whether any body of experts whose members were at that time eligible for allowances on a differing basis (i.e. at other than the \$20 rate) should be brought within the common system. This suggestion was accepted by the Fifth Committee, whose report,⁸ on the basis of which the General Assembly adopted resolution 459 (V) of 1 December 1950, contained the following paragraph:

"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 [subsequently adopted as General Assembly resolution 459 (V)]..."

8. During October 1950 the Sixth Committee considered a suggestion of the International Law Commission⁹ to the effect that the General Assembly, in order to ease the financial burden of service in the Commission, might wish to reconsider the terms of article 13 of the Commission's Statute.¹⁰ In accordance with this suggestion, the Sixth Committee proposed to the General Assembly¹¹ that the members should receive a special allowance, of an amount to be determined by the General Assembly. The draft resolution was based on the following considerations: (a) the inadequacy of the emoluments then being paid; (b) the importance of the Commission's work,

⁶ The Advisory Committee on a Statute for a United Nations Administrative Tribunal, which sat in September 1946, had merely suggested that "... the compensation to be paid to the judges ... might take the form of daily allowances for their attendance".

⁷ See *Official Records of the General Assembly, Fifth Session, Supplement No. 7, A/1312*, paras. 322 to 328.

⁸ *Ibid.*, Annexes, agenda item 39, A/1538, para. 12.

⁹ *Ibid.*, Supplement No. 12, A/1316, para. 21.

¹⁰ The text of the article reads as follows: "Members of the Commission shall be paid travel expenses and shall also receive a *per diem* allowance at the same rate as the allowance paid to members of commissions of experts of the Economic and Social Council".

¹¹ See *Official Records of the General Assembly, Fifth Session, Annexes*, agenda item 52, A/1639, para. 44.

² *Ibid.*, para. 1.

³ See *Official Records of the General Assembly, Third Session, Supplement No. 7, A/534*, paras. 58 and 59.

⁴ Among which may be cited the decision to pay travelling expenses (without subsistence) to members of functional commissions of the Economic and Social Council.

⁵ See *Official Records of the General Assembly, Fourth Session, Fifth Committee, Annexes*, A/986, para. 12; A/1156, para. 3.

the eminence of its members, and the method of their election; and (c) the length of the sessions; it was accompanied by a *vœu* that the special allowance should be at the rate of \$35 per day.

9. When the financial implications of this draft resolution were examined by the Fifth Committee, there was general agreement that it would be difficult in practice and, in any event, undesirable in principle to discriminate between expert bodies in the matter of subsistence allowances. The Fifth Committee accordingly reported to the General Assembly¹² that, on administrative grounds, it was not able to recommend special treatment for the International Law Commission with respect to such allowances. The conclusions of the Fifth Committee were not, however, accepted by the General Assembly which, on 12 December 1950, adopted resolution 485 (V) fixing the "special allowance" for members of the International Law Commission at \$35 per day.

10. These developments are set out in detail in the foregoing paragraphs because of their importance in relation to the cardinal principle that there is no element of fee for services rendered in the subsistence allowance. That principle was expressly reaffirmed by the General Assembly at its fifth session (1950) when, however, it concurrently authorized the special allowance referred to in paragraph 9 above. It is evident from the proceedings of the Sixth Committee,¹³ which rejected proposals for either a special yearly allowance or an honorarium for the members of the International Law Commission, that the special allowance was to be regarded purely as a subsistence allowance. Difficulty may therefore arise, on a strict interpretation of the principle, in reconciling the action taken in this matter with the simultaneous decision of the General Assembly to establish the rate of subsistence allowance for all other expert bodies of the United Nations at \$25 per day for Headquarters meetings and \$20 per day for meetings elsewhere. It seems indeed important, where that allowance is concerned, to maintain uniformity of treatment among the members of all such bodies and it is not felt that factors such as the importance of the work, the method of election or the eminence of the membership provide practical criteria for the establishment of special rates.

11. Previous paragraphs have dealt mainly with General Assembly resolution 231 (III), and with other resolutions amending that basic instrument. Attention may also be drawn at this stage to certain other aspects of the policy that has been followed as regards the emoluments of members of expert bodies, including bodies not covered by resolution 231 (III).

12. Two main categories may be noted :

(a) Members of expert bodies established by and reporting to the General Assembly or the Councils receive, if eligible under General Assembly resolution 231 (III), a subsistence allowance at the rate of \$25 per day (\$20 away from Headquarters), but no fee ;

(b) Members of expert bodies appointed by the Secretary-General but reporting to the General Assembly or the Councils are assimilated to members in category (a) and accordingly receive a subsistence allowance at the same rate, but no fee.

13. The exceptions to this policy have been few in number and have been made under the express authority of the General Assembly :

(a) In December 1950, the Fifth Committee (with the Advisory Committee dissenting) recommended, and the

General Assembly authorized, the appointment of three groups of experts charged with implementing certain parts of Economic and Social Council resolution 290 (XI) of 15 August 1950 on full employment. The relevant proposal, which included provision for fees at \$50 per day in addition to travel and subsistence expenses, had been opposed by the Advisory Committee on the ground that the experts in question, though appointed by the Secretary-General, would not be made responsible to him,¹⁴ a circumstance that clearly called for their assimilation to expert members within the meaning of General Assembly resolution 231 (III). The validity of this objection is reflected in the proceedings of the Fifth Committee,¹⁵ which contains numerous references to the view that the cases then under discussion were to be treated as exceptions.

(b) A similar exception was made in December 1952, in connexion with the Committee on the financing of the economic development of under-developed countries.¹⁶ In estimating the expenses of the Committee, which again included provision for daily fees of \$50, the Secretary-General had stated that he would endeavour to secure the services of the members on the basis of subsistence allowance only; a fee would not be paid unless the services of a particular expert could not otherwise be secured. For its part, the Advisory Committee observed that the proposed arrangement "accords with the opinion previously recorded by the Advisory Committee that the payment of fees in addition to travel and subsistence expenses to members of commissions and committees, whether serving as experts or in a representative capacity, cannot be reconciled with the principles adopted by the General Assembly in resolution 231 (III) ... and reaffirmed in resolution 459 (V)..."¹⁷ Nevertheless the amount finally appropriated by the General Assembly included provision for the payment of fees.

14. The above two exceptions to the general policy of the United Nations are important as admitting, contrary to the principle laid down by the General Assembly, the element of fee into the remuneration of members of commissions and committees. In that sense, they differ from the case of the International Law Commission, which involved in principle a mere increase in subsistence allowance. They have already given rise to administrative difficulties through the submission of claims, relying on a similar set of circumstances and on established precedent, for the payment of fees to members of expert commissions and committees of the General Assembly.

THE SYSTEM OF HONORARIA FOR RAPPOREURS OF UNITED NATIONS BODIES

15. The question of remunerating rapporteurs of United Nations bodies first arose in 1949, and was again discussed during 1952, both in the Advisory Committee and in the Fifth Committee. The particular cases in which honoraria have been or are being paid are : (a) the honoraria paid since 1950 on a yearly basis to the Chairman and five rapporteurs of the International Law Com-

¹⁴ See Economic and Social Council resolution 290 (XI), paras. 13 (b), 19 and 22, in which emphasis is laid on the exemption of the Secretary-General from responsibility for the experts' reports.

¹⁵ See *Official Records of the General Assembly, Fifth Session, Fifth Committee*, 279th and 280th meetings.

¹⁶ The Committee was charged, in accordance with Economic and Social Council resolution 416 A (XIV) of 23 June 1952, with preparing a detailed plan for submission to the General Assembly.

¹⁷ See *Official Records of the General Assembly, Seventh Session, Annexes*, agenda item 42, A/2245, para. 10.

¹² *Ibid.*, A/1648, para. 7 (b).

¹³ *Ibid.*, A/1639, paras. 6 to 13.

mission; and (b) the honorarium paid during 1952 and 1953 to the Rapporteur on Freedom of Information.

16. As regards the International Law Commission, the decision of December 1949 that the Chairman and five special rapporteurs should receive honoraria represented a compromise *ad hoc* arrangement to meet the desires of the Commission itself and of the Sixth Committee.¹⁸ With that end in view, the Secretary-General had originally suggested that payment might be made on a fixed-fee basis as a research grant and that, where the membership of the Commission as a whole was concerned, two alternatives were possible: either to increase the rate of subsistence allowance, or to assimilate the members, for purposes of remuneration and subsistence, to *ad hoc* judges of the International Court of Justice. As an exceptional measure, the General Assembly finally agreed to the payment of honoraria to the Chairman and five rapporteurs. It rejected, however, the two alternative suggestions for the remuneration of the members.

17. The second case, considered during 1952, concerned the payment of an honorarium of \$2,500 to the Rapporteur on Freedom of Information appointed, under Economic and Social Council resolution 442 C (XIV) of 13 June 1952, for an experimental period of one year. The Advisory Committee in reporting on this matter recalled that only in exceptional cases had the General Assembly concurred in the payment of honoraria for work performed on behalf of the United Nations; it therefore recommended, as an alternative, the payment of a subsistence allowance, as earned. This recommendation, however, was not accepted; the General Assembly authorized—as an exceptional measure—the full provision for the honorarium, although it adopted at the same time the resolution on honoraria to which reference is made in paragraph 18 below.

18. The Secretary-General is concerned over a situation in which a strict adherence to the resolution on honoraria of the General Assembly seems neither possible nor—despite the rigid and categorical terms of that resolution¹⁹—seemingly desired by the Assembly itself. It is worthy of note that the resolution was adopted on 21 December 1952 concurrently with the 1953 appropriation resolution providing, *inter alia*, for the continued payment of honoraria to the rapporteurs of the International Law Commission, and, as indicated in paragraph 17 above, for a similar payment to the Rapporteur on Freedom of Information. The Advisory Committee itself remarked on this anomaly when suggesting in August 1953 that the General Assembly might deem it opportune (with the change in tenure of office of the members of the International Law Commission) to review the system of paying honoraria to the rapporteurs of that Commission. That suggestion was based on two main considerations: (a) that the 1949 decision was taken on a particular case and without prejudice to any future solution of the question concerning rapporteurs of United Nations bodies; and (b) that the opinion of the General Assembly on this subject was clearly recorded in resolution 677 (VII). The General Assembly, however, took no action to modify its prior decision.

¹⁸ *Ibid.*, Fourth Session, Supplement No. 10, document A/925, para. 42; Fifth Committee, Annexes, A/C.5/320.

¹⁹ The following is the text of resolution 677 (VII):

“The General Assembly,

“Recognizing that the appointment of a person as rapporteur of a United Nations body confers honour upon his country and distinction upon himself,

“1. Considers that no such appointment should carry remuneration;

“2. Requests all organs of the United Nations to bear in mind in future the views of the General Assembly as expressed in the present resolution.”

19. A more recent case of appointment of a special rapporteur is the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a special rapporteur on discrimination in the field of education, under Economic and Social Council resolution 502 H (XVI).

The views expressed in the Sub-Commission in this connexion may be summarized as follows:

Members supporting the suggestion for the appointment of a rapporteur considered that where controversial and delicate matters are involved, there are suggestions which a rapporteur acting in an individual capacity and not as a representative of his Government can put forward, but not the Secretariat. Great care has to be exercised by the Secretary-General and the executive heads of the specialized agencies not to give offence to particular Member States in documents produced under their own responsibility. Moreover, a secretariat must rely for the most part on information communicated by official sources, and is therefore to a certain extent dependent on the willingness of Governments.

Those who opposed the suggestion pointed out that it would be inappropriate for the Sub-Commission, which was itself composed of experts and was intended to act, as it were, as rapporteur to the Commission on Human Rights, to shift its responsibilities in the matter to others. Furthermore, the General Assembly had decided in resolution 677 (VII) that, since the appointment of a person as rapporteur of a United Nations body conferred honour upon his country, no such appointment should carry remuneration. In compliance with that resolution, only the Secretary-General might, funds permitting, appoint a remunerated consulting expert, but he himself would then be responsible for the standard of work carried out, which might in those circumstances equally well be entrusted to the Secretariat. It was also noted that the provisions of paragraph 4 of Economic and Social Council resolution 502 H (XVI) envisaged clearly that studies which fell within the scope of specialized agencies or other bodies should normally be carried out by the specialized agencies or other bodies directly concerned.

20. The Secretary-General believes that his views should be requested beforehand by any organ of the United Nations before the appointment of a special rapporteur is agreed upon. He does, however, recognize the fact that in certain fields such an appointment might have advantages and it is with this consideration in mind that he has framed the proposals in paragraph 24 below.

REMUNERATION OF MEMBERS OF THE PERMANENT CENTRAL OPIUM BOARD AND THE DRUG SUPERVISORY BODY

21. The Advisory Committee considered this question during October 1953, on a report of the Secretary-General²⁰ submitting the views of the Permanent Central Opium Board as endorsed by the Economic and Social Council.²¹ In reporting to the General Assembly²² the Advisory Committee at that time noted that the Secretary-General, “while recognizing the problem to which the present rate of allowance gives rise in the case of these two bodies, does not feel that proposals can at present usefully be submitted, in view of the complexity of this matter, which may affect the general system of subsistence allowances for members of commissions and

²⁰ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 68 (b), A/2509.

²¹ Economic and Social Council resolution 505 F III (XVI) of 28 July 1953.

²² See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 68 (b), A/2528, para. 4.

committees of the United Nations, and in view also of the financial consequences which an isolated decision in a specific case might produce". The Committee further noted that "it is the intention of the Secretary-General to undertake, during 1954, a full study of the question and of its relation to other United Nations bodies ...".

22. The Secretary-General believes that there are good grounds for a separate treatment of this question, that such a treatment would not necessarily affect the general system of subsistence allowance, and that, on the substance of the case an increase in the emoluments of members of the Central Board and the Supervisory Body would be justified. The supporting arguments having been presented in his previous report (A/2509), the Secretary-General confines himself to the following points:

(a) In its report to the Council (E/OB/8), the Board reported that in the case of both the Board and the Supervisory Body, "the volume of work has grown steadily from year to year, extending, particularly in the Supervisory Body, beyond the bounds of the regular sessions, which these two bodies have been led by a proper concern for economy to keep within narrow limits. Consulted by correspondence and asked to make what often proved to be lengthy and difficult studies, the members have had to devote an increasing proportion of their time to tasks of ever-growing complexity. The Presidents and Vice-Presidents of these bodies are entrusted with organizational and representational functions which have often proved a heavy burden.";

(b) Exceptional treatment seems justified in view of the peculiar condition of service as a member of the Central Board. Article 19 of the 1925 Convention on Narcotic Drugs (amended by the Protocol of 1946) provides that members "shall not hold any office which puts them in a position of dependence on their Governments". This condition does not apply to any other United Nations body;

(c) It is also stipulated, in the same article of the Convention, that the members of the Board shall be persons "who by their technical competence, impartiality, and disinterestedness will command general confidence". Since the members are typically persons engaged in university teaching, in legal or medical practice, or other non-official occupations, time spent on the work of the Board may often result in a reduction in professional earnings or fees;

(d) Although the restrictive conditions regarding dependence on Governments does not apply to the four-member Supervisory Body, the functions of the Board and the Body are closely interrelated; much of their work is done in joint session; and there are, normally and by intention, members common to both bodies. On that ground, and because the merging of the two bodies is proposed in the draft single convention, it seems logical to envisage identical treatment in the matter of remuneration.

23. Concrete proposals designed to meet the views of the Central Board and the recommendation of the Economic and Social Council are submitted in paragraph 24, section B below.

PROPOSALS SUBMITTED BY THE SECRETARY-GENERAL

24. On the basis of the foregoing paragraphs, the Secretary-General submits for the consideration of the General Assembly the following proposals which distinguish, on the one hand, between an appropriate subsistence allowance for an expert while attending the sessions of the organ to which he has been appointed

and, on the other hand, appropriate remuneration for an expert who, by reason of the terms of reference of the organ to which he has been appointed, must undertake additional work between sessions.

A. Allowances for members of expert bodies for attendance at meetings

Inasmuch as the General Assembly has confirmed the principle that payment of a subsistence allowance does not represent a fee for services rendered, the Secretary-General is of the opinion that the system of paying a subsistence allowance at a uniform rate to members of all eligible United Nations bodies is correct.

The Secretary-General recognizes that, in resolution 485 (V), the General Assembly fixed a "special allowance" for members of the International Law Commission in an amount different from that authorized as subsistence allowance for other bodies; he does not believe, however, that that exception makes it necessary to change a basic system designed to provide uniformity in treatment among members of the several commissions and committees of the United Nations.

The Secretary-General has examined the adequacy of the subsistence allowance authorized by General Assembly resolution 459 (V), but finds no justification to recommend to the General Assembly at this time any change in the current level of payment.

B. Honoraria for special rapporteurs and members of certain bodies

Reference had been made above to the absolute terms in which the General Assembly expressed its opinion on the remuneration of rapporteurs. The question therefore arises whether it is not desirable so to amend the relevant legislation that it shall conform to the law-making authority's actual practice of paying an honorarium to special rapporteurs for work between sessions as illustrated in the annual appropriations for the International Law Commission.

(a) *Special rapporteurs.* Apart from the specific case of the International Law Commission, the Secretary-General believes that consideration should also be given at the time of any amendment to General Assembly resolution 677 (VII) to the possibility that other cases may arise in the future in which there may be justification for entrusting a given project to a special rapporteur in preference to using the services of the Secretariat. In these cases, which are likely to be few in number and exceptional in character, the Secretary-General would propose that:

(i) Two main criteria should be applied in determining whether an honorarium should be paid: first, whether the work is better entrusted to a rapporteur than to the Secretariat; that decision should be governed by considerations such as are outlined in paragraph 19 above, and not by the factor of technical expertise in a given subject or a given field, although that factor would enter into the selection of a particular person; secondly, whether the project is of a creative character—for example, a study carried forward by the rapporteur to the point where action can be taken on the part of the expert body with a minimum of exploratory discussion—as distinct from a project only involving the gathering and analysis of material, which would come within the competence of the Secretariat and which, for reasons of economy, should be undertaken by the Secretariat.

(ii) Before any organ resolved to appoint a special rapporteur, it would be the responsibility of the Secretary-General to make his views known on the question to the organ concerned. His comment at that stage would

have regard to the nature of the particular study involved, the reasonable length of time necessary to complete it and his opinion on the most effective manner in which the study should be undertaken.

(iii) As a general rule, the payment of an honorarium would be subject to the approval of the General Assembly and its amount included in the regular budget estimates. In a case of exceptional urgency where provision would need to be made before the General Assembly had examined the budget estimates, specific indication to the Secretary-General to that effect should be given, so that he would be in a position to make the necessary provision, acting in concurrence with the Advisory Committee on Administrative and Budgetary Questions.

(iv) The maximum honorarium should be fixed at \$1,500 a year.

(v) In no case whatever would an honorarium be paid to a rapporteur or special rapporteur in respect of work performed on behalf of an expert body in the course of a session of that body.

(b) *Special arrangements for certain bodies.* The Secretary-General considers that there is a valid case for the payment of honoraria for work performed between sessions in the case of the following bodies :

(i) *Permanent Central Opium Board and Drug Supervisory Body.* The grounds on which increased emoluments are proposed for the members of these two bodies have been stated in paragraph 22 above. The Secretary-General accordingly suggests that, in addition to subsistence allowance, the members should receive honoraria to be paid on an annual basis at the following rates :

	Dollars (US)
President	1,200
Vice-President	700
Members	500

(A member serving on both bodies to receive 50 per cent of the second honorarium.)

No budget provision was made in 1954 under this heading. Adoption of the suggestions set out in paragraph 24, section B (b) (i) would require an estimated budgetary provision of \$7,300.

(ii) *Administrative Tribunal.* In the case of the Administrative Tribunal, the workload between sessions shows wide variations according to the calendar of applications. In lieu therefore of payment on an annual basis, the honoraria might be related to actual sessions of the Tribunal, as follows :

For preparatory work undertaken in connexion with any one session (other than the annual procedural session) :

	Dollars (US)
President	300
Members	150

No budget provision was made in 1954 under this heading. Adoption of the suggestions set out in paragraph 24, section B (b) (ii) would be require an estimated provision of \$1,500.

RELATED ADMINISTRATIVE QUESTIONS

25. The Advisory Committee raised, during November 1953, the question whether, in the case of missions of

inquiry (or analogous bodies), the rate of allowance might not reasonably be reduced after a certain number of months of service in the mission area. While not taking a firm position in the matter, the Secretary-General is, in balance, not in favour of varying the existing practice, since he takes account of considerations previously advanced by the Advisory Committee itself, namely, that members of such missions are absent from their homes for a period of one year and that they frequently serve in areas where special clothing is required.²³

ANNEX

The following table shows how the principles adopted by the General Assembly in resolution 231 I (III) of 8 October 1948 have been applied to a representative list of organs and subsidiary organs of the United Nations :

1. Bodies for which no travel or subsistence is paid :

- (a) Security Council ;
- (b) Economic and Social Council ;
- (c) Trusteeship Council ;
- (d) Disarmament Commission ;

(e) Special conferences to which Governments are invited to send representatives, e.g., World Population Conference, United Nations Tin Conference.

2. Bodies for which travel (without subsistence) is paid :

(a) General Assembly: Up to five representatives or alternate representatives of each Member ;²⁴

(b) Commissions of the Economic and Social Council to which representatives are nominated by Members in consultation with the Secretary-General and subsequently confirmed by the Council.

3. Bodies for which travel and subsistence are paid :

(a) Commissions of inquiry, mediation or conciliation established by the General Assembly or the Security Council, e.g., the Commission for the Unification and Rehabilitation of Korea, the Advisory Council for the Trust Territory of Somaliland under Italian Administration ;²⁵

(b) Other bodies :

(i) Administrative Tribunal, Advisory Committee on Administrative and Budgetary Questions, Committee on Contributions, International Law Commission.

(ii) Sub-Commissions of the Economic and Social Council on which the members serve in a personal capacity ;

(iii) Visiting missions of the Trusteeship Council ;

(iv) Advisory committees of an expert character, the members of which are appointed by the Secretary-General, e.g., International Civil Service Advisory Board, Investments Committee.²⁶

²³ *Ibid.*, Fifth Session, Supplement No. 7, A/1312, para. 326.

²⁴ General Assembly resolution 14 D (I) of 13 February 1946.

²⁵ In the case of commissions in category (a), travel and subsistence are also paid to one alternate representative of each Member participating, provided that the organ concerned decides that alternates are necessary.

²⁶ In the case of the Investments Committee, the appointments are made by the Secretary-General after consultation with the Advisory Committee on Administrative and Budgetary Questions, and subject to subsequent confirmation by the General Assembly.

DOCUMENT A/2687/Add.1

Addendum to the report of the Secretary-General

[Original text : English]
[24 September 1954]

Having regard to the proposals contained in document A/2687 in so far as they refer to the remuneration of members of the Permanent Central Opium Board and the Drug Supervisory Body, the attention of the General Assembly is invited to resolution 548 B IV (XVIII) adopted by the Economic and Social Council at its eighteenth session. The text of the resolution reads as follows :

"The Economic and Social Council,

"Having considered the report of the Permanent Central Opium Board,²⁷

"Having noted in particular the statements contained therein to the effect that there are gaps in the statistics received from governments which detract from the efficacy of the control exercised by the Board,

"Having regard to the additional work which will

fall to the Board and the Supervisory Body as a result of the coming into force of the Opium Protocol of 1953,

"1. Takes note with satisfaction of the report of the Permanent Central Opium Board ;

"2. Recommends that governments of countries producing opium indicate how they calculate the amount of their production, exports and stocks as regards the establishment of morphine content and, if possible, water content ;

"3. Calls upon all governments to transmit complete statistics to the Board regularly and promptly ;

"4. Notes with interest the action already taken in connexion with the remuneration of members and the strengthening of the staff of the Board and the Supervisory Body, and expresses the hope that this will be completed at an early date."

DOCUMENT A/2780

Twelfth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[1 November 1954]

1. At its 443rd meeting on 22 October 1954, the Fifth Committee decided :

(a) To recommend to the General Assembly the payment of honoraria in respect of work performed between sessions by the Presidents, Vice-Presidents and other members of the Permanent Central Opium Board and the Drug Supervisory Body ; and

(b) To request the Advisory Committee on Administrative and Budgetary Questions to consider and report on the appropriate amounts and the mode of payment of such honoraria.

2. The present report is limited to point (b) above.

3. It is clear from the discussions in the Fifth Committee (442nd and 443rd meetings) that the purpose of the honoraria is to afford a general recognition of the services which the members of the Opium Board and the Supervisory Body render. The honoraria are not intended as reimbursement or fee for specific tasks performed on behalf of the two bodies. This is a relevant consideration in determining the appropriate scale of payments.

4. The members of the Permanent Central Opium Board are precluded, under the terms of article 19 of the 1925 Convention on Narcotic Drugs, from holding any office entailing a position of direct dependence on Governments. While this restriction does not apply to the Drug Supervisory Body, two of the four members now serving on that body also serve on the Opium Board. For the present purposes joint consideration may be given to the two organs.

5. To the extent that the members are also engaged between sessions in work on behalf of these two organs, they may suffer a diminution in professional earnings. This applies principally to the Presidents and Vice-

Presidents, who are charged with duties of representation, including, in certain cases,²⁸ attendance at sessions of the General Assembly, the Economic and Social Council, the Commission on Narcotic Drugs, and occasionally at other conferences.

6. The scale of honoraria which the Advisory Committee recommends in paragraph 8 below is intended to reflect the difference (which appears to be considerable) in the responsibilities, both substantive and representational, which must be undertaken respectively by (a) the Presidents ; (b) the Vice-Presidents ; and (c) the other members of the two bodies. The Committee suggests, however, that the scale should be flexible enough to permit of adjustment to special circumstances. For example, cases may arise where the Opium Board or the Supervisory Body is represented at a session of the Commission on Narcotic Drugs not by one of its office-holders but by an ordinary member. In such an eventuality, the payments might be suitably re-apportioned within the total amount appropriated for the honoraria.

7. As regards the mode of payment, the Advisory Committee favours, as a matter of administrative simplicity, a system of annual, lump-sum payments. The possible alternative of computing payments on the basis of the time actually spent on the work in question offers no advantage. It would entail the submission of detailed claims and unnecessary paper work.

²⁸ The 1955 budget estimates (A/2647) include the following provision :

(a) Under section 3, chapter III, \$2,600 to cover the travel expenses of one representative of the Board and one representative of the Supervisory Body in connexion with the session of the Commission on Narcotic Drugs ;

(b) Under section 3a, \$1,300 to cover "possible travel and expenses in connexion with representation of the Board at meetings of the Economic and Social Council and the General Assembly".

²⁷ E/OB/9 and Add.1, United Nations Publication, Sales No. : 1953, XI, 10 and Addendum.

8. The following is the scale of honoraria which the Advisory Committee recommends :

	<i>Dollars (US)</i>
Presidents (two)	1.000 per annum each
Vice-Presidents (two)	500 per annum each
Others members	300 per annum each

(A single honorarium would be payable according to this scale irrespective of whether membership is of one or both bodies.)

9. The financial implications of this recommendation amount, on the basis of the present membership,²⁹ to \$4,800, as compared with the figure of \$7,300 under the Secretary-General's suggestion (A/2687, paragraph 24, section B (b) (i)), which provides for honoraria of \$1,200, \$700 and \$500 respectively for the Presidents, Vice-Presidents and members, and which further provides that a member serving on both bodies shall receive 50 per cent of the second honorarium.

DOCUMENT A/C.5/L.274

Note by the Chairman

[Original text : English]
[5 October 1954]

It was agreed at the conclusion of the 433rd meeting of the Fifth Committee that in connexion with the agenda item 47 : System of allowances to members of commissions and committees and other subsidiary bodies of the General Assembly or other organs of the United Nations, the Chairman would circulate the questions on which he felt the sense of the Committee would have to be made known in order to make it possible for the recommendations of the Committee to the General Assembly to be formulated.

Pursuant to this agreement, the Chairman sets out below the questions which would appear to arise from the Committee's discussion of the reports on this subject submitted by the Secretary-General (A/2687) and by the Advisory Committee (A/2688, part II) :

PAYMENT OF SUBSISTENCE ALLOWANCE

1. Should the subsistence allowance be paid, in principle, at a uniform rate to members of all eligible bodies ?
2. Should the rates of allowance laid down in General Assembly resolution 459 (V) of 1 December 1950 be maintained ?
3. Should the "special allowance" of \$35 a day authorized for members of the International Law Commission by General Assembly resolution 485 (V) be continued ?

DOCUMENT A/2814

Report of the Fifth Committee

[Original text : English]
[30 November 1954]

1. Following instructions given by the General Assembly at its 478th plenary meeting, the Fifth Committee considered agenda item 47 : System of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations. The Committee had before it a report (A/2687) on the subject submitted by the Secretary-General pursuant to General Assembly resolution 775 (VIII) of 27

²⁹ The one vacancy in the membership of the Permanent Central Opium Board is to be filled at the resumed eighteenth session of the Economic and Social Council (November 1954). The figure of \$4,800 presupposes that the person so appointed will not also be a member of the Supervisory Body.

PAYMENT OF HONORARIA

4. Is it considered that there are any circumstances which would justify the payment of an honorarium to rapporteurs or members of United Nations bodies for work performed *during* the sessions of those bodies ?

5. Is it considered that there are any circumstances which would justify the payment of an honorarium to rapporteurs or members of United Nations bodies for work performed *between* the sessions of those bodies ?

6. If the answer to question 5 is in the affirmative, should an honorarium be paid for work performed between sessions to :

(a) Chairman and rapporteurs of the International Law Commission ?

(b) President, Vice-President and members of the Permanent Central Opium Board and the Drug Supervisory Body ?

(c) President and members of the Administrative Tribunal ?

(d) Special rapporteurs ?

Should the answer to any of the items under question 6 be in the affirmative, the Chairman would put to the vote in each case the relevant recommendations made by the Secretary-General in his report (A/2687).

November 1953, and the comments³⁰ of the Advisory Committee on Administrative and Budgetary Questions on the Secretary-General's report. The consideration of the item took place at the 433rd, 434th, 442nd, 443rd, 450th and 467th meetings of the Fifth Committee, held during October and November 1954.

2. It was recognized in the discussion in the Committee that the question consisted of two main parts, the one dealing with the system of subsistence allowances, the other with the system of honoraria for rapporteurs of

³⁰ See *Official Records of the General Assembly, Ninth Session, Supplement No. 7, A/2688, part two.*

United Nations bodies. Related to the latter, there was also the question of payment of an honorarium to members of the Permanent Central Opium Board and the Drug Supervisory Body, as well as to members of the United Nations Administrative Tribunal, for work performed between sessions of those bodies.

THE SYSTEM OF SUBSISTENCE ALLOWANCES

3. There was general agreement that the pattern laid down in General Assembly resolution 231 I (III) of 8 October 1948 afforded a rational basis for the system of subsistence allowances. More specifically, there was agreement on the principle embodied in that resolution and reaffirmed in General Assembly resolution 459 (V) of 1 December 1950, that the payment of a subsistence allowance does not represent a fee for services rendered. It was also agreed that, in principle, a uniform rate should govern all subsistence allowances.

4. There were, however, appreciable differences among delegations as to whether any exceptions should be permitted in the application of this principle. Several delegations considered that the provisions of resolution 459 (V) which laid down the rates of subsistence allowances should be strictly adhered to and that no exceptions should be made in the application of uniform rates. These delegations reaffirmed the view expressed by the Fifth Committee at the fifth session of the General Assembly that it was difficult in practice and, in any event, undesirable in principle to discriminate between expert bodies in the matter of subsistence allowances; they, therefore, welcomed the Advisory Committee's recommendation that no exceptions to the general system should be authorized. This approach, they stated, was not only logical but, by avoiding discrimination among the various bodies, offered the sole method which would not give rise to administrative difficulties in its application.

5. However, other delegations, while agreeing in principle to the desirability of a uniform system, believed that exceptions were justified in certain circumstances. It was also argued that a distinction should be made between members of permanent subsidiary bodies and experts entrusted with special tasks.

6. In view of the differing opinions expressed, it was agreed that the Chairman should present to the Committee a series of questions. By its answers the Committee would provide the basis for its recommendations to the General Assembly.

7. At its 434th meeting, the Committee considered the following questions which had been circulated in a note by the Chairman (A/C.5/L.274) :

Question 1 : Should the subsistence allowance be paid, in principle, at a uniform rate to members of all eligible bodies ?

The Committee decided this question in the affirmative by 39 votes to none, with one abstention.

Question 2 : Should the rates of allowance laid down in General Assembly resolution 459 (V) of 1 December 1950 be maintained ?

The Committee unanimously decided this question in the affirmative.

Question 3 : Should the "special allowance" of \$35 a day authorized for members of the International Law Commission by General Assembly resolution 485 (V) be continued ?

A marked difference of opinion was expressed on question 3. A number of delegations thought that it would not be appropriate to reduce, during their term

of office, the level of the allowance expressly authorized by the General Assembly for members of the Commission. The representative of Greece submitted a proposal that instead of question 3, the Committee should consider the following question : "Should the special allowance of \$35 a day authorized for members of the International Law Commission by General Assembly resolution 485 (V) be continued for the duration of the current term of the Commission, pending consideration by the General Assembly at its eleventh session of the application of a uniform system to all eligible United Nations bodies ?"

Another formulation, designed to preserve the principle of uniformity of subsistence rates, was submitted by the representative of the United States of America. Under this proposal, the Committee would consider the following alternative question : "Should the members of the International Law Commission receive, in addition to the normal subsistence allowance, an extra payment of \$15 a day for services rendered for a period of two years, that is, up to 31 December 1956 ?"

A suggestion that the proposal of the representative of the United States of America should be voted on first was rejected by 16 votes to 11, with 15 abstentions.

The question contained in the Greek proposal was therefore voted on first, and the Committee decided upon it in the affirmative by 21 votes to 15, with 9 abstentions. In view of this decision, the proposal of the United States of America was not pursued.

8. During the discussion the point was also raised whether the Secretary-General had followed the provisions of resolutions 231 (III) and 459 (V) as strictly as possible. Specifically, the Secretary-General was requested to consider whether it was not desirable to amend the rules interpreting resolution 459 (V) so as to apply a uniform rate of subsistence allowance to all recipients irrespective of whether or not they resided within a radius of 25 miles from the place where the meetings were held.

9. The representative of the Secretary-General explained that the General Assembly, by resolution 231 (III), had confirmed the practice of the Secretary-General in this regard. The Secretary-General considered that a subsistence allowance was justified if a representative, or a member of a commission or a committee, had to meet additional expenses by reason of the distance between the place of meeting and his residence. It was doubtful that it was possible to depart from this practice without a specific decision of the General Assembly.

PAYMENT OF HONORARIA

10. In the discussion on the payment of honoraria, attention was drawn by several delegations to General Assembly resolution 677 (VII) of 21 December 1952 which stated that the appointment of a rapporteur should carry no remuneration. These delegations commended the view of the Advisory Committee that there should be strict adherence to the terms of that resolution. They also considered that the assignment of specific projects to a special rapporteur should not be necessary in view of the fact that the highly qualified services of the Secretariat were always available. It was further stated that, even in the case of bodies such as the Permanent Central Opium Board and the Drug Supervisory Body, it had not been shown that the work undertaken by them between sessions could not be performed by the Secretariat.

11. There were other delegations, however, which considered that there was justification in some cases for the payment of honoraria to special rapporteurs or members of United Nations bodies. Where the work of a body

involved controversial and delicate issues, a special rapporteur acting in an individual capacity could put forward suggestions which the Secretariat could not. If the work of the rapporteur, who in such circumstances would probably not be an official of his Government, took a considerable amount of time, the payment of an honorarium would be justified.

12. The view was also expressed that the question whether to appoint special rapporteurs or set up new organs should be decided on the merits of the case and not primarily on the basis of the question of remuneration.

13. At the request of various delegations, the Chairman of the Advisory Committee explained the reasons which had prompted the Advisory Committee to recommend strict adherence to General Assembly resolution 677 (VII). In addition to the arguments set out in sub-paragraphs (a), (b) and (c) of paragraph 268 of its report, the Advisory Committee did not believe that the existence of controversial and delicate issues called for a system of servicing outside the Secretariat; for it was precisely with such issues in view that the Secretariat had been established as a principal organ of the United Nations, and its international and impartial character affirmed in the Charter.

14. The representative of the Secretary-General, in answer to questions raised during the discussion, explained the reasons for the increase in the workload of the Permanent Central Opium Board and the Drug Supervisory Body as well as of the Administrative Tribunal.

15. As in the case of subsistence allowances, the Committee had agreed that it should express its views by answering specific questions concerning the payment of honoraria and, at its 434th meeting, it considered the remaining questions contained in document A/C.5/L.274.

Question 4: Is it considered that there are any circumstances which would justify the payment of an honorarium to rapporteurs or members of United Nations bodies for work performed *during* the sessions of those bodies?

The Committee decided this question in the negative by 44 votes to 1, with 2 abstentions.

Question 5: Is it considered that there are any circumstances which would justify the payment of an honorarium to rapporteurs or members of United Nations bodies for work performed *between* the sessions of those bodies?

After a short debate, the Committee agreed that, in view of the additional specific questions in document A/C.5/L.274, it was not necessary to consider this hypothetical question.

16. As a result of the decision to delete question 5, the next question was reframed to read as follows:

Question 6: Should an honorarium be paid for work performed between sessions to:

(a) The Chairman and rapporteurs of the International Law Commission?

(b) The President, Vice-President and members of the Permanent Central Opium Board and the Drug Supervisory Body?

(c) The President and members of the Administrative Tribunal?

(d) Special rapporteurs?

The Committee proceeded to consider separately, the four parts of this question.

17. *The Chairman and rapporteurs of the International Law Commission:* The Committee agreed to substitute for

the words "work performed" the words "special reports prepared", so that the question before the Committee in respect of this category would read: "Should an honorarium be paid for specific reports prepared between sessions to the Chairman and rapporteurs of the International Law Commission?"

The Committee heard a statement from the Chairman of the International Law Commission on the nature of the work performed by the special rapporteur of the Commission.

The Committee decided this question in the affirmative by 26 votes to 13, with 8 abstentions.

It was agreed that as the amounts to be paid were included in the budget estimates for the International Law Commission, they would come under consideration during the reading of the estimates for 1955.

18. *President, Vice-President and members of the Permanent Central Opium Board and the Drug Supervisory Body:* At its 434th meeting, the Committee decided to defer its decision on this question until it had heard from the President of the Permanent Central Opium Board on the work of the Board and the Drug Supervisory Body.

19. At the 442nd meeting, the President of the Permanent Central Opium Board explained the history, structure and work of the Board. He pointed out that the Second Opium Conference in 1924-1925 had laid down the criteria which should govern the choice of members, such as technical competence and impartiality. At that time, although no formal decision was taken, it was felt that it would be impossible to obtain the services of highly qualified persons if they were not remunerated. The President commented also on the increase in the work of the Board, and stated that it had become difficult to find technically competent men of independent means to serve.

20. At its 443rd meeting, the Committee took a decision on the question: "Should an honorarium be paid for work performed between sessions to the President, Vice-President and members of the Permanent Central Opium Board and the Drug Supervisory Body?" In accordance with a request by the representative of New Zealand, separate votes were taken on the principle of payment of honoraria to (a) the President; (b) the Vice-President; and (c) other members of the two bodies.

The Committee decided as follows:

(a) In respect of the President, in the affirmative, by 24 votes to 10, with 12 abstentions.

(b) In respect of the Vice-President, in the affirmative, by 24 votes to 12, with 14 abstentions.

(c) In respect of other members, in the affirmative, by 22 votes to 16, with 11 abstentions.

The Committee then approved, by 28 votes to 7, with 15 abstentions, a proposal of the representative of Norway that the question of the amount and mode of payment should be referred to the Advisory Committee for further study.

21. At its 450th meeting, the Committee considered a report (A/2780) on the subject by the Advisory Committee and approved, by 34 votes to 8, with 6 abstentions, the recommendation of that Committee that honoraria should be paid, on an annual lump-sum basis, to members of the Permanent Central Opium Board and the Drug Supervisory Body on the following scale:

	Dollars (US)
Presidents (two)	1,000 per annum each
Vice-Presidents (two)	500 per annum each
Other members	300 per annum each

It was agreed that in case of membership in both bodies, a single honorarium only would be paid.

22. *President and members of the Administrative Tribunal*: In the light of the discussion at its 434th meeting, the Committee considered the question: "Should an honorarium be paid for work performed between sessions to the President and members of the Administrative Tribunal?"

The Committee decided this question in the negative by 25 votes to 7, with 11 abstentions.

23. *Special rapporteurs*: In the light of the discussion at its 434th meeting, the Committee considered the question: "Should an honorarium be paid for work performed between sessions by special rapporteurs?"

The Committee decided this question in the negative by 37 votes to 7, with 3 abstentions.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See document A/RESOLUTION/237 below.]

DOCUMENT A/RESOLUTION/237

[Resolution 875 (IX)]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

SYSTEM OF ALLOWANCES TO MEMBERS OF COMMISSIONS, COMMITTEES AND OTHER SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY OR OTHER ORGANS OF THE UNITED NATIONS

A

The General Assembly,

1. *Reaffirms* the principles and conditions for payment of travel expenses and subsistence allowances as laid down in General Assembly resolution 231 (III) of 8 October 1948;

2. *Considers* that in principle a uniform rate of subsistence allowance should be paid to members of all commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations eligible under resolution 231 (III), subject only to a distinction being made in respect of the place of meetings;

3. *Decides* that the rates of subsistence allowance laid down in resolution 459 (V) of 1 December 1950, namely \$25 per diem in respect of meetings at Headquarters and \$20 per diem in respect of meetings away from Headquarters should be maintained;

4. *Decides* that the special allowance of \$35 authorized for members of the International Law Commission by resolution 485 (V) of 12 December 1950 should be continued until 31 December 1956, pending consideration by the General Assembly at its eleventh session of the application of a uniform system to all eligible bodies.

B

The General Assembly

1. *Reaffirms* the provisions of resolution 677 (VII) of 21 December 1952 under which the Assembly considered that no appointment of a rapporteur should carry remuneration;

2. *Decides*, however, that special circumstances exist in the case of the International Law Commission justifying the payment of honoraria for specific reports prepared by its Chairman or special rapporteurs between sessions of the Commission.

C

The General Assembly,

Noting that members of the Permanent Central Opium Board are precluded, under the terms of article 19 of the Convention of 19 February 1925 relating to narcotic drugs, from holding any office which puts them in a position of direct dependence on their Governments,

Considering that the payment of some compensation to members of the Permanent Central Opium Board and the Drug Supervisory Body is justified by the work performed between sessions of these bodies,

Decides that payment of compensation should be made to each member of these bodies on the following basis:

	<i>Dollars per annum</i>
President	1,000
Vice-President	500
Member	300

provided that only a single honorarium is to be paid in case of membership in both bodies.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2814). For the final text, see document A/RESOLUTION/237, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2615	Report of the Fifth Committee		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 51</i>
A/2687	Report of the Secretary-General	1	
A/2687/Add.1	Addendum to the report of the Secretary-General	7	
A/2688	Second report of the Advisory Committee on Administrative and Budgetary Questions		<i>Ibid., Ninth Session, Supplement No. 7</i>
A/2780	Twelfth report of the Advisory Committee on Administrative and Budgetary Questions	7	
A/2814	Report of the Fifth Committee	8	
A/C.5/L.274	Note by the Chairman	8	
A/C.5/L.301	Draft report of the Fifth Committee		Same text as A/2814
A/RESOLUTION/237	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	11	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 875 (IX)</i>



Agenda item 48 : Awards of compensation made by the United Nations Administrative Tribunal : advisory opinion of the International Court of Justice

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DOCUMENT A/2837

Thirty-third report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[6 December 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report which the Secretary-General has submitted on budgetary arrangements for the payment of indemnities (A/C.5/607).

2. Indemnity payments as defined in that report fall into two categories. As regards the first category, which comprises payments made under the Staff Regulations and the Staff Rules (Staff Regulations 9.3, 9.3 (b) and Staff Rule 109.3), the Secretary-General proposes that provision should continue to be made in the annual budget of the United Nations. The Advisory Committee concurs in the Secretary-General's proposal.

3. The second category comprises payments arising out of awards of compensation made by the Administrative

Tribunal. For reasons indicated in paragraph 6 of his report the Secretary-General proposes the establishment of a Special Indemnity Fund, out of which payment would be made of any compensation awarded by the Administrative Tribunal to staff members of the United Nations. No other payments would be made out of the fund.

4. The Advisory Committee agrees that such a Fund may offer some advantage in obviating any wide variation between the amounts appropriated annually in respect of common staff costs and those actually expended. The Committee recommends, however, that the fund should be established in the first instance on an experimental basis and be subject to review at the end of two years. A draft resolution to give effect to these recommendations is attached as an annex to the present report.

ANNEX

DRAFT RESOLUTION

The General Assembly

Resolves that:

1. As from 1 January 1955 there shall be established a Special Indemnity Fund;
2. Notwithstanding the provisions of article 7 of General Assembly resolution 359 (IV) of 10 December 1949 and the

provisions of financial regulations 6.1 and 7.1, the Secretary-General is authorized to transfer to the Fund from the income from staff assessment, as a first charge against such income, on 1 January 1955 an amount of \$250,000 and on 1 January 1956 such amount as will, when added to the balance remaining in the Fund on that date, bring the credit in the Fund up to an amount of \$250,000;

3. The Secretary-General is authorized to charge against the Fund all payments to staff members of the United Nations arising out of awards of compensation made in accordance with its Statute by the Administrative Tribunal.

DOCUMENT A/C.5/607

Report of the Secretary-General

[Original text: English]
[26 November 1954]

INTRODUCTORY

1. During the eighth session of the General Assembly, the representative of Argentina introduced in the Fifth Committee a proposal (A/C.5/L.257) for a report by the Secretary-General to the ninth session on the possibility of establishing a special fund to be used for the payment of indemnities. The report of the Fifth Committee (A/2615) contains a reference to the proposal (paras. 58-60) which concludes as follows:

“The Secretary-General informed the Committee that, if it expressed a wish to that effect, he would undertake a study of the possibility and desirability of the proposal before making budgetary arrangements for the payment of indemnities. He used the term “budgetary arrangements” as he felt that various possible solutions should be studied and not merely the proposal for a special fund. The Committee agreed that the Rapporteur’s report should indicate the desire of the Committee that the Secretary-General should submit the study envisaged to the ninth session of the General Assembly.”

2. Accordingly, the Secretary-General submits the present report.

DEFINITION OF INDEMNITY PAYMENTS

3. Indemnity payments can be classified under two different categories, namely, indemnity payments made under the provisions of the Staff Regulations and the Staff Rules, and indemnity payments arising out of decisions by the Administrative Tribunal.

4. Indemnity payments of the first category include those which the Secretary-General is authorized to pay under Staff Regulation 9.3, the additional indemnities which he may pay under authority of Staff Regulation 9.3 (b), and the payments made in accordance with Staff Rule 109.3 in lieu of prescribed period of notice prior to actual termination date. Indemnity payments of the second category may include all additional payments arising out of decisions by the Administrative Tribunal such as salary payments, compensation and legal costs.

ARRANGEMENTS FOR FINANCING PAYMENTS

5. Once the level of staff contemplated under the reorganization plan has been achieved, it should be possible to estimate with reasonable accuracy the

approximate annual provision that will need to be made for payment of indemnities authorized under the Staff Regulations. It is the opinion of the Secretary-General that, in these circumstances, sound financial practice requires that appropriate provision for such payments should be made, as heretofore, in the annual budget of the Organization in the same way as provision is made for other common staff costs.

6. For obvious reasons, however, indemnity payments arising out of awards granted by the Administrative Tribunal cannot be forecast with any degree of certainty from year to year. In addition to the fact that it is impossible to know sufficiently in advance for budget making purposes the number and nature of the cases with which the Tribunal may be seized within any twelve month period, the individual circumstances involved are normally such that any average evaluation based on experience can have little, if any, relevance. If, therefore, possibly wide fluctuations between estimates and actual expenditures are to be minimized, there would seem to be considerable merit in making special budgetary arrangements in the case of indemnity payments falling within this latter category. Such special arrangements should also take account of the fact that the Secretary-General should be in a position to finalize such payments within a reasonable time.

SPECIAL INDEMNITY FUND

7. The Secretary-General believes that a solution to the problem outlined above could be found in an arrangement along the lines suggested by the representative of Argentina (A/C.5/L.257).

8. It is, therefore, proposed that a Special Indemnity Fund be established out of which the Secretary-General would be authorized to make all payments arising out of decisions by the Administrative Tribunal. It is further proposed that the Fund be established and maintained out of income from staff assessment and should stand at a level of \$250,000 at the beginning of each year. Initially, therefore, an amount of \$250,000 would be transferred to the Fund from the Staff Assessment income. Thereafter, at the beginning of each subsequent year, transfers would be made to the Fund from Staff Assessment income in such amounts as would keep the Fund at a level of \$250,000.

9. Should the General Assembly approve the proposals outlined above, the actions required are shown in Annex A.

ANNEX A

ACTIONS REQUIRED

1. Establishment as from 1 January 1955 of a Special Indemnity Fund.
2. Authorization for the Secretary-General, notwithstanding the provisions of Article 7 of General Assembly resolution 359 (IV) of 10 December 1949, to transfer to the Fund from

the income from Staff Assessment as a first charge against such income, on 1 January 1955 an amount of \$250,000 and on 1 January of each subsequent year such amount as will, when added to the balance remaining in the Fund on that date, bring the credit in the Fund up to an amount of \$250,000.

3. Instruction to the Secretary-General to charge against the Fund all payments arising out of decisions by the Administrative Tribunal.

DOCUMENT A/C.5/L.317

Argentina and the United States of America : draft resolution

[Original text : English]
[3 December 1954]

The General Assembly,

Having considered the advisory opinion of the International Court of Justice of 13 July 1954 regarding the effect of awards of compensation made by the United Nations Administrative Tribunal¹, and the Report by the Secretary-General on budgetary arrangements for payment of indemnities (A/C.5/607, 26 November 1954),

1. Decides to take note of the advisory opinion ;
2. Adopts the following amendments to the Statute of the United Nations Administrative Tribunal :
 - (1) Omit present paragraph 2 of Article 10 and renumber remaining paragraphs accordingly.
 - (2) Insert following new Article 11 and renumber following articles accordingly :

"Article 11

"1. Subject to suspension and review by the Board of Judicial Review as provided in paragraphs 2, 3 and 4 of this Article, and to the power of the General Assembly to request an advisory opinion of the International Court of Justice on questions of law, judgments of the Administrative Tribunal shall be final and without appeal effective ninety days following the date of judgment.

"2. Upon the proposal of a Member State, or of the Advisory Committee on Administrative and Budgetary Questions of the General Assembly, any judgment of the Administrative Tribunal may, by simple majority vote of the General Assembly, be referred to the Board of Judicial Review constituted pursuant to paragraph 3 below. The Board of Judicial Review may remand a case for rehearing or reconsideration by the members originally sitting in the case or by the full membership, and may confirm, set aside or revise a judgment of the Tribunal, in accordance with such rules as it may establish to govern its proceedings.

"3. The Board of Judicial Review shall be composed of three members, one to be elected by the General Assembly for a term of three years, the second to be named by the President of the International Court of Justice for a similar term, and the third to be named by the first two members acting jointly when a case is referred to the Board by the General Assembly.

"4. If within ninety days of judgment by the Administrative Tribunal a Member State or the Advisory Committee on Administrative and Budgetary Questions notifies the Secretary-General of an intention to make a proposal of the kind referred to in paragraph 2 or a proposal to seek an advisory opinion of the International Court of Justice, the judgment will be suspended pending disposition of such proposal at the current or next regular session of the General Assembly, as the case may be, and the Secretary-General will give notice to the Tribunal, the parties, and all Members of the intended proposal."

- (3) Insert the following at the beginning of the first sentence of Article 2, paragraph 1 :

"Acting within the authority granted to it by the General Assembly, particularly by the present Statute and the Staff Regulations,"

- (4) Add the following sentence at the end of Article 2, paragraph 1 :

"In discharging its responsibility under the present statute, the Tribunal shall have due regard for the intention and understanding of the General Assembly concerning the application of the Statute and the Staff Regulations as that intention and understanding are evidenced by the pertinent records."

- (5) Add the following at the end of Article 2, paragraph 4 :

"nor shall it be competent to substitute its judgment in areas reserved for the discretion of the Secretary-General."

- (6) Omit the final two sentences of Article 9, paragraph 1, and substitute the following :

"If, in its opinion, special circumstances so warrant, the Tribunal may recommend to the General Assembly an additional *ex gratia* payment." ; and

3. Establishes a Special Indemnity Fund against which the Secretary-General is authorized to charge any payment for awards, costs, and expenses finally adjudged by the United Nations Administrative Tribunal or by the Board of Judicial Review. Notwithstanding Article 7 of General Assembly resolution 359 (IV) of 10 December 1949, the Secretary-General on 1 January 1955 will transfer to the Fund from the income from Staff Assessment, as a first charge against such income, an amount of \$250,000, and on 1 January of each subsequent year such amount as will, when added to the balance remaining in the Fund on that date, bring the credit in the Fund up to an amount of \$250,000.

¹ Effect of awards of compensation made by the United Nations Administrative Tribunal, Advisory Opinion of July 13th, 1954: *I.C.J. Reports 1954*, p. 47; also reproduced as document A/2701.

DOCUMENT A/C.5/L.321

Argentina, Canada, Chile, Cuba, Turkey and the United States of America : draft resolution

[Original text : English]
[8 December 1954]

The General Assembly,

Having considered the advisory opinion of the International Court of Justice of 13 July 1954 regarding the effect of awards of compensation made by the United Nations Administrative Tribunal, the Report by the Secretary-General on budgetary arrangements for payment of indemnities (A/C.5/607, 26 November 1954) and the Report of the Advisory Committee on Administrative and Budgetary Questions (A/2837, 6 December 1954)

A

Decides to take note of the advisory opinion ;

B

1. *Accepts in principle* the establishment of a procedure for judicial review of judgments of the Administrative Tribunal ;

2. *Establishes* a Special Committee composed of (eleven members) to meet at Headquarters at a time to be fixed in consultation with the Secretary-General to develop such a procedure, taking into account the views of Member States, and report thereon to the 10th Regular Session of the General Assembly ;

3. *Requests* the Secretary-General to notify all Member States of the date on which the Special Committee shall meet and to invite them to submit proposals for a judicial review procedure for the consideration of the Committee ;

4. *Decides* that, as a transitional measure, pending the establishment of the review procedure referred to in

paragraph one and notwithstanding the provisions of the Statute of the Administrative Tribunal, judgments of the Administrative Tribunal shall become final on the thirty-first day following date of judgment, provided further that if, within thirty days of judgment, any Member of the United Nations or either of the parties has notified the Secretary-General of their view that a particular judgment should be reviewed, the judgment in question shall be subject to review by such judicial review procedure as the General Assembly shall provide at its next regular session. The Secretary-General shall notify the parties, the Tribunal and Member States of receipt of such notice.

C

Decides that :

(1) As from 1 January 1955 there shall be established a Special Indemnity Fund ;

(2) Notwithstanding the provisions of Article 7 of General Assembly resolution 359 (IV) of 10 December 1949 and the provisions of financial regulations 6.1 and 7.1, the Secretary-General is authorized to transfer to the Fund from the income from staff assessment, as a first charge against such income, on 1 January 1955 an amount of \$250,000 and on 1 January 1956 such amount as will, when added to the balance remaining in the Fund on that date, bring the credit in the Fund up to an amount of \$250,000 ;

(3) The Secretary-General is authorized to charge against the Fund all payments to staff members of the United Nations arising out of awards of compensation made in accordance with its Statute by the Administrative Tribunal.

DOCUMENT A/C.5/L.321/Rev.1

Argentina, Canada, Chile, Cuba, Turkey and the United States of America : revised draft resolution

[Original text : English]
[9 December 1954]

The General Assembly,

Having considered the advisory opinion of the International Court of Justice of 13 July 1954 regarding the effect of awards of compensation made by the United Nations Administrative Tribunal, the Report by the Secretary-General on budgetary arrangements for payment of indemnities (A/C.5/607, 26 November 1954) and the Report of the Advisory Committee on Administrative and Budgetary Questions (A/2837, 6 December 1954) ;

Considering that under Article 11 of the Statute of the Administrative Tribunal, the General Assembly can amend that Statute ;

Believing that the establishment of procedure for appeal against the judgments of the Administrative Tribunal requires careful examination ;

A

Decides to take note of the advisory opinion ;

B

1. *Accepts in principle* the establishment of a procedure for judicial review of judgments of the Administrative Tribunal ;

2. *Establishes* a Special Committee composed of (fifteen members) to meet at Headquarters at a time to be fixed in consultation with the Secretary-General to develop such a procedure, taking into account the views of Member States and of the specialized agencies, and report thereon to the tenth Regular Session of the General Assembly ;

3. *Requests* the Secretary-General to notify all Member States of the date on which the Special Committee shall meet and to invite them to submit proposals for a judicial review procedure for the consideration of the Committee ;

4. *Decides* that, as a transitional measure, pending the establishment of the review procedure referred to in paragraph one and notwithstanding the provisions of the Statute of the Administrative Tribunal, judgments of the Administrative Tribunal shall become final on the thirty-first day following date of judgment, provided further that if, within thirty days of judgment, any Member of the United Nations or either of the parties has notified the Secretary-General of their view that a particular judgment should be reviewed, the judgment in question shall be subject to review by such judicial review procedure as the General Assembly shall provide at its tenth regular session. If no other procedure is provided at the tenth regular session before 31 December 1955, such judgment shall become final on that date. The Secretary-General shall notify the parties, the Tribunal and Member States of receipt of such notice ;

C

Decides that :

(1) As from 1 January 1955 there shall be established a Special Indemnity Fund ;

(2) Notwithstanding the provisions of Article 7 of General Assembly resolution 359 (IV) of 10 December 1949 and the provisions of financial regulations 6.1 and 7.1, the Secretary-General is authorized to transfer to the Fund from the income from staff assessment, as a first charge against such income, on 1 January 1955 an amount of \$250,000 and on 1 January 1956 such amount as will, when added to the balance remaining in the Fund on that date, bring the credit in the Fund up to an amount of \$250,000 ;

(3) The Secretary-General is authorized to charge against the Fund all payments to staff members of the United Nations arising out of awards of compensation made in accordance with its Statute by the Administrative Tribunal.

DOCUMENT A/C.5/L.322

Belgium, Brazil, Egypt, India, Norway and Pakistan : amendments to the draft resolution A/C.5/L.321

[Original text : English]
[8 December 1954]

1. Immediately before part A of the operative part, insert :

"Considering that under Article 11 of the Statute of the Administrative Tribunal, the General Assembly can amend that Statute,

"Believing that the question of the possible establishment of procedure for appeal against the judgments of the Administrative Tribunal requires careful examination,"

In the operative part, delete part B.

2. Replace this text by the following :

"Requests Member States to communicate to the

Secretary-General, before 1 July 1955, their views on the possible establishment of procedure for appeal against the judgments of the Administrative Tribunal and to submit any suggestions which they may consider useful ;

"Invites the Secretary-General to consult on this matter with the specialized agencies concerned ;

"Requests the Secretary-General to transmit to the General Assembly at its tenth session the communications received from Member States and from specialized agencies."

DOCUMENT A/C.5/L.322/Rev.1

Belgium, Brazil, Egypt, India, Norway and Pakistan : amendments to the revised draft resolution A/C.5/L.321/Rev.1

[Original text : English]
[9 December 1954]

Delete part B.

Replace this text by the following :

"Requests Member States to communicate to the Secretary-General, before 1 July 1955, their views on the possible establishment of procedure for appeal against the judgments of the Administrative Tribunal and to submit any suggestions which they may consider useful ;

"Invites the Secretary-General to consult on this matter with the specialized agencies concerned ;

"Establishes a Special Committee composed of fifteen members to meet at a time fixed in consultation with the Secretary-General to study the question of the establishment of such a procedure in all its aspects and to report to the General Assembly at its tenth session ;

"Requests the Secretary-General to notify all Member States of the date on which the Special Committee shall meet."

DOCUMENT A/2883

Report of the Fifth Committee

[Original text : English]
[16 December 1954]

1. The General Assembly, in connexion with the consideration at its eighth session of supplementary estimates for the payment of certain awards of the United Nations Administrative Tribunal, decided by resolution 785 A (VIII) of 9 December 1953 to request an advisory opinion from the International Court of Justice on the following legal questions :

“(1) Having regard to the Statute of the United Nations Administrative Tribunal and to any other relevant instruments and to the relevant records, has the General Assembly the right on any grounds to refuse to give effect to an award of compensation made by that Tribunal in favour of a staff member of the United Nations whose contract of service has been terminated without his assent?”

“(2) If the answer given by the Court to question (1) is in the affirmative, what are the principal grounds upon which the General Assembly could lawfully exercise such a right?”

2. The International Court of Justice, in its advisory opinion of 13 July 1954 (A/2701), held, by 9 votes to 3, that the General Assembly had no right on any grounds to refuse to give effect to an award of compensation made by the Administrative Tribunal of the United Nations in favour of a staff member of the United Nations whose contract of service had been terminated without his assent. As the first question was answered in the negative, it was not necessary for the Court to reply to the second question.

3. On the recommendation of the General Committee the item “Awards of compensation made by the United Nations Administrative Tribunal : advisory opinion of the International Court of Justice” was placed on the agenda of the ninth session by the General Assembly at its 477th meeting on 24 September 1954 and was referred to the Fifth Committee by the Assembly at its 478th meeting on 25 September.

4. The Fifth Committee also had before it a report by the Secretary-General on budgetary arrangements for the payment of indemnities (A/C.5/607) which had been prepared pursuant to a statement made by the Secretary-General to the Fifth Committee during the eighth session of the General Assembly following a proposal made by the representative of Argentina.² The report of the Secretary-General classified indemnity payments under two different categories, namely, indemnity payments made under the provisions of the Staff Regulations and the Staff Rules, and indemnity payments arising out of decisions by the Administrative Tribunal. With respect to the first category the report recommended that appropriate provision for such payments should continue to be made in the annual budget of the Organization in the same way as for other common staff costs. With respect to the second category, however, it was considered impossible to forecast with any degree of certainty the amounts which might be required from year to year to meet awards of the Administrative Tribunal. The report considered that in order to remove the possibility of wide

fluctuations between estimates and actual expenditures there would be considerable merit in making special budgetary arrangements for the payment of these amounts, which would take account of the fact that the Secretary-General should be in a position to finalize such payments within a reasonable time. It was, therefore, proposed that a special indemnity fund should be established from which the Secretary-General would be authorized to make all payments arising out of decisions by the Administrative Tribunal ; such a fund would be maintained out of income from staff assessment and would stand at a level of \$250,000 at the beginning of each year.

5. The Advisory Committee on Administrative and Budgetary Questions, in its thirty-third report to the ninth session of the General Assembly (A/2837) concurred in the Secretary-General's proposal concerning the first category of indemnity payments. With respect to the second category, the Advisory Committee agreed that the special indemnity fund proposed by the Secretary-General might offer some advantage in obviating any wide variation between the amounts appropriated annually in respect of common staff costs and those actually expended. The Committee recommended, however, that the fund should be established in the first instance on an experimental basis and be subject to review at the end of two years.

6. The Fifth Committee considered the item at its 474th to 480th meetings from 3 to 9 December 1954. At the opening of the general discussion Argentina and the United States of America introduced a joint draft resolution (A/C.5/L.317) providing that the General Assembly, having considered the advisory opinion of the International Court of Justice and the report of the Secretary-General on budgetary arrangements for the payment of indemnities, would decide to take note of the advisory opinion.

7. The joint draft resolution further proposed the following amendments to the statute of the United Nations Administrative Tribunal :

“(1) Omit present paragraph 2 of article 10 and renumber remaining paragraphs accordingly ;

“(2) Insert following new article 11 and renumber following articles accordingly :

“ ‘Article 11

“ ‘1. Subject to suspension and review by the Board of Judicial Review as provided in paragraphs 2, 3 and 4 of this article, and to the power of the General Assembly to request an advisory opinion of the International Court of Justice on questions of law, judgments of the Administrative Tribunal shall be final and without appeal effective ninety days following the date of judgment.

“ ‘2. Upon the proposal of a Member State or of the Advisory Committee on Administrative and Budgetary Questions of the General Assembly, any judgment of the Administrative Tribunal may, by simple majority vote of the General Assembly, be referred to the Board of Judicial Review constituted pursuant to paragraph 3 below. The Board of Judicial Review may remand a

² See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 51, document A/2615, paras. 58 to 60.

case for rehearing or reconsideration by the members originally sitting in the case or by the full membership, and may confirm, set aside or revise a judgment of the Tribunal, in accordance with such rules as it may establish to govern its proceedings.

“ 3. The Board of Judicial Review shall be composed of three members, one to be elected by the General Assembly for a term of three years, the second to be named by the President of the International Court of Justice for a similar term, and the third to be named by the first two members acting jointly when a case is referred to the Board by the General Assembly.

“ 4. If within ninety days of judgment by the Administrative Tribunal a Member State or the Advisory Committee on Administrative and Budgetary Questions notifies the Secretary-General of an intention to make a proposal of the kind referred to in paragraph 2, or a proposal to seek an advisory opinion of the International Court of Justice, the judgment will be suspended pending disposition of such proposal at the current or next regular session of the General Assembly, as the case may be, and the Secretary-General will give notice to the Tribunal, the parties, and all Members of the intended proposal.’

“(3) Insert the following at the beginning of the first sentence of article 2, paragraph 1 :

“ ‘Acting within the authority granted to it by the General Assembly, particularly by the present Statute and the Staff Regulations’,

“(4) Add the following sentence at the end of article 2, paragraph 1 :

“ ‘In discharging its responsibility under the present statute, the Tribunal shall have due regard for the intention and understanding of the General Assembly concerning the application of the Statute and the Staff Regulations as that intention and understanding are evidenced by the pertinent records.’

“(5) Add the following at the end of article 2, paragraph 4 :

“ ‘nor shall it be competent to substitute its judgment in areas reserved for the discretion of the Secretary-General.’

“(6) Omit the final two sentences of article 9, paragraph 1, and substitute the following :

“ ‘If, in its opinion, special circumstances so warrant, the Tribunal may recommend to the General Assembly an additional *ex gratia* payment.’ ”

8. Finally, the joint draft resolution of Argentina and the United States provided for the establishment of a special indemnity fund against which the Secretary-General would be authorized to charge any payments for awards, costs and expenses finally adjudged by the United Nations Administrative Tribunal or by the board of judicial review the establishment of which was proposed in the joint draft resolution. It provided that the Secretary-General, on 1 January 1955, would transfer to the fund from the income from staff assessment, as a first charge against such income, an amount of \$250,000 and, on 1 January of each subsequent year, such amount as would be necessary to bring the credit in the fund up to \$250,000.

9. The representative of the United States, in introducing the joint draft resolution, referred to the advisory opinion of the International Court of Justice. He stated that his Government, like the minority of the members of the Court, disagreed with the opinion of the Court. The United States remained firmly convinced that the General Assembly had the right to refuse to give effect to decisions made by one of its subsidiary

organs. It also continued to disagree with the particular awards by the Administrative Tribunal considered at the eighth session. However, consistent with its policy in other cases, the Government of the United States was prepared to respect the authority of the International Court of Justice.

10. The representative of the United States further stated that it remained for the General Assembly to decide what action was called for as a consequence of the construction placed upon the statute of the Administrative Tribunal by the International Court of Justice. He referred to the statement of the Court to the effect that, in order that judgments be subjected to review by any body other than the Tribunal itself, it would be necessary that the statute of the Tribunal or some other legal instrument governing it should contain an express provision to that effect. The Court noted that the General Assembly had the power to amend the statute of the Administrative Tribunal by virtue of article 11 of that statute and to provide for means of redress by another organ (A/2701, *I.C.J. Reports 1954*, p. 56).

11. The representative of the United States pointed out that domestic systems of law were accustomed to the process of judicial review, which he considered a prerequisite of a mature and sound judicial system. In order to provide against the contingency of grievous error by the Tribunal, it would be sufficient that judicial review should be provided when, in the opinion of a responsible organ of the United Nations, such review was necessary. The amendments to the statute of the Administrative Tribunal proposed in the joint draft resolution of Argentina and the United States provided the machinery for such review. The legal resources of the International Court of Justice would be available where broad and general issues of international and Charter law were involved and a more flexible judicial procedure would be provided where there might be complex issues of fact involved in specific individual cases.

12. The United States would have preferred a simple amendment subjecting any award to challenge and rejection in the General Assembly but it had made its present proposals in deference to the statement by the International Court to the effect that should the Assembly contemplate, for dealing with future disputes, the making of some provision for the review of the awards of the Tribunal, the Court was of the opinion that the General Assembly itself, in view of its composition and functions, could hardly act as a judicial organ for that purpose.

13. With respect to the proposed amendment to article 9, paragraph 1, of the Tribunal's statute, the representative of the United States recalled the amendment made at the eighth session of the General Assembly which limited the amount of an award to two years net base salary. He pointed out that the Assembly, however, had added a proviso that the Tribunal might in exceptional cases, when it considered it justified, order the payment of a higher indemnity. This proviso was intended to guard against extraordinary hardship cases and the representative of the United States believed the same objective could be served by permitting the Tribunal without exceeding the two-year maximum in its awards to recommend *ex gratia* payments.

14. With respect to the proposed amendments to article 2, paragraphs 1 and 4, the representative of the United States said that they were intended to make it clear that the Tribunal should have due regard for the intention and understanding of the General Assembly concerning the statute and the Staff Regulations and that by disregarding the expressed intention of the General Assembly or by substituting its judgment in areas

reserved for the discretion of the Secretary-General, the Tribunal would be acting in excess of its competence. These basic principles, he believed, should not be left to implication but should be spelled out.

15. The representative of the United States emphasized the importance which his Government attached to the proposals for the provision of a judicial review of judgments of the Administrative Tribunal and considered that the proposed amendments represented the minimum which the General Assembly was called upon to do in the light of the advice of the International Court of Justice.

16. The representative of the United States pointed out that the joint draft resolution also contained the Secretary-General's proposal for the establishment of a special fund for the payment of Tribunal awards, which his delegation considered consistent with the guiding principle of providing in advance for the smooth functioning of the Administrative Tribunal system.

17. The representative of the Union of Soviet Socialist Republics stated that the question of amending the statute of the Tribunal was not on the agenda of the General Assembly and the General Assembly had not authorized the Fifth Committee to consider it. The Committee was only concerned with taking note of the advisory opinion and with the question of how to give effect to the judgments of the Administrative Tribunal. He proposed, therefore, that the Fifth Committee should decide that it was not competent to consider the question of amendments to the statute of the United Nations Administrative Tribunal under the agenda item as it was transmitted to the Committee by the Assembly.

18. Some representatives expressed the view that the Committee was competent to consider any question arising out of the advisory opinion, including the establishment of a review procedure. The International Court of Justice had in fact referred to such a possibility. Other representatives doubted if the fact that the Court mentioned the problem of review was enough automatically to include it on the agenda of the General Assembly. It was also stated by some representatives that amendment of the statute of the Administrative Tribunal, although considered by the Fifth Committee in the past, might be more appropriately dealt with by the Sixth Committee.

19. Still other representatives expressed the view that while the Committee might be competent to consider the proposal from a legal point of view, it would not be desirable to discuss the proposed amendments during the present session of the General Assembly because of the lack of time for adequate consideration and for consultation with Governments. The fact that those representatives would vote in favour of the competence of the Committee was not intended to exclude the possibility of postponement.

20. The representative of Lebanon moved that a vote on the proposal of the USSR be postponed until after the conclusion of the general debate. After a procedural discussion, he withdrew this motion in order to expedite the work of the Committee. The Committee rejected the USSR proposal by 15 votes to 6, with 21 abstentions.

21. The representative of Poland explained that he had voted for the USSR proposal because his delegation believed that the Committee should confine its consideration to the subject of the payment of indemnities and should not discuss the question of amendment to the statute of the Administrative Tribunal since that question was not on the agenda and had not been referred to the Committee by the General Assembly. The representative of Israel explained that he abstained because he

was unable to take an impromptu decision on such a complex matter and the representative of the Netherlands stated that he had abstained because he was not satisfied that the question could be properly discussed at the present session.

22. It was the consensus of the Committee that it should take note of the advisory opinion and that the awards in question should be paid. During the discussion, a number of representatives expressed appreciation of the position of the United States in accepting the advisory opinion of the International Court of Justice even though disagreeing with the conclusions of that opinion.

23. With respect to the method of payment of the awards, a number of representatives stated that they had no strong views on whether the necessary funds should be voted directly in the budget, or whether payment should be made from a special indemnity fund to be established. They had no objection to the establishment of such an indemnity fund and were prepared to follow the suggestion of the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions.

24. The representative of the USSR, supported by the representative of Czechoslovakia, was opposed to the establishment of a special indemnity fund. He considered such a fund unnecessary since awards could be paid, as in previous years, from budget appropriations allocated to common staff costs. Furthermore, he believed that the financing of such a fund from staff assessment might prejudice the use of staff assessment for purposes of tax equalization in accordance with proposals to be considered at the tenth session. In that connexion, he recalled the statement made by the United States representative at the 472nd meeting, during the consideration of the question of the tax equalization fund, and warned the Committee of the possible effect the action referred to in that statement might have on the proposed special indemnity fund. The representatives of the United States and Australia stated that, if a tax equalization plan utilizing the staff assessment were approved at the next session of the General Assembly, the method of financing the special indemnity fund could then be reconsidered.

25. In response to a request for clarification, the representative of the Secretary-General stated that it was correct to say that the effect of payments to the special indemnity fund would not be felt in full by Member States which received tax payments from their nationals who were staff members of the United Nations in excess of their share in the suggested tax equalization fund. A similar effect would be felt under the plan offered by the United States representative at the 472nd meeting.

26. With respect to the proposals for amendment of the statute of the Administrative Tribunal, while a few representatives were prepared to accept the proposed amendments immediately, many representatives were of the view that the proposals raised complex questions which could not be adequately considered in the time remaining in the ninth session. They also considered it essential to consult their Governments before taking a decision. A few representatives questioned whether review of the Tribunals' judgments would be desirable. While recognizing that in national judicial systems there was ordinarily a right of appeal, they believed that it was sometimes necessary to ensure the finality of judgments in order not to weaken the authority of a Tribunal or impair administrative efficiency by excessive delay. They pointed out that there had been no provision for review of judgments of the Administrative Tribunal of the League of Nations, and that the omission of review procedure from the statute of the United Nations Administrative Tribunal had been deliberate in order not to affect adversely the morale of the staff.

27. A number of representatives, some of whom accepted the principle that there should be a judicial review of judgments of the Administrative Tribunal, expressed doubts concerning certain details of the procedure provided in the joint draft resolution of Argentina and the United States. It was generally believed that any procedure to be established should be truly judicial and that the authority, independence and judicial character of the Administrative Tribunal should be preserved. Some representatives doubted whether the proposed board of judicial review, being merely an *ad hoc* body, would have sufficient permanency and stature for this purpose. Doubts were also expressed concerning the proposed method of constituting the board.

28. The method by which the review was to be initiated was also a matter of considerable concern. Some representatives, although recognizing the desirability of some machinery to act as a filter for ensuring that only serious cases were reviewed, believed that the parties, including the staff member concerned, should have the right to request a review. They doubted that the General Assembly should be asked to decide which cases should be reviewed, since the Assembly was a political organ and could not easily examine judicial issues as they applied to individual cases. They further considered that initiation of review might be an undue burden on the General Assembly, and that there would be danger to the administrative efficiency of the Secretariat if Member States were to use the proposed procedure to support their nationals in cases which had been decided by the Tribunal. They also believed the initiation of a review by the Advisory Committee to be a function inappropriate for that organ.

29. The suggestion was made by some representatives that a review might be made by a special chamber of the International Court of Justice under Article 26 of its Statute. The possibility of a procedure similar to that provided in the statute of the Administrative Tribunal of the International Labour Organisation was also mentioned.

30. At the 478th meeting of the Fifth Committee on 8 December 1954, Argentina and the United States, in the light of the views expressed in the general debate, withdrew their joint draft resolution (A/C.5/L.317) and in its place a joint draft resolution (A/C.5/L.321) was submitted by Argentina, Canada, Chile, Cuba, Turkey and the United States of America.

31. Part B of the new six-Power draft resolution provided that the Assembly would accept in principle the establishment of a procedure for judicial review of judgments of the Administrative Tribunal (para. 1); would establish a special committee composed of eleven members to develop such a procedure, taking into account the views of Member States, and to report thereon to the tenth session of the General Assembly (para. 2); would request the Secretary-General to notify all Member States of the date on which the special committee should meet and to invite them to submit proposals for a judicial review procedure for the consideration of the Committee (para. 3); and finally, would decide that as a transitional measure judgments of the Administrative Tribunal should become final on the thirty-first day following date of judgment, provided further that if, within thirty days of judgment, any Member of United Nations or either of the parties should notify the Secretary-General of their view that a particular judgment should be reviewed, the judgment in question would be subject to review by such judicial review procedure as the General Assembly should provide at its tenth session. The Secretary-General should notify the parties, the Tribunal and Member States of receipt of such notice (para. 4).

32. Part C of the new six-Power draft resolution providing for the establishment of a special indemnity fund, while in substance similar to the final paragraph of the joint draft resolution of Argentina and the United States, adopted the text recommended by the Advisory Committee in this respect (A/2837).

33. The representative of the United States explained that the new proposal reflected the view of members of the Committee that there was not sufficient time at the present session to give detailed consideration to the amendment of the Statute of the Administrative Tribunal in order to provide for a judicial review of the judgments of that body. The new six-Power draft resolution accordingly provided only for the acceptance of principle of judicial review at this stage. It also accepted the suggestion that a special inter-sessionary committee of Member States should meet at Headquarters to study the details of its application as the most satisfactory method of expediting action by the General Assembly at its tenth session. This draft resolution contained as a transitional measure a provision making it possible to suspend awards rendered between the ninth and tenth sessions of the General Assembly in order that they might be subject to review by such procedure as the General Assembly would provide at its tenth session. He considered this measure necessary to guard against a miscarriage of justice in the interval before a detailed procedure was approved, and explained that under this proposal the judgment would be considered final at the end of the tenth session if no procedure for review was established during that session.

34. Amendments to the six-Power draft resolution were submitted jointly by Belgium, Brazil, Egypt, India, Norway and Pakistan (A/C.5/L.322). These amendments would add to the preamble of the draft resolution the considerations that under article 11 of the statute of the Administrative Tribunal the General Assembly could amend that statute, and that the question of the possible establishment of procedure for appeal against the judgments of the Administrative Tribunal required careful examination.

35. The amendments would also delete part B of the six-Power draft resolution and replace it by a text providing that the General Assembly would request Member States to communicate to the Secretary-General before 1 July 1955 their views on the possible establishment of a procedure for appeal against the judgments of the Administrative Tribunal and to submit any suggestions which they might consider useful; would invite the Secretary-General to consult on this matter with the specialized agencies concerned; and request him to transmit to the General Assembly at its tenth session the communications received from Member States and from specialized agencies.

36. The representatives of Belgium, Brazil, Egypt, India and Pakistan, as sponsors of the joint amendments, explained that these amendments did not mean that they were opposed to the principle of judicial review but that they considered it premature to take a final decision on it at the present session.

37. Those representatives who supported the joint draft proposal of Argentina, Canada, Chile, Cuba, Turkey and the United States of America were of the view that the General Assembly at its present session should accept the principle of judicial review which was generally recognized and which was not, they thought, in serious dispute. The acceptance of the principle would not commit any Member with respect to the form the procedure should take. A procedure for judicial review, rather than adversely affecting staff morale, would, they

believed, offer greater legal protection to the staff. They expressed appreciation of the spirit of compromise evidenced by the United States and Argentina in withdrawing their original proposal. They pointed out that the joint amendments provided neither for the acceptance of the principle of judicial review nor even for a study of the subject before the tenth session of the Assembly. They did not believe that the communication of the views of Governments to the Secretary-General for transmittal to the General Assembly at its tenth session would be particularly useful in facilitating the work of the Assembly, which, as a result, might not be prepared to take action even during that session.

38. Those supporting the joint amendments of Belgium, Brazil, Egypt, India, Norway and Pakistan considered that it was unfair to ask States, which had not had the opportunity to study the matter fully and to receive instructions from their Governments, to decide on the question of principle during the present session. They were also of the opinion that the question of principle could not be completely separated from the details of procedure since acceptance of judicial review would depend on whether a satisfactory form for that review could be devised. They further believed that the specialized agencies should be consulted, particularly with respect to the Tribunal's jurisdiction in cases affecting the Joint Staff Pension Fund. They also opposed paragraph 4 of part B of the six-Power draft resolution which provided for the suspension of judgments and for their review by a procedure which had yet to be developed. Some representatives considered such a proposal to be legally unsound as constituting *ex post facto* action which might result in a denial of justice, while others who did not question its legality believed that it did not represent sound administrative practice. It was also pointed out that this paragraph would in fact modify the application of the statute of the Tribunal without formally amending it.

39. Those supporting paragraph 4 of part B of the six-Power draft resolution argued that that paragraph would not constitute *ex post facto* action since the suspension of any judgments and their subsequent review would be in accordance with the decision existing at the time that the judgment was handed down. There could therefore be no question of retroactive effect.

40. After discussion by the Committee of the six-Power draft resolution and of the joint amendments, the sponsors of the draft resolution (A/C.5/L.321) accepted several amendments. They accepted an amendment to paragraph 2 of Part B in order to meet the point in the joint amendments (A/C.5/L.322) concerning consultation with the specialized agencies. They also accepted a suggestion made by the representative of Australia that the proposed transitional measure should be clarified by the adding of a sentence to the effect that if no review procedure were provided at the tenth regular session before 31 December 1955, any suspended judgments would become final on that date. They further agreed that the special committee should consist of fifteen, instead of eleven, members and accepted a suggestion by the representative of Lebanon that notification from ten Members of the United Nations, rather than from only one Member, should be required in order to suspend a particular judgment under paragraph 4 of part B.

41. The sponsors also accepted the first proposed addition to the preamble contained in the joint amendments (A/C.5/L.322). They also accepted the second proposed addition to the preamble provided the words "the question of the possible" were deleted, so that the paragraph would read "believing that the establishment of procedure for appeal against the judgments of the

Administrative Tribunal requires careful examination". A revised joint draft resolution was submitted by Argentina, Canada, Chile, Cuba, Turkey and the United States which embodied these amendments (A/C.5/L.321/Rev.1).

42. The representative of Belgium, speaking for the sponsors of the joint amendments, announced that they also were prepared to make certain modifications in their proposed text. In particular, they would agree to the establishment of a special committee of Member States to study the question. The revised text of the amendments (A/C.5/L.322/Rev.1) provided that part B of the revised six-Power draft resolution would be deleted. It would be replaced by a text providing that the General Assembly would request Member States to communicate to the Secretary-General, before 1 July 1955, their views on the possible establishment of procedure for appeal against the judgments of the Administrative Tribunal and to submit any suggestions which they might consider useful; would invite the Secretary-General to consult on this matter with the specialized agencies concerned; would establish a special committee composed of fifteen members to meet at a time to be fixed in consultation with the Secretary-General to study the question of the establishment of such a procedure in all its aspects and to report to the General Assembly at its tenth session; and would request the Secretary-General to notify all Member States of the date on which the special committee should meet.

43. The principal remaining differences in substance between the proposals in the revised six-Power draft resolution (A/C.5/L.321/Rev.1) and the proposals in the revised joint amendments (A/C.5/L.322/Rev.1) were the following: (1) the revised six-Power draft resolution contained a provision accepting in principle the establishment of a procedure for judicial review of judgments of the Administrative Tribunal, whereas the revised joint amendments contained no such provision; (2) the function of the special committee to be established under the revised six-Power draft resolution would be to develop a review procedure, whereas the function of the special committee under the joint amendments would be to study the question of the establishment of a procedure for appeal in all its aspects; (3) the revised joint six-Power resolution would contain a transitional measure providing for the possibility of suspending judgments made in the interval between the ninth and tenth sessions of the General Assembly pending the establishment of a review procedure at the tenth session, whereas the revised joint amendments contained no such provision.

44. The Fifth Committee, at its 480th meeting on 9 December 1954, proceeded to vote on the revised joint draft resolution of Argentina, Canada, Chile, Cuba, Turkey and United States of America and on the amendments thereto submitted jointly by Belgium, Brazil, Egypt, India, Norway and Pakistan. The first and the second paragraphs of the preamble were adopted unanimously by 55 votes to none, with no abstentions.

45. At the request of the representative of the USSR, a separate vote was taken on the third paragraph of the preamble. The third paragraph of the preamble was approved by 49 votes to none, with 5 abstentions.

46. Part A of the revised joint draft resolution was unanimously approved by 55 votes to none, with no abstentions.

47. The representative of the USSR requested a separate vote on the last two paragraphs of the joint amendments to part B of the revised joint draft resolution. After a procedural discussion, the representative of the Union of South Africa, in order to facilitate a decision by the Committee, objected, under rule 130

of the rules of procedure of the General Assembly, to the request for a division and asked that, in accordance with that rule, the question of division should be decided by the Committee. The representative of the USSR then withdrew his request.

48. The amendments proposed jointly by Belgium, Brazil, Egypt, India, Norway and Pakistan were approved by a roll-call vote of 28 to 24, with 4 abstentions. The voting was as follows:

In favour: Belgium, Brazil, Burma, Costa Rica, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, France, Iceland, India, Indonesia, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, Peru, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia.

Against: Argentina, Australia, Bolivia, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Cuba, Dominican Republic, Greece, Guatemala, Honduras, Iran, Iraq, Lebanon, Liberia, Nicaragua, Panama, Paraguay, Philippines, Thailand, Turkey, Union of South Africa, United States of America.

Abstaining: Colombia, Israel, United Kingdom of Great Britain and Northern Ireland, Venezuela.

49. Part C of the revised joint draft resolution was approved by 50 votes to 5, with one abstention.

50. The amended joint draft resolution as a whole was approved by a roll-call vote of 26 to 3, with 27 abstentions. The voting was as follows:

In favour: Australia, Belgium, Brazil, Burma, Costa Rica, Denmark, Ecuador, Egypt, El Salvador, France, Iceland, India, Indonesia, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, Peru, Saudi Arabia, Sweden, Syria, United Kingdom of Great Britain and Northern Ireland, Yemen, Yugoslavia.

Against: China, Turkey, United States of America.

Abstaining: Argentina, Bolivia, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Cuba, Czechoslovakia, Dominican Republic, Greece, Guatemala, Honduras, Iran, Iraq, Israel, Lebanon, Liberia, Nicaragua, Panama, Paraguay, Philippines, Poland, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, Venezuela.

51. The representative of the United States of America explained that he had abstained on part C of the revised joint draft resolution and had voted against the resolution as a whole since the refusal of the Committee to accept the principle of judicial review had completely changed the character of the resolution.

52. The representatives of Argentina and Cuba explained that they had abstained on the revised joint draft resolution as a whole because the adoption of the amendment had destroyed the goodwill which the sponsoring states had sought to achieve in not pressing for an amendment of the statute of the Administrative Tribunal at the present session. They reserved the right to submit amendments during the consideration of the matter in the General Assembly.

53. The representative of Israel explained that he had abstained in the vote on the draft resolution as a whole because he believed that in its present form the amended resolution did not embody the maximum of agreement which in fact existed. Had there been an opportunity to vote on part B of the revised joint draft resolution he would have approved the first three paragraphs and abstained on paragraph 4 which concerned the transitional measure.

54. The representatives of the Dominican Republic and Colombia explained that they had abstained in the vote

on the draft resolution as a whole because they believed the principle of judicial review should have been established at the present session.

55. The representatives of Costa Rica, Egypt, India, Mexico explained that their vote in favour of the amendments should not be considered as expressing opposition to the idea of judicial review but that they considered that a decision should not be taken until after careful study.

56. The representative of Australia explained that he had voted against the amendments but in favour of the draft resolution as a whole because, although he did not consider it the most satisfactory, he did find the draft resolution one which his delegation could accept. His vote in favour of the draft resolution should not be considered inconsistent with a vote to support amendments which might be proposed during the consideration of the matter in a plenary meeting of the General Assembly.

57. The representative of Turkey, at the 481st meeting of the Fifth Committee on 10 December 1954, explained that he had voted against the draft resolution as a whole because his delegation was not in agreement with all the amendments adopted by the Committee. His negative vote should not be interpreted as opposition to the payment of the awards or to the establishment of a special indemnity fund.

58. The Chairman, at the 482nd meeting on 11 December 1954, announced that, pursuant to arrangements agreed to by the Fifth Committee, he had prepared a list of members for the Special Committee to be established under part B of the draft resolution. He accordingly proposed the following fifteen members: Argentina, Australia, Belgium, Brazil, Canada, China, Cuba, France, India, Iraq, Israel, Pakistan, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America. No objection being raised, the membership of the Committee was approved.

Recommendation of the Fifth Committee

[Text adopted with changes¹ by the General Assembly. For final text, see document A/RESOLUTION/295 below.]

¹ By document A/L.192, submitted by Argentina, Australia, Canada, Chile, Colombia, Cuba, Dominican Republic, Guatemala, Iraq, Lebanon, Peru, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America, the draft resolution contained in document A/2883, paragraph 59, was amended at the 515th plenary meeting of the General Assembly as follows:

Preamble

In the last paragraph of the preamble, substitute the words "review of" for the words "appeal against".

Section B

(a) Add the following as the first paragraph:

"Accepts in principle judicial review of judgments of the United Nations Administrative Tribunal."

(b) In the paragraph commencing "Requests Member States..."

(i) Delete the word "possible".

(ii) Substitute the words "to provide for review of" for the words "for appeal against".

By document A/L.193, submitted by Sweden, the draft resolution contained in document A/2883, paragraph 59, was amended at the 515th meeting of the General Assembly as follows:

Section B

In the third paragraph, add Norway and Syria to the list of members of the Special Committee. At the same plenary meeting, the General Assembly decided, as proposed by Ecuador, to add El Salvador to the list of members of the Special Committee.

DOCUMENT A/RESOLUTION/295

[Resolution 888 (IX)]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

AWARDS OF COMPENSATION MADE BY THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL: ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE

The General Assembly,

Having considered the advisory opinion of the International Court of Justice of 13 July 1954 regarding the effect of awards of compensation made by the United Nations Administrative Tribunal, the report by the Secretary-General on budgetary arrangements for payment of indemnities (A/C.5/607) and the report of the Advisory Committee on Administrative and Budgetary Questions (A/2837),

Considering that under article 11 of the Statute of the Administrative Tribunal, the General Assembly can amend that Statute,

Believing that the establishment of procedure for review of the judgments of the Administrative Tribunal requires careful examination,

A

1. *Decides* to take note of the advisory opinion of the Court;

B

2. *Accepts in principle* judicial review of judgments of the United Nations Administrative Tribunal;

3. *Requests* Member States to communicate to the Secretary-General, before 1 July 1955, their views on the establishment of procedure to provide for review of the judgments of the Administrative Tribunal and to submit any suggestions which they may consider useful;

4. *Invites* the Secretary-General to consult on this matter with the specialized agencies concerned;

5. *Establishes* a Special Committee composed of Argentina, Australia, Belgium, Brazil, Canada, China, Cuba, El Salvador, France, India, Iraq, Israel, Norway, Pakistan, Syria, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, to meet at a time to be fixed in consultation with the Secretary-General to study the question of the establishment of such a procedure in all its aspects and to report to the General Assembly at its tenth session;

6. *Requests* the Secretary-General to notify all Member States of the date on which the Special Committee shall meet;

C

7. *Decides* that:

(a) As from 1 January 1955 there shall be established a Special Indemnity Fund;

(b) Notwithstanding the provisions of article 7 of General Assembly resolution 359 (IV) of 10 December 1949 and the provisions of financial regulations 6.1 and 7.1, the Secretary-General is authorized to transfer to the Special Indemnity Fund from the income from staff assessment, as a first charge against such income, on 1 January 1955, an amount of \$250,000 and, on 1 January 1956, such amount as will, when added to the balance remaining in the Fund on that date, bring the credit in the Fund up to an amount of \$250,000;

(c) The Secretary-General is authorized to charge against the Fund all payments to staff members of the United Nations arising out of awards of compensation made in accordance with its Statute by the Administrative Tribunal.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 515th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2883) with the amendments submitted at that meeting by Argentina, Australia, Canada, Chile, Colombia, Cuba, Dominican Republic, Guatemala, Iraq, Lebanon, Peru, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland, and the United States of America (A/L.192) and the amendment submitted by Sweden (A/L.193) as modified by Ecuador. For the final text, see document A/RESOLUTION/295 above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2701	Note by the Secretary-General transmitting the Advisory Opinion of the International Court of Justice: Effect of awards of compensation made by the United Nations Administrative Tribunal, Advisory Opinion of July 13, 1954		<i>I.C.J. Reports 1954</i>
A/2837	Thirty-third report of the Advisory Committee on Administrative and Budgetary Questions	1	
A/2883	Report of the Fifth Committee	6	
A/C.5/607	Report of the Secretary-General	2	
A/C.5/L.317	Argentina and the United States of America: draft resolution	3	
A/C.5/L.321	Argentina, Canada, Chile, Cuba, Turkey and the United States of America: draft resolution	4	
A/C.5/L.321/Rev.1	Argentina, Canada, Chile, Cuba, Turkey and the United States of America: revised draft resolution	4	
A/C.5/L.322	Belgium, Brazil, Egypt, India, Norway and Pakistan: amendments to the draft resolution A/C.5/L.321	5	
A/C.5/L.322/Rev.1	Belgium, Brazil, Egypt, India, Norway and Pakistan: amendments to the revised draft resolution A/C.5/L.321/Rev.1	5	
A/C.5/L.324	Draft report of the Fifth Committee		Same text as A/2883
A/L.192	Argentina, Australia, Canada, Chile, Colombia, Cuba, Dominican Republic, Guatemala, Iraq, Lebanon, Peru, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America: amendments to the draft resolution submitted by the Fifth Committee (A/2883)		Incorporated in A/2883
L/L.193	Sweden: amendment to the draft resolution submitted by the Fifth Committee (A/2883)		Incorporated in A/2883
A/RESOLUTION/295	Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954	12	See also Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 888 (IX)



Agenda item 49: Report of the International Law Commission on the work of its sixth session

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DOCUMENT A/C.6/L.329
Netherlands: draft resolution

[Original text: English]
[8 October 1954]

The General Assembly,

Noting that the International Law Commission at its fifth session, in 1953, proposed a draft Convention on the Elimination of Future Statelessness and a draft Convention on the Reduction of Future Statelessness, and invited Governments to submit their comments thereon (A/2456, chapter IV),

Considering that comments were received from fifteen Governments, which comments were published in an annex to the report of the International Law Commission on the work of its sixth session (A/2693),

Considering that the International Law Commission in the light of these comments revised the above-mentioned draft conventions and submitted the revised drafts to the General Assembly (A/2693, paragraph 25),

Recognizing the importance of reducing, and, if possible, eliminating, future statelessness by international agreement,

1. Expresses its appreciation for the work of the International Law Commission in this field;

2. Expresses its desire that an international conference of plenipotentiaries be convened to conclude a convention for the reduction or elimination of future statelessness in case twenty States have communicated to the Secretary-General their willingness to co-operate in such a conference;

3. Requests the Secretary-General

(a) To communicate, together with the present resolution, the revised draft conventions to Member

States and to each non-member State which is or hereafter becomes a member of one or more of the specialized agencies of the United Nations or which is or hereafter becomes a party to the Statute of the International Court of Justice;

(b) To issue invitations to those States to whom the draft conventions have been communicated, to fix the exact time and place for the conference and to take all

other measures for the convening of the conference in case the condition stated in paragraph 2 is met;

(c) To report on the matter to the eleventh session of the General Assembly;

4. *Requests* Governments concerned to give early consideration to the merits of a multilateral convention on the elimination or reduction of future statelessness.

DOCUMENT A/C.6/L.330

Syria : draft resolution

[Original text : French]
[8 October 1954]

The General Assembly,

Considering that the question of "nationality, including statelessness" was referred to the International Law Commission at the request of the Economic and Social Council (resolution 319 B III (XI)),

Considering that the International Law Commission made a study of the above question and has communicated its conclusions to the General Assembly.

Considering that the question of nationality, including statelessness, constitutes chapter II of the report of the

International Law Commission on the work of its sixth session (A/2693),

Considering that the Economic and Social Council should be given the opportunity of considering the question of nationality in the light of the relevant information furnished by the International Law Commission,

Transmits to the Economic and Social Council the text of chapter II of the report of the International Law Commission on the work of its sixth session (A/2693) together with the summary records of the discussions in the Sixth Committee on the question.

DOCUMENT A/C.6/L.331

Israel : amendments to draft resolution A/C.6/L.329

[Original text : English]
[12 October 1954]

1. Insert before the first paragraph of the preamble (after the words "The General Assembly") the following :

"*Considering* that the International Law Commission included 'Nationality, including statelessness,' in its list of topics of international law provisionally selected for codification,

"*Considering* that, at the request of the Economic and Social Council, the International Law Commission has given priority to this item,".

2. Insert after the second paragraph of the preamble the following :

"*Considering* that the Economic and Social Council has approved the principles of the two draft conventions,".

3. Insert after the third paragraph of the preamble the following :

"*Considering* that the procedure provided for in

article 16 of the Statute of the International Law Commission has been exhausted,".

4. In paragraph 2 of the operative part, replace the words "in case" by the words "as soon as at least".

5. Amend paragraph 3, sub-paragraph (b) of the operative part to read as follows :

"(b) To fix the exact time and place for the conference, to issue invitations to those States to whom the draft conventions have been communicated and to take all other measures for the convening of the conference and for its operation in case the condition stated in paragraph 2 is met;".

6. In paragraph 4 of the operative part, replace the word "concerned" by the words "to whom the draft conventions have been communicated".

DOCUMENT A/C.6/L.338

Brazil, Canada, Denmark and India : draft resolution

[Original text : English]
[12 November 1954]

The General Assembly,

Considering that the draft code of offences against the peace and security of mankind as formulated in chapter III of the report of the International Law Commission on the work of its sixth session (A/2693, paragraph 54) raises problems closely related to that of the definition of aggression,

Considering that by its resolution [895 (IX)] of [4 December] 1954 the General Assembly decided to entrust

to a special committee of [nineteen] Member States the task of preparing and submitting to the General Assembly at its eleventh session a detailed report on the question of defining aggression and a draft definition of aggression,

1. *Expresses its appreciation* of the work done by the International Law Commission;

2. *Decides* to postpone further consideration of the draft code until the said [1956] special committee on the question of defining aggression has submitted its report.

DOCUMENT A/C.5/599**Financial implications of draft resolution adopted by the Sixth Committee (A/C.6/L.333)****Estimate submitted by the Secretary-General**

[Original text : English]
[4 November 1954]

1. The draft resolution contained in A/C.6/L.333 proposes the convening of an international conference of plenipotentiaries to conclude a convention for the reduction or elimination of future statelessness. The conference would take place as soon as at least twenty States had communicated their willingness to co-operate in it.

2. Assuming that the proposed conference were to take place at Headquarters for a period of up to three weeks at a time not conflicting with other meetings already scheduled; that no considerable new documentation is contemplated; and that expenses of representatives would be borne by their Governments, the Secretary-General could provide the necessary services within his normal budgetary resources.

3. Publication costs would be incurred in printing the final convention in the three working languages.

Assuming the convention were similar in length to the recently concluded Convention relating to the Status of Stateless Persons, printing would cost approximately \$4,500.

4. Were the proposed conference to take place in 1955, the Secretary-General might find it necessary to seek the concurrence of the Advisory Committee on Administrative and Budgetary Questions to finance the above cost as an unforeseen and extraordinary expense from the Working Capital Fund. In the event the conference were scheduled for 1956, the cost would be included in the budget estimates for that year.

5. The Advisory Committee, having examined this estimate, has expressed the hope that some reduction in the sum estimated for printing costs might prove possible. With this understanding, the Advisory Committee has concurred in the above statement.

DOCUMENT A/2807**Report of the Sixth Committee**

[Original text : English]
[26 November 1954]

1. The General Assembly, at its 477th plenary meeting, held on 24 September 1954, decided to place on the agenda of its ninth session the item "Report of the International Law Commission on the work of its sixth session". At its 478th plenary meeting, held on 25 September 1954, the General Assembly referred the item to the Sixth Committee for consideration.

2. The Sixth Committee considered the item at its 397th to 402nd meetings, held between 4 and 13 October, and at its 420th to 425th meetings, held between 10 and 18 November 1954.

3. In the course of its consideration of the item, the Committee prepared draft resolutions for adoption by the General Assembly regarding those parts of the report of the International Law Commission (A/2693) that required action on the part of the Assembly, namely part one of chapter II, on the elimination or reduction of future statelessness, and chapter III, on the draft code of offences against the peace and security of mankind. The proceedings on these subjects are briefly summarized in sections I and II below. The relevant draft resolutions recommended to the General Assembly by the Sixth Committee are contained in section III.

4. The Committee noted the other parts of the report of the International Law Commission without considering it necessary to formulate recommendations with respect to them.

I

ELIMINATION OR REDUCTION OF FUTURE STATELESSNESS

5. At its first session, in 1949, the International Law Commission selected "nationality, including statelessness," as a topic for codification without, however, including it

in the list of topics to which it gave priority.¹ During its third session, in 1951, the Commission was notified of resolution 319 B III (XI) adopted by the Economic and Social Council on 11 August 1950, in which the Council requested the Commission to "prepare at the earliest possible date the necessary draft international convention or conventions for the elimination of statelessness". In response to this request, the Commission, at the same session, decided to initiate work on the topic of nationality, including statelessness.² In the course of its fifth session, in 1953, the Commission adopted two provisional drafts of conventions, namely, a draft Convention on the Elimination of Future Statelessness and a draft Convention on the Reduction of Future Statelessness, which were submitted to the Governments of Member States for comment, and were also transmitted to the Economic and Social Council.³ Observations were subsequently received from fifteen Governments (A/2693, annex). The Economic and Social Council, in its resolution 526 B (XVII) of 26 April 1954, endorsed the principles underlying the work of the International Law Commission in this matter and requested it to continue its work with a view to the adoption of effective international instruments for the reduction and elimination of statelessness. Taking into account the comments of Governments, the Commission at its sixth session revised the provisional drafts and in paragraph 25 of its report on the work of that session (A/2693) submitted to the General Assembly final texts of a draft Convention on the Elimination of Future Statelessness and a draft Convention on the Reduction of Future Statelessness. In paragraph 14 of its report the Commission stated that it

¹ See document A/925, paragraphs 16 and 20.

² See document A/1858, paragraph 85.

³ See document A/2456, chapter IV.

would be for the General Assembly to consider to which of the draft conventions preference should be given. Article 12 of each draft convention envisaged a procedure by which the convention, after its approval by the General Assembly, would be open for signature and ratification or accession by Members of the United Nations and non-member States invited by the Assembly.

6. The Sixth Committee considered the matter at its 397th to 402nd meetings. The Chairman of the International Law Commission, Judge A. E. F. Sandström, attended these meetings and made statements in explanation of the Commission's report.

7. There was general agreement within the Sixth Committee that the elimination or, at least, the reduction of future statelessness was desirable. Different opinions were, on the other hand, expressed regarding the methods by which this object was to be accomplished.

8. According to some representatives, the draft conventions were unacceptable because they violated one of the basic principles of international law—that nationality matters were within the exclusive jurisdiction of each State. By attempting to regulate the national legislation of States relating to nationality and by subjecting actions of a State in nationality matters to supervision by an international tribunal, the draft conventions, in their view, opened the way to intervention in the domestic affairs of States, and infringed their sovereignty. In the opinion of those representatives, the elimination or reduction of future statelessness should not be sought by the means proposed by the International Law Commission but by appropriate legislation within each State concerned.

9. Other representatives stated that, while nationality questions came within the domestic jurisdiction of each State, these questions might also have international aspects. Moreover, a State in the exercise of its sovereignty could by convention voluntarily accept international obligations in this field. The draft conventions were therefore not in conflict with the domestic jurisdiction of States or with State sovereignty.

10. Some representatives declared that they were prepared to discuss the draft conventions in detail during the current session. The majority, however, expressed the opinion that the time was not yet ripe for a consideration of the substance of the drafts. In support of the latter view it was argued that the positions of Member States with respect to the drafts had not yet been sufficiently ascertained. Comparatively few Governments had submitted their observations on the provisional drafts prepared in 1953 by the International Law Commission and, in general, those which had done so had limited themselves to a comparison between their legislation and the drafts. They had in most cases failed to indicate whether, in their opinion, the drafts would serve the purpose of eliminating or reducing statelessness and whether they were prepared to pursue that purpose by means of concluding an international convention and to amend their domestic legislation in order to bring it into line with such a convention.

11. Several representatives stressed the importance of ensuring that a substantial number of States would be willing to accept a convention dealing with this matter. They emphasized that their countries could not contemplate amendments to their nationality laws merely for the sake of principles which might not be internationally applied. In that connexion, some members suggested that, with a view to facilitating its acceptance by States, a future convention might be less restrictive in regard to reservations than the drafts prepared by the International Law Commission.

12. In the course of the debates, various suggestions were made regarding the action to be taken with respect to the draft conventions. Some representatives expressed the opinion that consideration of the drafts should be postponed until the next session and that, in the meantime, those Governments which had not already done so should be invited to communicate their comments. Others thought that, as statelessness was a social problem and the Economic and Social Council had requested the International Law Commission to prepare conventions for its elimination, the drafts should be transmitted to the Council for consideration and action. Against this proposal it was pointed out by several members that the provisional drafts had been communicated to the Council and that that body had already endorsed the principles incorporated in them. In the view of these representatives it would be preferable to submit the drafts to a conference of plenipotentiaries, provided a substantial number of States signified their willingness to attend such a conference.

13. The Netherlands submitted a draft resolution (A/C.6/L.329) that after referring, in its preamble, to the history of the drafts, provided, in its operative part, that the General Assembly would:

(1) Express its appreciation for the work of the International Law Commission in regard to the elimination or reduction of statelessness;

(2) Express its desire that an international conference of plenipotentiaries should be convened to conclude a convention for the reduction or elimination of future statelessness "in case twenty States have communicated to the Secretary-General their willingness to co-operate in such a conference";

(3) Request the Secretary-General:

(a) To communicate the resolution and the draft Conventions to Member States and to each non-member State that was or that became a member of a specialized agency of the United Nations or a party to the Statute of the International Court of Justice;

(b) To make arrangements for the convening of a conference when the condition referred to above had been met;

(c) To report on the matter to the eleventh session of the General Assembly;

(4) Request "Governments concerned to give early consideration to the merits of a multilateral convention on the elimination or reduction of future statelessness".

14. A number of amendments were submitted by Israel (A/C.6/L.331) to the Netherlands draft resolution. Three of the amendments concerned the preamble and were intended to complete the account given there of the history of the drafts. The fourth amendment was to replace, in paragraph 2 of the operative part, the words "in case" by the words "as soon as at least". The fifth amendment was a modification of the wording of operative paragraph 3, sub-paragraph (b). The sixth amendment was to replace, in operative paragraph 4, the word "concerned" by the words "to whom the draft conventions have been communicated". The third amendment, relating to the preamble, was subsequently withdrawn. The other amendments were accepted by the representative of the Netherlands.

15. The representative of El Salvador submitted an oral amendment at the 402nd meeting according to which operative paragraph 4 of the Netherlands draft resolution (A/C.6/L.329) would be placed immediately after operative paragraph 1.

16. The representative of Israel proposed orally at the 402nd meeting that, in operative paragraph 4, the words

“Governments concerned” should be replaced by the words “Governments of States to which reference is made in paragraph 3, sub-paragraph (a)”. This oral amendment, which modified the amendment earlier submitted by Israel (A/C.6/L.331, paragraph 6), was accepted by the representative of the Netherlands.

17. The Committee had also before it a draft resolution submitted by Syria (A/C.6/L.330) according to which the General Assembly would transmit to the Economic and Social Council the text of chapter II of the report of the International Law Commission on the work of its sixth session, together with the summary records of the discussions in the Sixth Committee on the question.

18. At its 402nd meeting, on 13 October 1954, the Committee proceeded to vote upon the draft resolutions and amendments before it. The representative of Syria proposed that the Committee should first vote on the draft resolution submitted by his delegation (A/C.6/L.330). This proposal was rejected by 20 votes to 16, with 3 abstentions.

19. The Committee thereafter voted, in parts, on the Netherlands draft resolution (A/C.6/L.329) and the amendments thereto as follows :

(a) The preamble, as amended by the first two amendments submitted by Israel (A/C.6/L.331, points 1 and 2), was adopted by 25 votes to 5, with 19 abstentions.

(b) Paragraph 1 of the operative part was adopted by 44 votes to 5, with 3 abstentions.

(c) Paragraph 2, as amended by Israel (A/C.6/L.331, point 4) was adopted by 28 votes to 13, with 12 abstentions.

(d) Paragraph 3, sub-paragraph (a), was adopted by 28 votes to 13, with 12 abstentions.

(e) Paragraph 3, sub-paragraph (b), as amended by Israel (A/C.6/L.331, point 5), was adopted by 27 votes to 12, with 12 abstentions.

(f) Paragraph 3, sub-paragraph (c), was adopted by 26 votes to 12, with 12 abstentions.

(g) Paragraph 4, as amended by the oral amendment proposed by the representative of Israel, was adopted by 26 votes to 11, with 15 abstentions.

(h) The amendment submitted orally by the representative of El Salvador to place paragraph 4 of the operative part immediately after paragraph 1 was not adopted, 8 votes being cast in favour and 8 against, with 32 abstentions.

(i) The draft resolution as a whole, as amended, was approved by 30 votes to 9, with 12 abstentions.

20. In view of the approval of the draft resolution submitted by the Netherlands, as amended, the Committee did not vote on the draft resolution proposed by Syria (A/C.6/L.330).

21. The Sixth Committee therefore recommends to the General Assembly the adoption of draft resolution I contained in section III of the present report.

II

DRAFT CODE OF OFFENCES AGAINST THE PEACE AND SECURITY OF MANKIND

22. By its resolution 177 (II) of 21 November 1947 the General Assembly directed the International Law Commission (a) to formulate the principles of international law recognized in the charter and judgment of the Nürnberg Tribunal; and (b) to prepare a draft code of offences against the peace and security of mankind,

indicating clearly the place to be accorded therein to the Nürnberg principles. The International Law Commission fulfilled the first of those assignments by submitting to the General Assembly, at the latter's fifth session, in 1950, a formulation of the Nürnberg principles (A/1316, part III). In its resolution 488 (V), of 12 December 1950, the General Assembly invited the Members of the United Nations to furnish their observations on this formulation and also requested the International Law Commission to take the views of the Members into consideration when preparing the draft code. At the sixth session of the General Assembly, in 1951, the Commission submitted a draft code of offences against the peace and security of mankind (A/1858, chapter IV). By a decision of the Assembly at its 342nd plenary meeting, on 13 November 1951, consideration of the draft was postponed until the seventh session. The matter was included in the provisional agenda of that session, but by a decision taken by the General Assembly at its 382nd plenary meeting, on 17 October 1952, the item was omitted from the final agenda, on the understanding that the draft code would again be considered by the International Law Commission. That body undertook a further study of the question and submitted to the General Assembly, at its ninth session, a revised draft code of offences against the peace and security of mankind, included in paragraph 54 of the Commission's report on the work of its sixth session (A/2693).

23. The Sixth Committee considered the matter at its 420th to 425th meetings. In the course of the debates several representatives expressed the opinion that a discussion of the substance of the draft code was premature at the present time, in particular since the draft code included acts of aggression among the offences against the peace and security of mankind and the Sixth Committee had recommended that the question of defining aggression should be referred to a new special committee that would meet in 1956 and report to the General Assembly at its eleventh session.⁴ Other members, however, considered that although it would not be possible to reach any final decision concerning the draft code at the current session, a general exchange of views regarding its provisions was timely and useful. Therefore, while some of the representatives limited their observations to the question of the procedure to be followed, others also discussed certain substantive aspects of the draft code.

24. Some doubts were expressed concerning the structure of the code. It was pointed out that the text consisted of two kinds of provisions, namely, those containing general principles of international criminal law and those defining crimes against the peace and security of mankind. This fact, it was suggested, should be more clearly reflected in the organization of the code, which, for that purpose, might be divided into two parts, one dealing with the principles governing responsibility under international criminal law and one containing descriptions of the particular offences.

25. Certain members regretted that the authors of the draft code had omitted any reference to the question of the implementation of the code. They considered that the Convention on the Prevention and Punishment of the Crime of Genocide might have been used as a model for the solution of this problem as well as of certain other practical questions not covered in the draft, such as extradition and disputes regarding the interpretation of the text. Other representatives held a different opinion and stated that the International Law Commission had acted wisely in excluding from the draft code provisions

⁴ See document A/2806, para. 35.

regarding its implementation. Although conceding that the question of the substance of the code and the problem of measures for its application were closely related, they contended that it was more practical to deal with these problems in separate instruments, especially since a draft statute for an international criminal court now was under consideration by the General Assembly (A/2645, annex).

26. Some representatives found it regrettable that the Nürnberg principles had not been given adequate prominence in the draft code. The fear was expressed that if these principles were disregarded in the draft code a conflict might arise between them and the law embodied in the code. In this connexion it was pointed out that the General Assembly, in its resolution 177 (II), had requested the International Law Commission to indicate clearly the place to be accorded to the Nürnberg principles in the draft code, but that the Commission had failed to do so.

27. In the discussion, the problem was also raised whether the code should be limited to the three crimes mentioned in the charters of the Nürnberg and Tokyo tribunals, namely crimes against peace, war crimes and crimes against humanity, or whether, as in the draft, other crimes should be included. According to one opinion, the former alternative should be adopted. In view of article 4 of the draft code, regarding orders from a superior, the individual citizen would be obliged to refuse to obey orders given by his national authorities to perform acts that in the code were declared to be international crimes. Only acts that constituted a grave offence against the peace and security of mankind should therefore be listed among these crimes, as only in such grave cases could the individual be expected to place his loyalty to the international community above his loyalty to his national Government. From this point of view, it was contended, the existing text of the draft code, in going beyond the three above-mentioned crimes, seemed to extend unduly the scope of international criminal law. On the other hand, it was argued that it was clear from the terms of reference that the General Assembly had not intended to confine the code to the Nürnberg principles. The formulation of these principles was one assignment given to the International Law Commission in resolution 177 (II), another and wider task was the preparation of the draft code of offences against the peace and security of mankind. Moreover, to restrict the code to the three crimes listed in the Nürnberg and Tokyo charters would be to disregard the developments in the international situation that had taken place after the drafting of those charters.

28. Doubts were expressed regarding the wisdom of including the crime of genocide among the offences enumerated in the draft code. A convention for the punishment of genocide was already in force among a considerable number of States and, as the provisions of the draft code concerning this crime differed in some respects from those of the convention, unnecessary confusion might ensue if States became parties to both instruments.

29. Several representatives expressed satisfaction with article 2, paragraph 11, in the revised draft code, dealing with crimes against humanity, in particular because the

revised draft omitted the provision, included in the previous draft, that inhuman acts were international crimes only when committed in execution of or in connexion with other offences defined in the code. On the contrary, other members criticized the new formulation of the paragraph because, in their opinion, it would have the consequence that offences normally punishable under national law would become international crimes.

30. With regard to the question of what action should be recommended to the General Assembly in respect to the draft code, there was wide agreement within the Sixth Committee that no final decision could be taken on the code at the present time. The Committee had before it a joint draft resolution submitted by Brazil, Canada, Denmark and India (A/C.6/L.338), according to which the General Assembly would (1) express its appreciation of the work done by the International Law Commission; and (2) decide to postpone further consideration of the draft code until the 1956 special committee on the question of defining aggression had submitted its report. In view of the fact that no final decision regarding the draft code was recommended in the draft resolution, the sponsors later agreed to omit the paragraph regarding the expression of appreciation of the work of the International Law Commission.

31. The representative of Peru proposed orally at the 425th meeting that the operative part of the draft resolution should be amended to read as follows:

“Decides to postpone further consideration of the draft code until a definition of aggression is ready for insertion in the draft code of offences against the peace and security of mankind”.

32. At its 425th meeting, on 18 November 1954, the Sixth Committee proceeded to vote on the joint draft resolution and the amendment thereto.

The Peruvian amendment was rejected by 22 votes to 3, with 16 abstentions.

The Committee thereafter voted, in parts, on the joint draft resolution (A/C.6/L.338) as follows:

(a) The preamble was adopted by 43 votes to one, with one abstention.

(b) The operative paragraph was adopted by 46 votes to one, with 3 abstentions.

(c) The draft resolution as a whole was approved by 46 votes to none, with 3 abstentions.

33. The Sixth Committee therefore recommends to the General Assembly the adoption of draft resolution II contained in section III of the present report.

III

Recommendations of the Sixth Committee

34. The Sixth Committee recommends to the General Assembly the adoption of draft resolutions I and II below.

[*Texts adopted without change by the General Assembly. See documents A/RESOLUTION/244 and A/RESOLUTION/245, below.*]

DOCUMENT A/2821

Financial implications of draft resolution I submitted by the Sixth Committee (A/2807)

Report of the Fifth Committee

[Original text: English]
[2 December 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee, at its 471st meeting held on 1 December 1954, considered the financial implications of draft resolution I proposed by the Sixth Committee (A/2807), which proposes the convening of an international conference of plenipotentiaries to conclude a convention for the reduction or elimination of future statelessness.

2. In a note to the Fifth Committee (A/C.5/599), the Secretary-General stated that, on the assumptions (i) that the proposed conference would take place at Headquarters for a period not exceeding three weeks and at a time not conflicting with other meetings already scheduled; (ii) that no considerable new documentation was contemplated; and (iii) that expenses of representatives would be borne by their Governments, he could provide the necessary services out of his normal budgetary resources.

3. The Secretary-General pointed out, however, that printing costs estimated at approximately \$4,500 would be incurred in printing the final convention in the three working languages.

4. As the proposed conference would be held at such time as twenty States had communicated their willingness to co-operate in it, the timing of the conference could not yet be determined. The Secretary-General stated that

should the conference take place in 1955, he might find it necessary to seek concurrence of the Advisory Committee on Administrative and Budgetary Questions to finance the cost mentioned above as an unforeseen and extraordinary expense. Should the conference be scheduled for 1956, the cost would be included in the budget estimates for that year.

5. While expressing the hope that some reduction in the sum estimated for printing costs might prove possible, the Advisory Committee concurred in the statement of the Secretary-General.

6. During the consideration of this question by the Fifth Committee, the representative of the Union of Soviet Socialist Republics stated that, for reasons that the representative of the USSR had given in the discussion of the item in the Sixth Committee, his delegation would vote against budgetary provisions for the proposed conference.

7. The Fifth Committee decided, by 37 votes to 5, with 1 abstention, to inform the General Assembly that, should the draft resolution proposed by the Sixth Committee be adopted by the General Assembly, the estimated cost involved would be \$4,500 for the printing of the convention that might result from the conference, provision for which would be made as suggested in paragraph 4 above.

DOCUMENT A/RESOLUTION/244

[Resolution 896 (IX)]

Resolution adopted by the General Assembly at its 504th plenary meeting, on 4 December 1954

ELIMINATION OR REDUCTION OF FUTURE STATELESSNESS

The General Assembly,

Considering that the International Law Commission included the topic "Nationality including statelessness" in its list of topics of international law provisionally selected for codification⁵,

Considering that, at the request of the Economic and Social Council⁶, the International Law Commission has given priority to this item,

Noting that the International Law Commission, at its fifth session in 1953, proposed a draft Convention on the Elimination of Future Statelessness and a draft Convention on the Reduction of Future Statelessness, and invited Governments to submit their comments thereon (A/2456, chapter IV),

Considering that comments were received from fifteen Governments, which comments were published in an annex to the report of the International Law Commission on the work of its sixth session (A/2693, annex),

Considering that the Economic and Social Council has approved the principles of the two draft Conventions⁷,

Considering that the International Law Commission

revised, in the light of the comments received from Governments, the above-mentioned draft Conventions and submitted the revised drafts to the General Assembly (A/2693, chapter II).

Recognizing the importance of reducing and, if possible, eliminating future statelessness by international agreement,

1. *Expresses its appreciation* for the work of the International Law Commission in this field;

2. *Expresses its desire* that an international conference of plenipotentiaries be convened to conclude a convention for the reduction or elimination of future statelessness as soon as at least twenty States have communicated to the Secretary-General their willingness to co-operate in such a conference;

3. *Requests* the Secretary-General:

(a) To communicate, together with the present resolution, the revised draft Conventions to Member States and to each non-member State which is or hereafter becomes a member of one or more of the specialized agencies of the United Nations or which is or hereafter becomes a Party to the Statute of the International Court of Justice;

(b) To fix the exact time and place for the conference, to issue invitations to those States to which the revised draft Conventions have been communicated and to take

⁵ See document A/925, para. 16.

⁶ Resolution 319 B III (XI).

⁷ Resolution 526 B (XVII).

all other measures for the convening of the conference and for its operation in case the condition stated in paragraph 2 above is met;

(c) To report on the matter to the General Assembly at its eleventh session;

4. *Requests Governments of States to which reference is made in paragraph 3, sub-paragraph (a) above, to give early consideration to the merits of a multilateral convention on the elimination or reduction of future statelessness.*

DOCUMENT A/RESOLUTION/245

[*Resolution 897 (IX)*]

Resolution adopted by the General Assembly at its 504th plenary meeting, on 4 December 1954

DRAFT CODE OF OFFENCES AGAINST THE PEACE AND SECURITY OF MANKIND

The General Assembly,

Considering that the draft Code of Offences against the Peace and Security of Mankind, as formulated in chapter III of the report of the International Law Commission on the work of its sixth session (A/2693, paragraph 54), raises problems closely related to that of the definition of aggression,

Considering that, by its resolution 895 (IX) of 4 December 1954, the General Assembly decided to entrust to a special committee of nineteen Member States the task of preparing and submitting to the General Assembly at its eleventh session a detailed report on the question of defining aggression and a draft definition of aggression,

Decides to postpone further consideration of the draft Code of Offences against the Peace and Security of Mankind until the Special Committee on the question of defining aggression has submitted its report.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted draft resolutions I and II submitted by the Sixth Committee. For the final texts, see documents A/RESOLUTION/244 and A/RESOLUTION/245, respectively, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/925	Report of the International Law Commission covering its first session (12 April—9 June 1949)		<i>Official Records of the General Assembly, Fourth Session, Supplement No. 10</i>
A/1316	Report of the International Law Commission covering its second session (5 June—29 July 1950)		<i>Ibid., Fifth Session, Supplement No. 12</i>
A/1858	Report of the International Law Commission on the work of its third session (16 May—27 July 1951)		<i>Ibid., Sixth Session, Supplement No. 9</i>
A/2162 and Add 1	Comments received from governments regarding the draft code of offences against the peace and security of mankind and the question of defining aggression		<i>Ibid., Seventh Session, Annexes, agenda item 54</i>
A/2456	Report of the International Law Commission covering the work of its fifth session (1 June—14 August 1953)		<i>Ibid., Eighth Session, Supplement No. 9</i>
A/2645	Report of the 1953 Committee on International Criminal Jurisdiction (27 July—20 August 1953)		<i>Ibid., Ninth Session, Supplement No. 12</i>
A/2693	Report of the International Law Commission covering the work of its sixth session (3 June—28 July 1954)		<i>Ibid., Supplement No. 9</i>
A/2806	Report of the Sixth Committee [on agenda item 51]		<i>Ibid., Annexes, agenda item 51</i>
A/2807	Report of the Sixth Committee	3	
A/2821	Financial implications of draft resolution I submitted by the Sixth Committee (A/2807) : report of the Fifth Committee . .	7	
A/C.5/599	Financial implications of draft resolution adopted by the Sixth Committee (A/C.6/L.333) : estimate submitted by the Secretary-General	3	
A/C.5/L.311	Financial implications of draft resolution submitted by the Sixth Committee (A/2807) : draft report of the Fifth Committee		Adopted without change. See A/2821

Document No.	Title	Page	Observations and references
A/C.6/69	United States of America: draft resolution relating to the codification of the principles of international law recognized by the Charter of the Nürnberg Tribunal		<i>Official Records of the General Assembly, first session, second part, Sixth Committee, annex 13 b</i>
A/C.6/L.328	Agenda of the Sixth Committee		See <i>Official Records of the General Assembly, ninth session, Sixth Committee, prefatory fascicule, Agenda</i>
A/C.6/L.329	Netherlands: draft resolution	1	
A/C.6/L.330	Syria: draft resolution	2	
A/C.6/L.331	Israel: amendments to draft resolution A/C.6/L.329	2	
A/C.6/L.333	Text of draft resolution adopted by the Sixth Committee at its 402nd meeting		See A/2807, draft resolution I
A/C.6/L.338	Brazil, Canada, Denmark and India: draft resolution	2	
A/CN.4/SR.267 to A/CN.4/SR.271 and A/CN.4/SR.274	Summary records of meetings of the International Law Commission		Mimeographed documents only
A/RESOLUTION/244	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	7	See also <i>Official Records of the General Assembly, ninth session, Supplement No. 21, resolution 896 (IX)</i>
A/RESOLUTION/245	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	8	<i>Ibid.</i> , resolution 897 (IX)



Agenda item 50 : International criminal jurisdiction : report of the 1953 Committee on International Criminal Jurisdiction

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A/2827 and Corr.1	Report of the Sixth Committee	1
A/RESOLUTION/266	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954	3
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DOCUMENT A/C.6/L.340

Venezuela : draft resolution

[Original text : Spanish]
[25 November 1954]

The General Assembly,

Having received the report of the 1953 Committee on International Criminal Jurisdiction (A/2645), to which a revised draft statute for an international criminal court is annexed,

Considering the connexion between the question of defining aggression, the draft code of offences against the peace and security of mankind, and the question of an international criminal jurisdiction,

Considering that the General Assembly has established a new Special Committee on the Question of Defining Aggression to submit to the General Assembly at its eleventh session a detailed report containing a draft definition of aggression¹, and that it has also postponed consideration of the draft code until the said Special Committee has submitted its report², so that the question of the draft code will also be included in the provisional agenda of the eleventh session,

Considering that after the General Assembly has examined the Special Committee's report and the draft code, an interval should be allowed before it resumes consideration of the question of an international criminal jurisdiction in order to give Governments sufficient time duly to consider the influence and consequences of the first two questions in relation to the question of an international criminal jurisdiction,

1. *Thanks* the 1953 Committee on International Criminal Jurisdiction for the work it has done in carrying out its terms of reference ;

2. *Decides* to postpone consideration of the question of an international criminal jurisdiction until the session following the session at which the General Assembly takes up the report of the new Special Committee on the Question of Defining Aggression and the draft code of offences against the peace and security of mankind.

DOCUMENT A/2827 and Corr.1

Report of the Sixth Committee

[Original text : English]
[3 December 1954]

1. At its seventh session, the General Assembly, having received the report of the Committee on International Criminal Jurisdiction (A/2136) established under Assembly resolution 489 (V) of 12 December 1950, adopted

resolution 687 (VII) of 5 December 1952. By this resolution, the General Assembly, considering, *inter alia*, that there was need for further study of problems relating to international criminal jurisdiction, established a Committee composed of one representative each of seventeen Member States, with the following terms of reference :

“(a) In the light of the comments and suggestions

¹ See A/RESOLUTION/243.

² See A/RESOLUTION/245.

on the draft statute³ submitted by Governments, as well as of those made during the debates in the Sixth Committee,

“(i) To explore the implications and consequences of establishing an international criminal court and of the various methods by which this might be done ;

“(ii) To study the relationship between such a court and the United Nations and its organs ;

“(iii) To re-examine the draft statute ;

“(b) To submit a report to be considered by the General Assembly at its ninth session.”

2. In pursuance of the aforesaid resolution, the 1953 Committee on International Criminal Jurisdiction met at the Headquarters of the United Nations from 27 July to 20 August 1953 and drew up a report (A/2645) with a “revised draft statute for an international criminal court” annexed thereto.

3. The item “International criminal jurisdiction : report of the 1953 Committee on International Criminal Jurisdiction” was included in the provisional agenda of the ninth session of the General Assembly. On the recommendation of the General Committee (A/2733), the General Assembly, at its 477th plenary meeting held on 24 September 1954, decided to include the item in the agenda of its ninth session and, at its 478th plenary meeting on 25 September, further decided to allocate the item to the Sixth Committee for consideration.

4. The Sixth Committee considered the item at its 426th to 430th meetings, from 23 to 29 November 1954.

5. From the outset of the general debate in the Committee, the suggestion was advanced that consideration of the question of international criminal jurisdiction should be postponed till a later session of the General Assembly. It was on this procedural question that most of the members of the Committee focused their attention, although some representatives addressed themselves to the question whether, in the light of the report of the 1953 Committee on International Criminal Jurisdiction and of the revised draft statute for an international criminal court annexed thereto, an international criminal court should be established.

6. Some representatives stated that in principle they were in favour of the establishment of an international criminal court. It was pointed out that, although international criminal law could be enforced either by national courts or by *ad hoc* international courts, both such courts had their drawbacks. National courts could not punish offences in which the national Government was involved ; they might, moreover, not be wholly impartial. *Ad hoc* international criminal courts had the inherent shortcomings for which the Nürnberg and Tokyo Tribunals had been criticized. It was said that, while a permanent international criminal court, if established now, would have its imperfections, national criminal jurisdiction had also been imperfect in its earlier stages of development. An international criminal court, although imperfect, should therefore be established in the hope and confidence that it would follow a line of development comparable to that of national criminal jurisdiction ; its establishment would mean the adoption of jurisprudence which might serve as a standard for the whole world. The practical difficulties would no doubt be considerable but would probably not be insurmountable.

7. On the other hand, some representatives raised objections of principle to the establishment of an international criminal court such as envisaged by the 1953 Committee on International Criminal Jurisdiction. It was urged that the establishment of such a court would

be incompatible with the principles of the United Nations Charter concerning State sovereignty and non-intervention in domestic affairs. It would be contrary to the principle of territorial jurisdiction, recognized in the Moscow Declaration of 30 October 1943, in the London Agreement of 8 August 1945, which established the Nürnberg Tribunal, and in the instrument setting up the Tokyo Tribunal. It would not be in conformity with, but would be prejudicial to the development of, international law. Furthermore, the 1953 Committee was said to have proposed to vest the United Nations with functions of a judicial nature that were outside the latter's competence.

8. Some representatives maintained that there was no need to establish the proposed court. War crimes could better be handled by national or military courts or by *ad hoc* international courts such as the Nürnberg and Tokyo Tribunals. The objection that *ad hoc* courts were composed of judges belonging to the victor countries and hence were unlikely to be impartial was unjustified in the light of the experience of those two tribunals. In any case, it could be overcome by providing that all or some of the judges should be nationals of neutral countries. As for crimes against the peace and security of mankind, these could not have been committed by individuals except acting in pursuance of government policy, and Governments could not normally be relied upon to surrender their nationals to international justice save in special circumstances, such as after a revolution. In this respect, it was also pointed out that the provisions in the revised draft statute that the proposed court was to try “crimes generally recognized under international law” (article 1) and that the court was to “apply international law, including international criminal law, and where appropriate, national law” (article 2) were vague and uncertain. While the draft code of offences against the peace and security of mankind might be part of the law to be applied by the court, the Sixth Committee had just decided to postpone further consideration of that draft, as well as of the question of defining aggression.

9. It was further pointed out that the court, if established, would not be able to function effectively. Under the revised draft statute (articles 26 to 28), the jurisdiction of the court would be greatly restricted, depending on conferment by States through convention, special agreement or unilateral declaration, which conferment, moreover, could be withdrawn by unilateral action. The revised draft statute was also said to have left unsolved the question of the assistance of States to the proposed court in the performance of its duties, article 31 providing merely that a State “shall be obliged to render such assistance only in conformity with any convention or other instrument in which the State has accepted such obligation”. Whether the court could operate effectively would depend on the co-operation of Governments and, it was maintained, there was very little evidence to show that such co-operation would be forthcoming, now or in the near future.

10. As stated in paragraph 5 above, the suggestion was made at the outset of the general debate for the postponement of further consideration of the question of international criminal jurisdiction until a later session of the General Assembly. It was recalled that the Sixth Committee had, during the present session, decided to recommend to the Assembly that the question of defining aggression should be referred to a special committee which would meet in 1956 and report to the General Assembly at its eleventh session,⁴ and that further consideration of the draft code of offences against the peace and security of mankind should be postponed until the

³ A/2136, annex I.

⁴ See A/2806, para. 35.

said Special Committee on the Question of Defining Aggression had submitted its report to the General Assembly.⁵ As the question of international criminal jurisdiction was closely related to those of defining aggression and the draft code, its further consideration should be postponed until a later session of the General Assembly. The representative of Venezuela submitted a draft resolution in this sense.

11. The draft resolution of Venezuela (A/C.6/L.340) provided, in its operative part, that the General Assembly would (1) thank the 1953 Committee on International Criminal Jurisdiction for the efforts it had made in carrying out its terms of reference; and (2) decide to postpone consideration of the question of an international criminal jurisdiction until the session following the session at which the General Assembly took up the report of the new Special Committee on the Question of Defining Aggression and the draft code of offences against the peace and security of mankind.

12. In the course of discussion on this draft resolution at the 429th meeting on 26 November 1954, the representative of Canada submitted an oral amendment to paragraph 2 of the operative part to read as follows:

"Decides to postpone consideration of the question of an international criminal jurisdiction until the General Assembly has taken up the report of the said special committee on the question of defining aggression and has taken up again the draft code of offences against the peace and security of mankind."

This oral amendment was accepted by the sponsor of the draft resolution.

13. Another oral amendment was proposed by the representative of Israel. This would delete from paragraph 2 of the operative part, as amended by the Canadian amendment, and hence also from the preamble, all references to the question of defining aggression. It was explained that to make the adoption of a definition of aggression a prior condition for the further consideration of the question of international criminal jurisdiction might have the effect of indefinitely postponing the latter. The representative of Venezuela, however, replied that his text did not stipulate, as a prior condition, that a definition of aggression must have been adopted by the General Assembly, but only that the report of the Special Committee and the draft code should have been taken up.

14. Still another oral amendment was proposed by the representative of Colombia to change paragraph 2 of the

operative part to say that consideration of the question of international criminal jurisdiction should be postponed until such time as the General Assembly might think fit to take it up. The representative of Colombia stated that it was possible that the General Assembly, after considering the question of defining aggression and the draft code, might deem it inopportune to discuss the question of international criminal jurisdiction. The representative of Venezuela declared that, under his text, as amended by the Canadian amendment, after the General Assembly had considered the question of defining aggression and the draft code, the Secretary-General would place on the provisional agenda of the following session the question of international criminal jurisdiction; it would then be for the General Assembly to decide whether that item should be included in the final agenda. In view of this explanation, the representative of Colombia withdrew his amendment.

15. The Sixth Committee then proceeded to vote, in parts, on the Venezuelan draft resolution (A/C.6/L.340) and the Israel oral amendment thereto (referred to in paragraph 13 above), with the following results:

(a) *The Israel amendment* was rejected by 22 votes to 3, with 22 abstentions.

(b) *Operative paragraph 2*, as amended by Canada, was adopted by 37 votes to none, with 7 abstentions.

(c) *Operative paragraph 1* was adopted by 36 votes to 5, with 4 abstentions.

(d) *The first paragraph of the preamble* was adopted by 36 votes to none, with 5 abstentions.

(e) *The second paragraph of the preamble* was adopted by 35 votes to none, with 5 abstentions.

(f) *The third paragraph of the preamble* was adopted by 35 votes to none, with 10 abstentions.

(g) *The fourth paragraph of the preamble* was adopted by 35 votes to none, with 7 abstentions.

(h) *The draft resolution as a whole, as amended*, was adopted by 37 votes to none, with 7 abstentions.

Recommendation of the Sixth Committee

16. The Sixth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/266, below.]

DOCUMENT A/RESOLUTION/266

[Resolution 898 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

INTERNATIONAL CRIMINAL JURISDICTION

The General Assembly,

Having received the report of the 1953 Committee on International Criminal Jurisdiction (A/2645), to which a revised draft statute for an international criminal court is annexed,

Considering the connexion between the question of defining aggression, the draft code of offences against the peace and security of mankind, and the question of an international criminal jurisdiction,

Considering that the General Assembly has established a new Special Committee on the Question of Defining

Aggression to submit to the General Assembly at its eleventh session a detailed report with a draft definition of aggression⁶, and that it has also postponed consideration of the draft code until the Special Committee has submitted its report⁷, so that the question of the draft code will also be included in the provisional agenda of the eleventh session,

Considering that, after the General Assembly has examined the Special Committee's report and the draft code, an interval should be allowed before it resumes consideration of the question of an international criminal jurisdiction in order to give Governments sufficient time

⁵ See A/2807, para. 34, draft resolution II.

⁶ See A/RESOLUTION/243 [895 (IX)].

⁷ See A/RESOLUTION/245 [897 (IX)].

duly to consider the influence and effect of the first two questions in relation to the question of an international criminal jurisdiction,

1. *Thanks* the 1953 Committee on International Criminal Jurisdiction for the efforts it has made in carrying out its terms of reference;

2. *Decides* to postpone consideration of the question of an international jurisdiction until the General Assembly has taken up the report of the [1956] Special Committee on the Question of Defining Aggression and has taken up again the draft code of offences against the peace and security of mankind.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the Sixth Committee. For the final text, see document A/RESOLUTION/266, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2136	Report of the Committee on International Criminal Jurisdiction on its session held from 1 to 31 August 1951		<i>Official Records of the General Assembly, seventh session, Supplement No. 11</i>
A/2186 and Add.1	Comments received from Governments regarding the report of the Committee on International Criminal Jurisdiction [Geneva Committee]		<i>Ibid., seventh session, Annexes, agenda item 52</i>
A/2645	Report of the 1953 Committee on International Criminal Jurisdiction (27 July—20 August 1953)		<i>Ibid., ninth session, Supplement No. 12</i>
A/2733	First report of the General Committee		<i>Ibid., ninth session, Annexes, agenda item 8</i>
A/2806	Report of the Sixth Committee [on item 51]		<i>Ibid., agenda item 51</i>
A/2807	Report of the Sixth Committee [on item 49]		<i>Ibid., agenda item 49</i>
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A/C.6/L.151/Rev.1	Cuba, France and Iran: revised draft resolution		<i>Official Records of the General Assembly, fifth session, Sixth Committee, 244th meeting; para. 1</i>
A/C.6/L.340	Venezuela: draft resolution	1	
A/RESOLUTION/243	Resolution adopted by the General Assembly at its 504th plenary meeting, on 4 December 1954		<i>Ibid., ninth session, Annexes, agenda item 51</i>
A/RESOLUTION/245	Resolution adopted by the General Assembly at its 504th plenary meeting, on 4 December 1954		<i>Ibid., agenda item 49</i>
A/RESOLUTION/266	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954	3	See also <i>Official Records of the General Assembly, ninth session, Supplement No. 21, resolution 898 (IX)</i>



Agenda item 51 : Question of defining aggression : report of the Special Committee on the Question of Defining Aggression

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DOCUMENT A/2689 and Corr.1 and Add.1¹

Comments received from Governments regarding the report of the Special Committee on the Question of Defining Aggression (A/2638)

[Original text : English, French, Russian and Spanish]
[6 August and 18 October 1954]

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¹ A/2689/Add.1, dated 18 October 1954, contained the reply of the Government of Argentina and the text that comprises paragraph 4 below.

NOTE BY THE SECRETARY-GENERAL

1. The General Assembly, by resolution 688 (VII) of 20 December 1952, on the question of defining aggression, established a Special Committee composed of representatives of fifteen Member States and requested it (a) to submit to the General Assembly at its ninth session draft definitions of aggression or draft statements of the notion of aggression; and (b) to study certain problems, referred to in the preamble of the resolution, relating to the question of defining aggression. By the same resolution, the Secretary-General was requested to communicate the Special Committee's report to Member States for their comments and to place the question on the provisional agenda of the ninth session of the General Assembly.

2. The Special Committee on the Question of Defining Aggression met at United Nations Headquarters in New York from 24 August to 21 September 1953 and drew up a report for submission to the General Assembly (A/2638). In pursuance of the aforesaid resolution of the General Assembly, the Secretary-General circulated the report of the Special Committee to the Governments of all Member States of the United Nations and, by a letter of 2 December 1953, requested those Governments to communicate to him any comments they might wish to make on the report of the Special Committee.

3. By 30 July 1954, replies containing or referring to comments relating to the report of the Special Committee had been received from the Governments of the Byelorussian Soviet Socialist Republic, Denmark, France, Greece, India, Poland, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland. The Government of Argentina sent its reply on 26 August 1954.

4. The Secretary-General has also received a communication from the Government of Burma, dated 4 September 1954, stating that it had no comments to offer on the aforesaid report.

5. Comments received are reproduced below. Additional comments received from Governments subsequent to the compilation of the present document, if any, will be reproduced as addenda.

COMMENTS BY GOVERNMENTS

1. ARGENTINA

Note verbale dated 26 August 1954 from the permanent delegation of Argentina

[Original text: Spanish]

The permanent delegation of the Argentine Republic to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to refer to letter No. LEG 460/3/02(1) of 2 December 1953 on the question of defining aggression.

The Argentine Government has studied the Special Committee's report and the draft definitions submitted by various delegations. Although it regards these as a praiseworthy effort to solve a very difficult problem, it does not believe that they will lead to a satisfactory solution.

Therefore, consistently with the stand it has taken on previous occasions and, more particularly, with the position adopted by its delegation in the Sixth Committee during the seventh session of the General Assembly, the

Argentine Republic still considers it inadvisable to attempt to encompass within a definition a legal situation that is in the process of development. Any definition adopted should be sufficiently broad to include not only the classical concept of armed aggression but other forms also, and particularly indirect forms, such as economic and ideological aggression, in which arms are not employed.

2. BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

Cablegram dated 29 June 1954 from the Ministry for Foreign Affairs of the Byelorussian Soviet Socialist Republic

[Original text: Russian]

In reply to letter LEG.460/3/02(1) of 2 December 1953..., I have the honour to state hereby that the Government of the Byelorussian Soviet Socialist Republic supports the points contained in the draft resolution on the definition of aggression submitted by the representative of the Soviet Union in August 1953 at the session of the United Nations Special Committee on the Question of Defining Aggression.

(Signed) K. KISELEV
Minister for Foreign Affairs

3. DENMARK

Letter dated 9 April 1954 from the Ministry for Foreign Affairs of Denmark

[Original text: English]

With reference to your letter of 2 December 1953—LEG.460/3/02(1)—regarding the Special Committee's report on the question of defining aggression, I have the honour to inform you that the report has received the careful attention of the Danish Government who, considering, *inter alia*, the diversity of opinions set forth in the course of the Committee's meetings, still holds the view expressed by Danish delegates in earlier United Nations debates on this matter, that it seems doubtful whether, for the time being, it can be considered possible or even desirable to formulate a definition of aggression.

(Signed) Georg COHN

4. FRANCE

Letter dated 16 June 1954 from the Ministry for Foreign Affairs of France

[Original text: French]

By your letter No. LEG. 460/3/02(1) of 2 December 1953 you were good enough to transmit to me the report of the Special Committee on the Question of Defining Aggression and to invite me to communicate to you the French Government's comments thereon.

I have the honour to inform you herewith of my Government's views on the subject:

1. As is evident from the discussions in the General Assembly of the United Nations in 1952 and 1953, from the letter I addressed to you on 25 June 1952, and from the position taken by the representative of France in the Special Committee on the Question of Defining Aggression, the French Government has consistently taken the view that a definition of aggression is feasible and desirable for the maintenance of international peace and security. That view, to which the French Government still adheres, was endorsed by the General Assembly resolution of 20 December 1952.

2. As the representative of France pointed out during the debate in the Special Committee, the French Government favours the inclusion of a definition of aggression in the code of offences against the peace and security of mankind, along with the establishment of an international criminal court. That inclusion would not be a duplication nor would it be inconsistent with the adoption, in the form of a General Assembly resolution, of a definition of aggression capable of serving as a guide to States and to the political organs of the United Nations. Whereas the former type of definition would have the force of a provision of criminal law and, as such, would have to be applied by the competent jurisdictional body, the latter type of definition would merely serve as a point of reference for Member States, the Security Council and the General Assembly, which would retain the freedom of judgment granted to them by the Charter.

3. The French Government considers that the General Assembly should, as an act of co-operation, attempt to evolve "a mixed definition". While it is not in a position at the present stage to take a final stand on the proposals submitted to the Special Committee and annexed to its report, the French Government is prepared to co-operate in the search for a text that can command authority only if it gains a sufficiently wide measure of acceptance.

(Signed) A. PARODI

5. GREECE

Letter dated 26 April 1954 from the permanent delegation of Greece to the United Nations

[Original text: French]

In reply to your letter LEG.460/3/02(1) of 2 December 1953 concerning the observations that the Greek Government might wish to make upon the report of the Special Committee on the Question of Defining Aggression, I have the honour to inform you that my Government has studied that report with close attention.

Although the Greek delegation to the General Assembly took a sceptical view of the feasibility and desirability of defining aggression, my Government will certainly instruct its delegation to the forthcoming session of the General Assembly to co-operate with other delegations, should the General Assembly decide, after considering the valuable report of the Special Committee, to continue its efforts to evolve a definition of aggression acceptable to the great majority of States Members of the United Nations.

(Signed) Stavros G. ROUSSOS
Chargé d'Affaires ad interim

6. INDIA

Letter dated 6 July 1954 from the Ministry of External Affairs of India

[Original text: English]

I am directed to refer to your letter No. LEG.460/3/02(1), dated 2 December 1953, and to say that the Government of India have no comments to offer at present on the report of the Special Committee on the question of defining aggression. I am to add that their representative on the Sixth Committee of the General Assembly will, however, be authorized to make a statement on the subject during the ninth session, if that is considered necessary.

(Signed) T. J. NATARAJAN
Deputy Secretary

7. POLAND

Letter dated 10 June 1954 from the permanent delegation of Poland

[Original text: French]

In reply to your letter No. LEG.460/3/02(1) of 2 December 1953, I have the honour to inform you that the Government of the People's Republic of Poland continues to adhere to the point of view expressed by its representatives at the seventh session of the General Assembly and at the meetings of the Special Committee on the Question of Defining Aggression.

(Signed) H. BIRECKI
Permanent Representative of
Poland to the United Nations

8. SWEDEN

Letter dated 21 July 1954 from the Ministry of Foreign Affairs of Sweden

[Original text: English]

In reply to your letter of 2 December 1953/LEG.460/3/02(1), inviting the Swedish Government to present their comments on the report of the Special Committee on the Question of Defining Aggression, I have the honour to transmit the following observations:

The need for a definition of aggression may arise in relation to:

(a) General principles laid down in international treaties or conventions condemning war of aggression;

(b) Rules conferring on an international body, e.g., the Security Council of the United Nations, the authority or the duty to take steps for the stopping of aggressive war;

(c) Provisions in an international convention on the outlawing of war, whereby aggressive war is made a criminal offence and the authors of the war are made liable to punishment, to be imposed by tribunal, in the first place an international criminal court.

It is far from certain, however, that the same definition can be applied in these different connexions, or even that the needs for a definition makes itself as strongly felt in the various cases. These will now be examined in the order as set forth above.

(a) *The banning, per se, of aggressive war, i.e., without sanctions against the violating of the ban.*

As an example of such a "platonic" prohibition may be cited the resolution of the League of Nations Assembly of 24 September 1927, by which it was declared that wars of aggression should be prohibited, that international disputes should always be settled by pacific means, and that the Members of the League of Nations were under an obligation to conform to these principles.

The need for a definition in such cases mainly arises from the interest of the States concerned to know the delimitation between the unlawful war of aggression and the lawful war of defence. A definition of aggression provides, by implication, an answer to the question of what should be recognized as defensive war. The use of armed force in order to resist unlawful aggression should be regarded as a war of defence. Hence, the more extensive is the concept of aggression, the more extensive becomes the concept of legitimate defence.

In the category of prohibitions *per se* should also be listed the Briand-Kellogg Pact, concluded in 1928, by which the Contracting Parties declared that they refrained from war as an instrument of national policy and would employ only pacific means for the settling of international disputes.

In the Charter of the United Nations a ban is proclaimed by Article 2, paragraph 4, according to which "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations".

This provision does not carry any definition of aggression. Since in Article 1, paragraph 1, and in Article 39, there is a distinction between "acts of aggression" and other breaches of the peace, it is evident that the Charter takes into account the existence of other forms of breaches of the peace than aggression.

In certain respects the ban of the United Nations Charter resembles that of the Kellogg Pact. A violation of the ban is not to be followed unconditionally by sanctions, whether as applied by the Security Council or by individual Member States. Any coercive measure is subject to a decision by the Security Council, acting on the merits of free inquiry into the facts. There is consequently no obligation for the Security Council to institute coercive measures in the event of a breach of the peace or act of aggression. The Council may forgo any decision on the taking of coercive action, even though there has been a breach of the peace or act of aggression. On the other hand, such action may already be taken in the presence of a threat to the peace.

The similarity of the ban under the Charter to that of the Kellogg Pact also extends to the rules governing the action to be taken against an aggressor. According to Article 51, no provision of the Charter (thus not even Article 2, paragraph 4) shall impair the inherent right of individual or collective self-defence in the event of an armed attack. This implies, just as does the Kellogg Pact, that the aggressor not only may be faced with the self-defence of the aggrieved party but also lays himself open to armed intervention by other States. Considering the interdependence between unlawful aggression and legitimate self-defence, the provision in Article 51 may serve to clarify the concept of aggression in the sense of the Charter: only armed attack (*agression armée*) is deemed to constitute aggression.

No disadvantage of a practical nature is likely to arise from such a limitation of the concept of aggression. It should be remembered that the prohibition of resort to force as set out by Article 2, paragraph 4, has a meaning considerably wider than armed attack. Thus, there should be no practical need for defining exactly, in spite of Article 2, paragraph 4, the concept of aggression as against other modes of action.

(b) In a *system of collective security*, where, in the event of war, joint measures are to be taken against the aggressor, the concept of aggression is evidently of importance.

This was the case under the régime of the League of Nations. By the Covenant, Members of the League had assumed certain obligations not to resort to war. Every war was not, therefore, an unlawful war; but should an unlawful war take place—that is, should a State resort to war contrary to its obligations under the Covenant—sanctions were to be applied against the aggressor by the Members of the League. Such action should be taken on their own initiative, regardless of any decision by a body of the League. It was therefore important that a clear distinction should be drawn between "unlawful" and "lawful" wars, so that the "unlawful" wars were easily recognizable. According to the Covenant, the criterion to be applied was, *inter alia*, the attitude taken by the aggressor towards the provisions of the Covenant for the pacific settlement of international disputes. If a State went to war without previous resort to one of the methods for pacific settlement afforded by the Covenant, or if it did not conform with the anti-

cipatory settlement resulting from the use of one of these methods but instead went to war, such a State would then have acted contrary to its obligations under the Covenant and was to be subjected, unconditionally, to sanctions. "Unlawful war" had thus been defined in one particular respect, but no exhaustive definition had been provided. The idea behind the Covenant provisions was, however, that a spontaneous resort to armed force, without regard to existing procedures for peaceful settlement, constituted unlawful aggression. There remained the question as to how it should be determined who was the aggressor. The sanctions were to be directed against the aggressor, but the Covenant offered no method for establishing who he was. This limitation was looked upon as a serious disadvantage, particularly by those who advocated the widest measure of automatic application for sanctions. Numerous proposals for solving this problem were put forward in the course of a discussion that lasted almost throughout the lifetime of the League.

Several of the proposals put forward during this discussion were aimed less at a definition of the act of aggression than at establishing who was the aggressor. An example is afforded by the Geneva Protocol, voted by the League Assembly in 1924 but never ratified. In this it was declared, first, that every State that resorts to war in violation of the undertakings contained in the Covenant or the Protocol is an aggressor. Furthermore, a number of presumptions for aggression were put forward that could be reversed only by a unanimous decision of the Council. Under these presumptions any State was deemed to be an aggressor that had, in the event of hostilities, refused to submit the dispute to arbitration or other pacific procedure. In the absence of such presumptions the Council should directly determine who was the aggressor. For this purpose it could enjoin an armistice upon the belligerents, in which case a belligerent refusing to accept the armistice or violating its terms should be deemed an aggressor. The proposals that were subsequently put forward, in connexion with the treatment of the problem of security by the League, revolved to a great extent round the idea that the action of the League, in the first place that of the Council, should be directed towards forestalling and stopping hostilities. The attitude taken by the parties to the dispute towards recommendations by the Council to this end was to form a criterion as to who was the aggressor.

At the Disarmament Conference, opened in 1932, the question of a definition of the aggressor was brought to the fore in connexion with the question of security. In the early part of 1933 the Soviet delegation to the Conference put forward certain proposals which have since reappeared, with some variation.

The Soviet proposals were referred to the Security Committee and formed the basis for a definition evolved by the Committee, which was presented to the Conference with a report by M. Politis. The main idea behind this formula was that any State that first employs armed force outside its territory is an aggressor.

A definition of this kind, which might serve the Security Council of the United Nations as a guide without impairing its discretion in regard to sanctions, would, in the opinion of the Swedish Government, be well worth considering. It should be remembered, however, that the proposal under review does not settle the question of how to determine who is the aggressor when opinions are at variance as to the actual course of events. Theoretically speaking, this question could be solved either by a special rule of voting or by a system of presumptions combined with authority for the international body concerned to enjoin an armistice, i.e., the system of the Geneva Protocol.

The United Nations system for the maintenance of peace and security differs from that of the League of Nations as regards the prerequisites for the imposing of coercive measures (sanctions). It rests with the discretion of the United Nations Security Council whether such measures shall be taken, the Council having previously determined the existence of a "threat to the peace, breach of the peace, or act of aggression". An act of aggression may, of course, provide grounds for a decision that coercive measures should be taken. Such measures may also be decided upon in the event of a "threat to the peace" or "breach of the peace". Even though, on the other hand, there has been an "act of aggression", the Security Council, as has already been pointed out, is under no obligation to decide that coercive measures should be applied.

The purpose of any action taken by the Security Council is exclusively that of safeguarding peace if it is threatened, or restoring peace if it has been broken, and thus not to punish an act of aggression by reason of its being a breach of international law. Hence, the Security Council has no reason to concern itself with such matters as the responsibility for the war, the motives underlying the aggression, or which of the parties can claim historical justice for its cause.

(c) *Aggression regarded as a crime against international law*

A definition of aggression naturally becomes of importance when aggression is to constitute a crime against international law for which punishment is to be imposed by an international court of justice. The principle of legality underlying the penal law of civilized States (*nullum crimen sine lege*) manifestly presupposes that the aggression to be punished as an unlawful act should be clearly defined.

The importance of a legal definition will nevertheless diminish if other acts calculated to endanger peace are being declared illegal.

In their draft Code of Offences against the Peace and Security of Mankind, put forward in 1951 (A/1858, paragraph 59), the International Law Commission defined as such an offence, in the first place, "Any act of aggression" (article 2, paragraph 1); but furthermore "Any threat by the authorities of a State to resort to an act of aggression against another State" (paragraph 2); "The preparation by the authorities of a State for the employment of armed force against another State" (paragraph 3); "The incursion into the territory of a State by armed bands acting for a political purpose" (paragraph 4); "The undertaking or encouragement by the authorities of a State of activities calculated to foment civil strife in another State, or the toleration by the authorities of a State of organized activities" for such purposes (paragraph 5).

Here it should again be recalled that the interdependence between aggression and self-defence makes the latter concept a wider one, in as far as a wider significance is given to the former. If, as is the case in the most recent Soviet draft definition, "aggression" is to include "indirect aggression", "economic aggression" and "ideological aggression", it obviously follows that a right to self-defence by armed force is enjoyed, for example, when a State prevents another State from exploiting its natural resources or promotes propaganda of fascist views, etc. Such an extension of the concepts of aggression and self-defence would, in the Government's opinion, be undesirable.

To sum up, the Government's views may be stated as follows:

The question as to what benefit might be drawn from a definition of the concept of aggression, and what the

contents of such a definition would be, should be answered with due regard to the circumstances to which the definition is to apply.

(a) As regards the need for a definition referring to a ban on aggressive war, couched in general terms, a detailed and precise description of the elements constituting such a war would hardly seem to be required. It is sufficient to describe as an aggressor any State that first resorts to armed force against another State, provided the armed force has not been expressly declared as legal (e.g., assistance rendered to a third State that is being attacked).

(b) The need for a definition is more clearly felt in a system of collective security, with an international body authorized to impose sanctions on the aggressor. Since, however, the United Nations Charter confers upon the Security Council discretionary powers to act, or not to act, in the event of an aggression on the one hand or in the presence of a threat to the peace without aggression on the other hand, a comprehensive and precise definition would even in that case be unnecessary.

The Government is however, prepared to recognize the advantages to be gained from certain indications in this respect to the Security Council. These might be afforded by stating a number of examples of modes of aggression, to serve the Council as a guide without prejudice to its discretion. A suitable description might be obtained from the draft project adopted by the Disarmament Conference in 1933.

(c) Should aggression be constituted a crime under international law and referred to the jurisdiction of a court of law, a precise definition would naturally be required.

It should be recalled, however, that the Swedish Government has previously expressed strong doubts as to the expediency of setting up a criminal court entrusted with cases of this nature.

(Signed) For the Minister
Sture PETRÉN
Chief of Legal Department

9. UKRAINIAN SOVIET SOCIALIST REPUBLIC

Note verbale dated 29 June 1954 from the Ministry for Foreign Affairs of the Ukrainian Soviet Socialist Republic

[Original text: Russian]

The Ministry for Foreign Affairs of the Ukrainian Soviet Socialist Republic presents its respects to the Secretary-General of the United Nations and, in reply to letter No. LEG.460/3/02(1) of 2 December 1953 from the Principal Director of the Legal Department of the United Nations Secretariat, has the honour to state that the point of view of the Government of the Ukrainian Soviet Socialist Republic on the question of defining aggression was expressed during the discussion of that question in the United Nations, and that, moreover, the Government of the Ukrainian Soviet Socialist Republic supports the USSR draft resolution annexed to the report of the United Nations Special Committee on the Question of Defining Aggression (A/1638).

10. UNION OF SOVIET SOCIALIST REPUBLICS

Letter dated 12 July 1954 from the Permanent Delegation of the Union of Soviet Socialist Republics

[Original text: Russian]

With reference to your letter No. LEG.460/3/02(1) of 2 December 1953, I would inform you that the position of the Government of the Union of Soviet Socialist

Republics on the question of defining aggression has been exhaustively expounded in the United Nations, notably in the Special Committee on the Question of Defining Aggression. There is therefore no need to restate it now in connexion with the Special Committee's report.

(Signed) S. TSARAPKIN
Acting Permanent Representative of
the USSR to the United Nations

11. UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN
IRELAND

Comments transmitted by a letter dated 12 May 1954
from the Permanent Delegation of the United Kingdom
to the United Nations

[Original text : English]

Her Majesty's Government in the United Kingdom have studied the report of the Special Committee on the Question of Defining Aggression and wish to offer the following comments.

Her Majesty's Government note that the report reveals that there was a wide divergence of opinion between

members of the Committee concerning the desirability and the feasibility of attempting to define aggression, and that in spite of a number of meetings there appeared to be no substantial advance towards agreement on the question at issue. While in principle they would not be averse to a definition of aggression, Her Majesty's Government have always doubted whether it is possible to evolve an entirely satisfactory definition which would not over-simplify the issue or leave loop-holes which would by implication exonerate acts not expressly included in the definition. Those doubts have been expressed by the representatives of the United Kingdom in the General Assembly and in the Special Committee, and the report of the Special Committee has done nothing to remove the doubts of Her Majesty's Government on this subject.

The views of Her Majesty's Government having been made clear on so many occasions in United Nations meetings, it would not seem that any useful purpose would be served by commenting at any greater length on the report of the Special Committee. Her Majesty's Government naturally reserve, however, the right to comment further if an item on this subject is eventually accepted for inclusion in the agenda of the ninth session of the General Assembly.

DOCUMENT A/C.6/L.332/Rev.1

Union of Soviet Socialist Republics : draft resolution

[Original text : Russian]
[18 October 1954]

The General Assembly,

Considering it necessary to establish guiding principles with a view to determining which party is guilty of aggression,

Declares that :

1. In an international conflict that State shall be declared the attacker which first commits one of the following acts :

- (a) Declaration of war against another State ;
- (b) Invasion by its armed forces, even without a declaration of war, of the territory of another State ;
- (c) Bombardment by its land, sea or air forces of the territory of another State or the carrying out of a deliberate attack on the ships or aircraft of the latter ;
- (d) The landing or leading of its land, sea or air forces inside the boundaries of another State without the permission of the Government of the latter, or the violation of the conditions of such permission, particularly as regards the length of their stay or the extent of the area in which they may stay ;
- (e) Naval blockade of the coasts or ports of another State ;
- (f) Support of armed bands organized in its own territory which invade the territory of another State, or refusal, on being requested by the invaded State, to take in its own territory any action within its power to deny such bands any aid or protection.

2. That State shall be declared to have committed an act of indirect aggression which :

- (a) Encourages subversive activity against another State (acts of terrorism, diversionary acts, etc.) ;
- (b) Promotes the fomenting of civil war within another State ;
- (c) Promotes an internal upheaval in another State or a change of policy in favour of the aggressor.

3. That State shall be declared to have committed an act of economic aggression which first commits one of the following acts :

- (a) Takes against another State measures of economic pressure violating its sovereignty and economic independence and threatening the bases of its economic life ;
- (b) Takes against another State measures preventing it from exploiting or nationalizing its own natural riches ;
- (c) Subjects another State to an economic blockade.

4. That State shall be declared to have committed an act of ideological aggression which :

- (a) Encourages war propaganda ;
- (b) Encourages propaganda in favour of using atomic, bacterial, chemical and other weapons of mass destruction ;
- (c) Promotes the propagation of fascist-nazi views, of racial and national exclusiveness, and of hatred and contempt for other peoples.

5. Acts committed by a State other than those listed in the preceding paragraphs may be deemed to constitute aggression if declared by decision of the Security Council in a particular case to be an attack or an act of economic, ideological or indirect aggression.

6. The attacks referred to in paragraph 1 and the acts of economic, ideological and indirect aggression referred to in paragraphs 2, 3 and 4 may not be justified by any considerations of a political, strategic or economic nature, or by the desire to exploit natural riches in the territory of the State attacked or to derive any other kind of advantages or privileges, or by reference to the amount of capital invested in that territory or to any other particular interests in that territory, or by the refusal to recognize that it possesses the distinguishing marks of statehood.

In particular, the following may not be used as justification :

A. The internal situation of any State, as for example :

- (a) Backwardness of any people politically, economically or culturally ;
- (b) Alleged shortcomings of its administration ;
- (c) Any danger which may threaten the life or property of aliens ;
- (d) Any revolutionary or counter-revolutionary movement, civil war, disorders or strikes ;
- (e) Establishment or maintenance in any State of any political, economic or social system.

B. Any acts, legislation or orders of any State, as for example :

- (a) Violation of international treaties ;
- (b) Violation of rights and interests in the sphere of trade, concessions or any kind of economic activity acquired by another State or its citizens ;
- (c) Rupture of diplomatic or economic relations ;

(d) Measures constituting an economic or financial boycott ;

- (e) Repudiation of debts ;
- (f) Prohibition or restriction of immigration or modification of the status of foreigners ;
- (g) Violation of privileges recognized to the official representatives of another State ;
- (h) Refusal to allow the passage of armed forces proceeding to the territory of a third State ;
- (i) Measures of a religious or anti-religious nature ;
- (j) Frontier incidents.

7. In the event of the mobilization or concentration by another State of considerable armed forces near its frontier, the State which is threatened by such action shall have the right of recourse to diplomatic or other means of securing a peaceful settlement of international disputes. It may also in the meantime take counter-measures of a military nature similar to those described above, without, however, crossing the frontier.

DOCUMENT A/C.6/L.334/Rev.1

Paraguay : draft resolution

[Original text : Spanish]
[28 October 1954]

The General Assembly,

Considering that at its 368th plenary meeting it resolved "that, although the existence of the crime of aggression may be inferred from the circumstances peculiar to each particular case, it is nevertheless possible and desirable, with a view to ensuring international peace and security and to developing international criminal law, to define aggression by reference to the elements which constitute it" (resolution 599 (VI)),

Declares :

1. A State (or States) commits (or commit) armed aggression if it (or they) provokes (or provoke) a breach or disturbance of international peace and security through the employment of armed force against the territory, population, armed forces or the sovereignty and political independence of another State (or other States), or against the people, the territory or the armed forces of a Non-Self-Governing Territory ;

2. Without prejudice to the provisions of Article 39 of the Charter, the General Assembly recommends that in addition to other acts of aggression the following acts shall be deemed to constitute armed aggression :

(a) A declaration of war by one State against another (or others) in contravention of Articles 1 and 2 of the Charter ;

(b) The organization by a State within its territory of armed bands intended to take action against other States, either within or outside the territory of such States ; or the encouragement, support or the mere toleration of the formation or action of such armed bands in its territory.

Nevertheless, a State shall not be considered to be an aggressor if, being unable to suppress the activities of such bands in its territory or having justifiable reasons for not undertaking their suppression, it reports the matter to the competent organ of the United Nations and offers its co-operation.

DOCUMENT A/C.6/L.335² and DOCUMENT A/C.6/L.335/Rev.1

Iran and Panama : revised draft resolution

[Original text : Spanish]
[6 November 1954]

The General Assembly,

Considering that, although the existence of aggression may be inferred from the circumstances peculiar to each particular case, it is nevertheless possible and desirable, with a view to ensuring international peace and security

and to developing international criminal law, to define aggression by reference to the elements which constitute it,

Considering further that it would be of definite advantage if directives were formulated for the future guidance of such international bodies as may be called upon to determine the aggressor,

Declares that :

² The text of A/C.6/L.335, of 3 November 1954, not reproduced in this fascicule, is identical in substance to this text, except for the following differences: in A/C.6/L.335, operative paragraphs 1 and 2 (d) were worded as follows: "1. Aggression means any use of armed force by a State against another State for any purpose other than the exercise of the inherent right of individual or collective self-defence..." and "(d) The organization, or the encouragement of the organization, by the authorities or a State..."

1. Aggression is the use of armed force by a State against another State for any purpose other than the exercise of the inherent right of individual or collective self-defence or in pursuance of a decision or recommendation of a competent organ of the United Nations.

2. In accordance with the foregoing definition, in addition to any other acts which such international bodies as may be called upon to determine the aggressor may declare to constitute aggression, the following are acts of aggression in all cases :

(a) Invasion by the armed forces of a State of territory belonging to another State or under the effective jurisdiction of another State ;

(b) Armed attack against the territory, population or land, sea or air forces of a State by the land, sea or air forces of another State ;

(c) Blockade of the coast or ports or any other part of the territory of a State by the land, sea or air forces of another State ;

(d) The organization, or the encouragement of the organization, by a State, of armed bands within its territory or any other territory for incursions into the territory of another State, or the toleration of the organization of such bands in its own territory, or the toleration of the use by such armed bands of its territory as a base of operations or as a point of departure for incursions into the territory of another State, as well as direct participation in or support of such incursions.

DOCUMENT A/C.6/L.336/Rev.1³ and DOCUMENT A/C.6/L.336/Rev.2

China : revised draft resolution

[Original text : English]
[10 November 1954]

The General Assembly,

Recalling its resolutions 599 (VI) and 688 (VII),

Having considered the report of the Special Committee on the Question of Defining Aggression,

Mindful of the responsibilities of the Security Council concerning aggression under Article 1, paragraph 1, and Chapter VII of the Charter, and of the function of the General Assembly envisaged in Assembly resolution 377 A (V),

Considering that, although the question whether aggression has occurred must be determined in the circumstances of each particular case, it would nevertheless be advisable to formulate certain principles as guidance,

Recommends that the Security Council in the discharge of its responsibilities under Article 1, paragraph 1, and Chapter VII of the Charter, and the Members of the United Nations, when the Assembly is called upon to consider an item pursuant to resolution 377 A (V), take account, *inter alia*, of the following principles :

1. That aggression is the unlawful use of force by a State against another State, whether directly or indirectly, such as :

(a) Attack or invasion by armed force ;

(b) Organization or support of incursion of armed bands ;

(c) Promotion or support of organized activities in another State aiming at the overthrow by violence of its political or social institutions ;

2. That the use of force is lawful when it is in pursuance of a decision or recommendation by a competent organ of the United Nations, or is in self-defence against armed attack until a competent organ of the United Nations has taken the measures necessary to maintain international peace and security ;

3. That the employment of measures, other than armed attack, necessary to remove the danger arising from an indirect use of force is likewise lawful until a competent organ of the United Nations has taken steps to remove such danger.

DOCUMENT A/C.6/L.337⁴ and DOCUMENT A/C.6/L.337/Rev.1

Lebanon, Syria, and Yemen : revised draft resolution

[Original text : French]
[9 November 1954]

The General Assembly,

Recalling its resolutions 599 (VI) and 688 (VII),

Considering that the discussions to which the question of defining aggression gave rise at the ninth session of

the General Assembly have revealed the need to co-ordinate the views expressed by the State Members,

1. *Decides* to establish a Special Committee comprising one representative of each of the following State Members : ...

2. *Requests* the said Special Committee to submit to the General Assembly at its eleventh session a detailed report followed by a draft definition of aggression, having regard to the ideas expressed at the ninth session of the General Assembly and to the draft resolutions and amendments submitted ;

3. *Decides* to place the question on the agenda of the eleventh session of the General Assembly.

³ The text of document A/C.6/L.336/Rev.1, of 4 November 1954, not reproduced in this fascicule, is identical with this text, except for the following difference : in document A/C.6/L.336/Rev.1, point 1 included a sub-paragraph (c) worded as follows : "fomenting civil strife" ; and sub-paragraph (c) of the present text was sub-paragraph (d).

⁴ The text of A/C.6/L.337, of 5 November 1954, not reproduced in this fascicule, is identical in substance to this document, except for the following difference : in operative paragraphs 2 and 3 the text specified "tenth session" instead of "eleventh session".

DOCUMENT A/C.6/L.337/Add.1⁵**Financial implications of draft resolution submitted by Lebanon, Syria and Yemen (A/C.6/L.337/Rev.1)⁵****Estimate submitted by the Secretary-General**

[Original text : English]
[9 November 1954]

1. The draft resolution contained in A/C.6/L.337/Rev.1⁵ proposes the establishment of a Special Committee consisting of representatives of Member States to prepare a detailed report followed by a draft definition of aggression, for submission to the eleventh session of the General Assembly.

2. It is assumed that the Special Committee would meet at Headquarters and would be suitably scheduled within the 1956 conference programme.

3. It is also assumed that the proposed meeting would be of three to four weeks' duration; that the amount of documentation would be similar to the workload of the

Special Committee established under General Assembly resolution 688 (VII) which met in 1953; and that the expenses of representatives would be borne by their Governments.

4. Under the above assumptions, financial implications in the amount of \$1,500 would arise in connexion with the printing (in five languages) of the report requested in paragraph 2 of the draft resolution.

5. Should the proposal be approved by the General Assembly, the Secretary-General would request an additional appropriation of \$1,500 under Section 24 of his Budget Estimates for 1956.

DOCUMENT A/2806**Report of the Sixth Committee**

[Original text : French]
[2 December 1954]

1. At its 477th plenary meeting, held on 24 September 1954, the General Assembly decided, in accordance with its resolution 688 (VII) of 20 December 1952, to place the following item on the agenda of its ninth regular session: "Question of defining aggression: report of the Special Committee on the Question of Defining Aggression". At its 478th plenary meeting, on 25 September, the General Assembly decided to refer that item to the Sixth Committee for study and report.

2. The Sixth Committee studied the item from its 403rd to 420th meetings, held between 14 October and 10 November 1954. It had before it the report of the Special Committee on the Question of Defining Aggression (A/2638), together with the text of the comments received from Governments regarding that report (A/2689 and Corr.1, A/2689/Add.1).

3. The following draft resolutions, each containing a definition of aggression, were successively submitted to the Committee:

(a) A draft resolution proposed by the Union of Soviet Socialist Republics (A/C.6/L.332/Rev.1).

(b) A draft resolution proposed by Paraguay (A/C.6/L.334/Rev.1).

(c) A draft resolution proposed jointly by Iran and Panama (A/C.6/L.335) which was later superseded by a revised draft resolution proposed by the same countries (A/C.6/L.335/Rev.1).

(d) A draft resolution proposed by China (A/C.6/L.336) which was replaced successively by two revised draft resolutions proposed by the same country (A/C.6/L.336/Rev.1 and 2).

4. The Committee also had before it two proposals relating to a procedural question.

5. The first, put forward orally by Iran, proposed the establishment of a working group to draw up a single text of a definition that would be acceptable to the great majority of Member States.

6. The second proposal formed the subject of the draft resolution proposed jointly by Lebanon, Syria and Yemen (A/C.6/L.337). Under the terms of that draft resolution, the General Assembly was to decide to establish a special committee that would be requested to submit to the General Assembly at its tenth session a detailed report followed by a draft definition of aggression, having regard to the ideas expressed at the ninth session and to the draft resolutions and amendments submitted. That draft resolution was subsequently replaced by a revised text (A/C.6/L.337/Rev.1), which provided that the special committee would submit its report to the General Assembly at the eleventh (instead of the tenth) session.

7. The sponsors of the joint draft resolution (A/C.6/L.337/Rev.1) amended their text orally at the 419th meeting, proposing that the special committee referred to in the text should meet at United Nations Headquarters in 1956.

8. The Sixth Committee opened the debate with a general discussion of the various problems raised by the question of defining aggression.

9. With regard to the preliminary question of whether it was possible and desirable to define aggression, many delegations considered that the matter had been decided affirmatively by the General Assembly in its resolutions 599 (VI) and 688 (VII), adopted on 31 January and 20 December 1952 respectively.

10. Some delegations pointed out, however, that that affirmative decision of the General Assembly had been adopted by a small majority. Others stated that it would have been more prudent to determine first of all whether

⁵ This document, in its mimeographed form, applied to A/C.6/L.337. As the Secretary of the Sixth Committee indicated at the 420th meeting of that Committee, this text was amended to apply to A/C.6/L.337/Rev.1. The principal changes were the replacement of "1955" by "1956" in paragraphs 2 and 5.

a satisfactory definition of aggression was possible; if no satisfactory definition of aggression was possible, any definition of that concept would be not only undesirable but dangerous. It was also said that while the General Assembly had decided that it was juridically possible to define aggression, the proceedings of the present session of the General Assembly alone would show whether it was practically and politically feasible to draft such a definition.

11. Certain delegations contended that aggression was undefinable. They argued that the failure of past attempts made to define aggression proved that it was impossible to reach agreement on an *a priori* definition. Moreover, such a definition could not inspire confidence. It would be much better to allow the law to evolve empirically from specific cases.

12. A number of delegations held that even if a definition of aggression were worked out, it would be not only useless but actually dangerous. Far from discouraging a would-be aggressor, it would merely work to his victim's disadvantage. Only the risks involved, the chances of success or the possibilities of failure, would determine the conduct of aggressors. Moreover, a definition of aggression adopted under a General Assembly resolution—and hence binding neither on the Security Council nor on Member States—would have no effect of itself. In an actual case of aggression it would do little good and might even be harmful, since it would lead to long theoretical discussions that would delay a solution. A definition, even if accepted and solemnly embodied in a treaty, would be of little practical value as an effective means of preventing aggression. A definition of aggression, however worded, would be easily evaded and would carry with it grave threats that might well assume as yet unforeseeable forms. Everyone could recognize aggression when it occurred and, apart perhaps from definitions applicable regionally, it would be better not to have a definition. As far as the United Nations was concerned, however, the competent organs should be allowed to determine in each specific case whether or not aggression had occurred. Furthermore, it would be appropriate to defer any action in the matter until the new disarmament proposals had been studied at greater length and a decision taken on them.

13. Many delegations, on the other hand, considered that a definition of aggression was necessary and would be useful for the maintenance of international peace and security and that an attempt should therefore be made to formulate a definition that would be generally acceptable. Those delegations argued that a definition of aggression would consolidate the system of collective security established by the United Nations Charter and would promote the development of international law. Even if it would not *per se* prevent aggression it would be an important factor in the resistance against possible aggressors. In a world that lived in fear of aggression, the existence of a definition would do something to ease men's minds. A definition of aggression would enlighten public opinion and would ensure that any decisions made by the international organs called upon to designate the aggressor in a given dispute would be equitable. It was argued that while a definition of aggression adopted by the General Assembly would admittedly have merely the value of a recommendation and hence would not bind the Security Council, which would retain its complete freedom of action under Article 39 of the Charter, the General Assembly's recommendations yet had a certain legal value. A definition solemnly adopted by the General Assembly might become a general principle of law recognized by the civilized world and so might in future become an integral part of international law, which the Security Council could not violate.

14. Many delegations stated that no definition of aggression would be really useful unless it was accepted by a large majority of Member States. Some expressed the opinion that the majority should include the permanent members of the Security Council. Others suggested that the definition should be approved by at least a two-thirds majority, but not necessarily including all the permanent members of the Security Council.

15. With regard to the type of definition to be adopted, most delegations that favoured a definition of aggression recommended a mixed definition, that is, one in which a flexible description, couched in general terms, would precede and govern a list of definite acts of aggression, which would be included merely to illustrate and not to restrict the general description. It was said that a definition of that type would combine the advantages and avoid the defects of the two other types of definition, the general and the enumerative. It would accord with the opinion that a definition should be neither limitative nor rigid. It should not be limitative, not only for the practical reason that all possibilities in such a complex matter could not be foreseen, but also because any limitation would be contrary to the wide powers of judgment conferred upon the Security Council by Articles 24 and 39 of the Charter. It should not be rigid in the sense that it must not take the form of an order binding on States and on the competent organs of the United Nations.

16. Some delegations criticized a definition of that type as combining the defects of the other two types. In fact, it was suggested that a mixed definition would be in itself contradictory, because, if it started with the statement, for example, that aggression was the use of armed force for purposes other than self-defence or action undertaken in conformity with the Charter, it would not be possible to proceed further by giving examples in illustration of that concept. The act given as an example either would, or would not, according to the circumstances of the case, be covered by the general formula stated at the beginning. The opinion was also expressed that there would be no point in attaching a list of examples to the general statement. Thus the most familiar types of military aggression would be too standard to need enumeration, and a list might give the impression on the one hand that they could be isolated from the peculiar circumstances in which they occurred, and on the other hand that all other forms of armed aggression were of only secondary importance.

17. Other delegations declared themselves in favour of a general definition, that is, one that, instead of giving a list of acts of aggression, would contain a general formula covering all the cases to be designated. International organs would be left with the responsibility of establishing the scope of the formula in specific cases brought before them. Some of these delegations pointed out that a definition of that kind, covering in general terms all the elements that constituted aggression, would render any enumeration of definite acts of aggression superfluous. Others suggested that the general definition should be based on the Charter, which was said to contain all the elements of a definition of aggression. It should incorporate the principles of Article 2(4) and Article 51 of the Charter. Such a definition would have the double advantage of covering all cases conceivable by the most fertile imagination and allowing the competent organ or organs of the United Nations full freedom of judgment.

18. That type of definition was, however, criticized by some delegations as being a mere repetition, in one form or another, of elementary truths; it could therefore be of no value. It was also said that a general definition would be less dangerous than an enumerative definition,

but would be of little value because it would inevitably be drafted in terms that would themselves call for definition. Furthermore, a general definition whose basic elements could be found in the Charter would not be enough; it was just because the Charter confined itself to dealing with the question in general terms that the General Assembly had thought it necessary to define aggression by reference to the elements that constituted it.

19. Some delegations criticized purely enumerative definitions. That kind of definition, which would be limitative and rigid and would deprive States and the organs of the United Nations of freedom of judgment, would in their opinion not be in conformity with the Charter. It would be incompatible with Articles 2 (1), 24 and 39 of the Charter and with the sovereignty of States and the principle of unanimity in the Security Council. Furthermore, such a definition would necessarily be incomplete and would leave loopholes for possible aggressors. It would also have the disadvantage that the acts listed might, in specific cases, not constitute acts of aggression.

20. With regard to content, in the view of certain delegations the definition should be confined to the notion of armed attack. It was said that, if the definition were extended to include the notion of indirect, economic, and ideological aggression, it would be a departure from the Charter, and neither the letter nor the spirit of the Charter would justify a broad interpretation of the word "aggression". Article 39 listed reprehensible acts in order of gravity, and to suggest that indirect, economic and ideological aggression constituted acts of aggression would be tantamount to considering them as more serious than threats to or breaches of the peace. Those concepts came under the heading of threats to the peace rather than under that of aggression, and it was the latter concept that the Sixth Committee was supposed to be defining. The definition of the other concepts might be considered after the preparation of a definition of armed aggression, or at least separately from it. It was also maintained that aggression as envisaged in Article 39 of the Charter and the armed attack mentioned in Article 51 were one and the same and would entail the same legal consequences. If the definition included forms of aggression not accompanied by the use of armed force, there would be a considerable increase in the number of cases in which the use of force would be justified by the right of self-defence. It was also said that by extending the definition of aggression to cases of indirect, economic and ideological aggression, the gravity of armed attack might be reduced and the term "aggression" would lose its force and acquire simply the meaning of "offence".

21. Other delegations pointed out that under the Charter aggression was not confined to the use of armed force. It was maintained that under Article 2 (4) of the Charter the term "aggression" would include not only armed attack but also indirect aggression, economic aggression, and ideological aggression. The principle of prohibiting economic aggression might also be inferred from other provisions of the Charter, such as the fourth paragraph of the Preamble and Article 55.

22. Some delegations, however, which thought that under the Charter indirect aggression, economic aggression, and ideological aggression might be included in the definition, pointed out that it would be better for the time being to confine the definition to armed attack, without prejudice to recognition of other forms of aggression.

23. Some delegations stressed the fact that, if the definition did not cover economic aggression or ideological aggression, it should at least include subversion, which

was the most typical form of indirect aggression. While subversion was a form of aggression less alarming than war, it was much more insidious and fully as dangerous. War was armed attack from outside, subversion armed attack from inside and accordingly should be outlawed equally with war. Any State that encouraged and assisted the people of another State to take up arms against its own Government was not less guilty than if it had itself taken part in an armed attack. The principle that the instigator of a crime is as guilty as the person committing it should apply both in international law and in domestic criminal law.

24. The opinion was expressed that the threat of force should be included in the definition. It was maintained that Article 2 (4) of the Charter would make it possible to put the threat of force on the same footing as aggression. The terms "the threat or use of force" mentioned in that paragraph corresponded to the term "aggression" in Article 39 and hardly had the same meaning as "threat to the peace" in the same article. But the threat of force must have a certain degree of gravity before it could constitute aggression. In determining that degree of gravity, it would be advisable to remember that in the Charter the word "aggression" had been used instead of the word "war". The decisive factor would not be the intention of the aggressor but the effect of the act. It was also stated, in relation to the question of whether self-defence was justified in face of the threat of force, that under Article 51 of the Charter the notion of armed attack would include immediate threats that left a State no other recourse than immediate exercise of its right of self-defence.

25. Many delegations maintained that the threat of force could not be considered as an element in the notion of aggression and that it would be dangerous to introduce it into a definition. Although under the terms of Article 39 of the Charter, there might be a difference between the threat of force and a threat to the peace, the threat of force in most cases constituted a threat to the peace and could therefore lead to action by the Security Council. Also, while Article 2 (4) of the Charter prohibited the threat of force, there was not in law sufficient reason to include the threat of force on an equal footing with the use of force in a definition of aggression. Furthermore, there was nothing that made it permissible to interpret Article 51 of the Charter in such a way as to conclude that the concept of armed attack set forth in that Article included the threat of force. The right of self-defence could not be exercised until an armed attack had occurred. Thus, threats of force should be excluded from the definition, so that they could not serve as a pretext for preventive war, which was not authorized under Article 51 of the Charter.

26. Some representatives held the view that the definition of aggression should take into account the aggressive intention that would be a characteristic of aggression. Others held the contrary view. They pointed out that no subjective elements could be taken into account in determining whether or not any given act could be considered as an act of aggression. Any provision that might give the impression that the absence of aggressive intention would abolish guilt would constitute an invitation to the use of subjective argument by possible aggressors.

27. In the opinion of some delegations, the chronological order of events would be an important criterion and might even be decisive in determining who was responsible for aggression. It was maintained that it would be necessary, when preparing a definition of aggression, to explain that the aggressor State would be that which first committed any of the acts enumerated in the

definition. A definition which neglected that principle of priority would not only be ambiguous, but might also be used as a justification for preventive war. In the opinion of other delegations, the chronological order of events could not stand because it would lead to dangerous consequences. An aggressor would not necessarily be the first to commit a given act considered as an act of aggression. Essentially, everything would depend on the circumstances peculiar to each particular case.

28. It was also proposed to include in the definition a certain number of circumstances which should in no case serve as a justification for aggression. That proposal was criticized by some delegations as likely to give the impression that other circumstances, not included in the definition, might justify aggression. Furthermore, it would be illogical to give various pretexts which could not serve as a justification for aggression when the basic principle was that nothing justified it.

29. At its 419th meeting, held on 10 November 1954, the Committee decided to vote first on two procedural proposals, one, an oral proposal for a working group, submitted by Iran, the other, appearing in a revised draft resolution proposed jointly by Lebanon, Syria and Yemen (A/C.6/L.337/Rev.1), for the establishment of a special committee.

30. When a vote was taken at that meeting, the first proposal was rejected by 22 votes to 17, with 9 abstentions.

31. At the 420th meeting, held on 10 November 1954, the Committee voted on the joint draft resolution proposed by Lebanon, Syria and Yemen (A/C.3/L.337/Rev.1), as amended orally by the sponsors (see paragraph 7 above). The draft resolution was adopted by 33 votes to 3, with 14 abstentions.

32. As that draft resolution had been adopted, the draft resolutions relating to the substance of the question were not put to the vote.

33. At its 424th meeting, held on 17 November 1954, the Committee decided, on the proposal of the Syrian representative, that the special committee whose establishment was proposed in the adopted draft resolution should consist of 19 member States.

34. At the 433rd meeting, held on 1 December 1954, the Chairman announced the membership that he suggested for the Special Committee. The Sixth Committee approved that proposal at its 434th meeting, held on the same day.

Recommendation of the Sixth Committee

35. The Sixth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/243, below.]

DOCUMENT A/RESOLUTION/243

[Resolution 895 (IX)]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

QUESTION OF DEFINING AGGRESSION

The General Assembly,

Recalling its resolutions 599 (VI) of 31 January 1952 and 688 (VII) of 20 December 1952,

Considering that the discussions to which the question of defining aggression gave rise at the ninth session of the General Assembly have revealed the need to coordinate the views expressed by the States Members.

1. *Decides* to establish a Special Committee comprising one representative of each of the following States Members: China, Czechoslovakia, Dominican Republic, France, Iraq, Israel, Mexico, Netherlands, Norway,

Panama, Paraguay, Peru, Philippines, Poland, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia, which will meet at United Nations Headquarters in 1956;

2. *Requests* the Special Committee to submit to the General Assembly at its eleventh session a detailed report followed by a draft definition of aggression, having regard to the ideas expressed at the ninth session of the General Assembly and to the draft resolutions and amendments submitted;

3. *Decides* to place the question on the provisional agenda of the eleventh session of the General Assembly.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by the Sixth Committee. For the final text, see document A/RESOLUTION/243, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/1316	Report of the International Law Commission covering its second session (5 June–29 July 1950)		<i>Official Records of the General Assembly, fifth session, Supplement No. 12.</i>
A/1858	Report of the International Law Commission covering the work of its third session (16 May–27 July 1951)		<i>Ibid., sixth session, Supplement No. 9.</i>
A/2162 and Add.1	Comments received from Governments regarding the draft code of offences against the peace and security of mankind and the question of defining aggression		<i>Ibid., seventh session, Annexes, agenda item 54</i>
A/2211	Report by the Secretary-General		<i>Ibid.</i>
A/2638	Report of the Special Committee on the Question of Defining Aggression (24 August–21 September 1953)		<i>Ibid., ninth session, Supplement No. 11</i>
A/2689 and Corr.1 and Add.1	Comments received from Governments regarding the report of the Special Committee on the Question of Defining Aggression (A/2638)	1	
A/2693	Report of the International Law Commission covering the work of its sixth session		<i>Official Records of the General Assembly, ninth session, Supplement No. 9</i>
A/2742 and Corr.1	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid., ninth session, Annexes, agenda items 20 and 68</i>
A/2744	Czechoslovakia: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid., agenda item 69</i>
A/2806	Report of the Sixth Committee	9	
A/C.1/608	Union of Soviet Socialist Republics: draft resolution on the definition of aggression		<i>Official Records of the General Assembly, fifth session, Annexes, agenda item 72</i>
A/C.1/752/Rev.2	Canada, France, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and the United States of America: draft resolution		<i>Ibid., ninth session, Annexes, agenda item 72</i>
A/C.6/L.208	Union of Soviet Socialist Republics: draft resolution		<i>Ibid., sixth session, Annexes, agenda item 49</i>
A/C.6/L.264	Union of Soviet Socialist Republics: draft resolution		<i>Ibid., seventh session, Annexes, agenda item 54</i>
A/C.6/L.332	Union of Soviet Socialist Republics: draft resolution		Mimeographed document only. See A/C.6/L.332/Rev.1
A/C.6/L.332/Rev.1	Union of Soviet Socialist Republics: draft resolution	6	
A/C.6/L.334	Paraguay: draft resolution		Mimeographed document only. See A/C.6/L.334/Rev.1
A/C.6/L.334/Rev.1	Paraguay: draft resolution	7	
A/C.6/L.335 and A/C.6/L.335/Rev.1	Iran and Panama: revised draft resolution	7	
A/C.6/L.336/Rev.1 and A/C.6/L.336/Rev.2	China: revised draft resolution	8	
A/C.6/L.337 and A/C.6/L.337/Rev.1	Lebanon, Syria and Yemen: revised draft resolution	8	
A/C.6/L.337/Add.1	Financial implications of draft resolution submitted by Lebanon, Syria and Yemen (A/C.6/L.337/Rev.1): estimate submitted by the Secretary-General	9	
A/AC.66/SR.15	Summary record of the 15th meeting of the Special Committee on the Question of Defining Aggression		Mimeographed document only
A/CN.4/44	Second report on a draft code of offences against the peace and security of mankind (International Law Commission, third session)		<i>Idem</i>
A/RESOLUTION/243	Resolution adopted by the General Assembly at its 504th plenary meeting, on 4 December 1954	12	See also <i>Official Records of the General Assembly, ninth session, Supplement No. 21, resolution 895 (IX)</i>
DC/53	Report of the Sub-Committee of the Disarmament Commission		<i>Official Records of the Disarmament Commission, Supplement for April, May and June 1954</i>

account of the observations and suggestions of the Advisory Committee and of the views expressed in the Fifth Committee at its 427th and 428th meetings (resolution 784 (VIII) of 9 December 1953).

2. To assist me in the further elaboration of reorganization plans, I appointed, early in 1954, a small Survey Group of six senior members of the Secretariat to undertake a thorough review of the Headquarters establishment. This review was directed to three main fields of inquiry :

(i) The character and volume of the substantive and administrative responsibilities of the Secretariat staff required to service the General Assembly, the Councils and other subsidiary organs and to implement the work programmes of those bodies ;

(ii) The main structure of the Secretariat and an appropriate organization for the units comprising the separate departments or offices ;

(iii) The number and the levels of staff required to enable the Secretariat to fulfil its essential responsibilities.

The Survey Group proceeded not only on the basis of documentary evidence submitted by various departments and offices, but additionally by means of direct discussion and consultation with a large number of departmental officials at all levels of responsibility.

3. The practical conclusions reached point towards significant results in terms of greater organizational efficiency, improved staffing arrangements, and budgetary savings. Budgetary savings however will emerge as a by-product of the reorganization process rather than as ends in themselves. The review had as its primary aim a reassessment, in consultation with the other organs concerned, of the role which the Secretariat can most constructively play in furthering the objectives of the Charter, and, in this context, the nature and scope of the activities it can most usefully undertake where re-appraised.

4. While each department at Headquarters was subject to a detailed scrutiny, the closest attention was paid to the work of the Secretariat in the economic and social fields. It was in a position to provide the Economic and Social Council at its eighteenth session with a special report, developed as an outcome of the work of the Survey Group, on the work of the Secretariat in those particular fields of immediate concern to the Council (E/2598). The Council, on 5 August 1954, adopted resolution 557 (XVIII) in which it endorsed the approach I had taken in my report and laid open the way for appropriate action to be taken to put those proposals into effect.

5. The review so far has been limited to departments at Headquarters only. It is my intention early in 1955 to bring under similar detailed review the Technical Assistance Administration, the United Nations Children's Fund, and those United Nations offices and activities external to Headquarters, including in particular the European Office at Geneva, the regional economic commissions, the information centres, the field missions and field service staff. As part of that review, the system of co-ordination among those offices and between them and Headquarters departments will be closely examined.

II. REPORT OF THE SECRETARY-GENERAL'S SURVEY GROUP ON REORGANIZATION

6. The report of the Survey Group has been made available to the delegations of Member States and to the members of the Advisory Committee on Administrative and Budgetary Questions. I regard its conclusions as representing a constructive achievement, which in

my opinion would lead directly towards the improvement in the organization and structure of the Secretariat at Headquarters which many Members have long felt should be brought about.

7. Annexed to the present report is a plan outlining the structure and organization for the various departments and offices at Headquarters. The plan is based on the recommendations of the Survey Group and indicates target manning tables for each main unit. I believe this plan to be the most appropriate at the present stage for the accomplishment of the tasks properly belonging to the Secretariat on the basis of recognized criteria, a rational co-ordination of activities and a reasonable flexibility among personnel and functions.

8. The decision of the General Assembly at its eighth session enabled me to go ahead with certain of the organizational changes contemplated in my earlier report and which fall within my administrative jurisdiction. Thus, during the course of 1954, the functions of the former Department of Conference and General Services have been reallocated between a Department of Conference Services and an Office of General Services. The Library, which heretofore was under the general direction of the Executive Office of the Secretary-General, has been transferred to the Department of Conference Services, while the Field Service has been transferred to the Office of General Services.

9. In order to bring more closely under my personal direction certain central control functions, arrangements have been made for an Office of Legal Affairs, to replace the former Legal Department ; an Office of Personnel to replace the former Bureau of Personnel ; and an Office of the Controller to replace the former Bureau of Finance. With regard to the two last-named offices, I have not overlooked the important reservations expressed by some Members, and particularly by the Advisory Committee, on their constitution as Offices of the Secretary-General ; I am prepared to let the experience to be derived during the course of the next two years or so be a deciding factor as to whether the present arrangements should continue.

10. The discussions in previous sessions of the General Assembly which looked towards a reorganization of the Secretariat were centred principally upon the best arrangement for dealing with economic and social activities within the Secretariat ; the special attention of Members is consequently directed to the proposed merger in a single unified department of the former Departments of Economic Affairs and Social Affairs. Although it was clearly the wish of Members that such a merger should take place, it was not my intention to anticipate during the course of 1954 a serious change of this type without the benefit of the General Assembly's further understanding of my intentions. The organizational changes in this particular area are designed to ensure closer integration of economic and social activities, stronger policy direction, greater coherence in internal programming, the more logical grouping of functions and responsibilities, the simplification of lines of authority, and staff economy. In the new single Department, which also would provide for co-ordination with the specialized agencies, there would be, at Headquarters, (1) a Bureau of Economic Affairs which in general would embrace the current responsibilities of the Division of Economic Stability and Development and the Fiscal Division ; (2) a Bureau of Social Affairs which would embrace the current responsibilities of the Social Welfare Division and the Population Division ; (3) a Statistical Office ; and (4) a Division of Human Rights.

11. I consider that the normal arrangement should be an amalgamation of the Departments of Economic and

Social Affairs with the Technical Assistance Administration (TAA). The question how and when this should be brought about must, I think, be influenced by the stage of maturity reached in the development of the particular responsibilities with which TAA is charged, not only as far as its internal organization and procedures are concerned, but also from the standpoint of its relations and co-operation with Governments. After careful consideration of these questions I believe there is on balance still an advantage in maintaining TAA for the time being as a separate entity. However, the plan of organization provides that the unified Department of Economic and Social Affairs should undertake full responsibility for such substantive and advisory functions as TAA may require in support of particular economic and social projects. With this development the essential backstopping for technical assistance operations would be provided without risk of duplicating functions.

12. I propose a transfer of the substantive work on narcotic drugs to Geneva, where the Division of Narcotic Drugs would work in close collaboration with the secretariat of the Permanent Central Opium Board and the Drug Supervisory Body, as well as with the World Health Organization. The Division of Narcotic Drugs would continue to report to Headquarters.

I have come to the conclusion that the major responsibilities of the Secretariat in the field of transport and communications should likewise be transferred to Geneva. The work of the Transport and Communications Division in Geneva would retain its worldwide character, and the Division would continue to report to Headquarters.

The transfer of the work on narcotic drugs should take place in the course of 1955; for administrative reasons it will probably be preferable not to effect the transfer of the work on communications and transport until after the end of that year.

13. Among the principal changes proposed, Members will wish to note that concerning the central organization of the Secretariat at its top level. Provision is made for a single supervisory level having the status of Under-Secretaries. It will comprise Under-Secretaries, with or without departments, Heads of Offices and Deputy Under-Secretaries. These officials will form the top echelon; they will have the same status and far-reaching responsibilities, the only difference between them being in the type of work which they will perform. While the departments will deal with matters involving a specific field, the Offices will deal with co-ordination of matters mainly of legal or administrative significance affecting all units of the United Nations. The Under-Secretaries without department will have assignments predominantly of a political character which also cut across the competence of several departments.

This will naturally imply, in the case of Under-Secretaries, with or without departments, a certain delegation from the Secretary-General of political responsibility within specific fields. All officials of the top echelon, however, will have the responsibility for the performance of activities within their respective fields, and, in principle, the delegation from the Secretary-General of administrative responsibility will be complete. For example, in questions of personnel and financial administration, the Director of Personnel and the Controller will act, in relation to other departments, with the authority of the Secretary-General.

14. I consider it necessary that there should be Deputy Under-Secretaries in the Departments of Economic and Social Affairs, Public Information and Conference Services, as well as an officer with equivalent responsibilities in the Technical Assistance Administration, because of the scope and complexity of the responsibilities

involved in those major areas of the Secretariat's work. Between Under-Secretary and Deputy, a suitable division of administrative responsibilities would be arranged in each case so that the Deputy would be not subordinate to, but co-ordinate with, the Under-Secretary in his department.

15. As noted in paragraph 4 above, I proposed to the Economic and Social Council, during the course of 1954, certain programme modifications with a view to increasing the effectiveness of the Secretariat's work. Should the General Assembly approve the recommendations contained in the report of the Economic and Social Council and which are reflected in Council resolution 557 (XVIII), I will, pursuant to the invitation of the Council, take such action as is appropriate, taking into account the discussions in the Council, to put into effect the suggestions set forth in sections II to V inclusive of my report to the Council (E/2598).

In accordance with the Council resolution referred to above, the Council's Commissions will have an opportunity of considering my plans regarding publications and studies and of commenting upon them to the Council should they wish to do so. I intend, moreover, to consult with the Commissions, as the opportunity arises, in the continuing review of the substantive work-programme of the Secretariat in the economic and social fields.

III. PARTICULAR ASPECTS OF THE REORGANIZATION

16. The results of the review undertaken of departments at Headquarters have a direct bearing on the level of the budget estimates submitted for 1955, which I believe reflects a reasonable indication of the progress which might be achieved during the course of 1955. The budget estimates show, in respect of departments at Headquarters, a not insignificant decrease, thus indicating a reversal of the previous upward trend. When the conclusions of the survey are followed up in detail, further economy may result beyond that to be achieved during the financial year 1955. But the 1955 budget estimates at their present level would seem to me to have eliminated, in the main, any margin between organization and work; that is to say, the appropriations requested are, to the best of my understanding and within my present possibilities, adjusted to the reassessed workload. As regards questions of basic budget policy for an organization such as the United Nations, I would venture to say that there are two conflicting trends. In the first place, there is the obvious necessity to secure the maximum economy possible on the basis of rationalization, that is to say, the accomplishing of a given volume of work with the minimum of manpower. This approach demands a continuing assessment of the manner in which individual units should be administered so that they can perform their duties with the maximum of efficiency and effectiveness. There is, on the other hand, an equal necessity, having regard to the dynamic nature of United Nations operations, to afford scope for development to meet the needs of a changing situation so that new initiatives on the part of the Secretariat should not be hampered by the lack of a reasonable financial margin which would tie the hands of the Secretary-General and impede the desirable development of the work.

17. The conclusions reached have also been used as a basis for the estimates of financial implications set out below in part IV of the present report. It would be prudent not to regard these conclusions in too rigid a manner both as regards detailed organization and possible target strength in view of the following considerations:

(a) The adjustments in departments at Headquarters which might follow from the review of the activities in offices away from Headquarters and of the relationship between those offices and Headquarters;

(b) Further adjustments in programmes that may be worked out on the basis of such recommendations as the Secretary-General may wish to make ;

(c) Actual experience in working the new scheme which is necessary before there can be a final determination of the best possible arrangements that can be made.

18. The basic structure of the new plan, however, need not be affected by those considerations. Bearing in mind General Assembly resolution 13 (I) of 13 February 1946, which laid down the initial structure of the Secretariat, and particularly paragraph 4 of that resolution, which requested the Secretary-General to "make such changes in the initial structure as may be required to the end that the most effective distribution of responsibilities and functions among the units of the Secretariat may be achieved", I have included in a final section of the present report certain conclusions which I believe should be the subject of formal consideration by the General Assembly, in addition to its appreciation and discussion of the reorganization plan as a whole.

19. The budget estimates for 1955 have been based upon the continuing location at Headquarters of the Division of Narcotic Drugs. I would suggest that the budget be approved as presented in part III, entitled "Headquarters, New York", but that the General Assembly should authorize me to act in the matter of actual transfer at the time I judge to be most appropriate. Any necessary transfers within the budget would, under the terms of the appropriation resolution, receive the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions before arrangements were concluded.

20. One important question—given the reduction of posts envisaged in the target manning tables—relates to the personnel policy which should govern the situation as far as the present staff members are concerned. I feel strongly that in the case of the overwhelming majority, the necessary adjustments should be attainable through the normal turnover of staff ; that is to say, reorganization should normally not lead to any separations which would not result from other reasons such as age, unsatisfactory service, etc. The policies pursued over the last year or so have already resulted in a net reduction of about half the total anticipated. The further reduction foreseen would be approximately the same, that is to say, some 140 posts, fairly equally divided between the professional category and the general service category. It would be achieved in the main by the blocking of posts as they become unencumbered, combined with a more consistent and closely controlled policy of interdepartmental staff transfers to promote versatility and to augment the broad experience of staff members both in the Secretariat at Headquarters and in the field. This policy would be supported by carefully planned policies for recruitment and promotion which, while moving in the direction of geographical equilibrium, would recognize the need to protect as fully as possible the career service of the staff as a whole.

IV. FINANCIAL IMPLICATIONS

21. The following summary provides an indication, in approximate terms, of the effect of the reorganization proposals upon the budget. Final assessment must await the fuller review contemplated for offices overseas, but it is reasonable to assume that the greater portion of budget savings will be related to the streamlining of departments at Headquarters.

22. As compared with the establishment authorized for 1954, the target establishments in the report of the Survey

Group envisage a contraction of some 284 posts, of which 136 posts would fall in the professional category or above, and 148 in the general service category.

23. No attempt has been made to take into account the effects on the workload of the Department of Conference Services of adjustments which it is hoped will ultimately be made in the work programmes of substantive departments. Such effects cannot be isolated for purposes of workload assessment and can only be judged in the light of actual experience. Meanwhile, attention has been directed for the most part towards a concentration rather than a contraction of total effort in this area. In consequence, the proportionate contraction in substantive departments appears by comparison relatively heavy, but the review was mainly centred on the particular activities with which those departments are concerned.

24. Excluding the professional posts in the Department of Conference Services where specific language requirements are a conditioning factor in recruitment, the reorganization contemplates a contraction in the total professional staff of all other departments or offices of approximately 15 per cent when compared with the basis upon which the estimates for 1954 were approved by the General Assembly.

25. Implementation of the reorganization plan for Headquarters would enable a reduction, as compared with the budget level for 1954, of an amount estimated at \$2 million gross. The direct salaries for professional and general service posts would account for \$1,158,000 and \$492,000 respectively. The balance of \$350,000 would relate to common staff costs.

26. As will be seen from the summary table in paragraph 19 of my budget foreword,² staff costs during 1955 have been reduced as compared with the 1954 approved level by some \$900,000. I am confident that this saving will be achieved, even though it calls for a reduction for turnover of 6 per cent rather than 4 per cent as applied in previous budgets. It would be reasonable to assume that the estimates for 1956 would, in the absence of any new requirements, provide for a further reduction of some \$750,000. The balance in the total savings anticipated would thus be reflected in the estimates for 1957, since I would consider that the reorganization proposals with which the present report deals will have been effectively implemented towards the end of 1956.

27. To achieve budget savings which would be greater than those indicated, or which would be realized earlier, would require a more drastic approach by the General Assembly than I envisage. A change in the current level of substantive programmes beyond the one proposed would then be called for, and a more severe approach in resolving the matter of personnel policy would have to be followed. I would not recommend that the General Assembly adopt either of these courses. The way in which I have indicated how modifications in substantive programmes might be progressively achieved is, in my view, the one most likely to lead to effective results *vis-à-vis* the organs concerned, provided that the General Assembly approves the conclusions of the Economic and Social Council and its resolution 557 (XVIII). Any speeding up of the reorganization programme to reach the target establishments for departments with the minimum possible delay would inevitably occasion an approach to the personnel policy issue different from that which I recommend, that is, that the adjustments in vacancies should be attainable in the main through the normal turnover of staff. Of course a budget saving could be

² See *Official Records of the General Assembly, Ninth Session, Supplement No. 5, A/2647..*

realized earlier through specific termination action. It would be a non-recurring saving, however, and would be offset to the extent that the action taken would necessitate the payment of sizable indemnities under the staff regulations. On balance, the relatively small financial advantage achieved over a shorter period would not appear to counterbalance the ensuing disadvantages, since in any event the proposals as they stand will realize in due course substantial savings in the budget compared with earlier years.

V. CONCLUSIONS REGARDING THE PRINCIPAL UNITS OF THE SECRETARIAT AT HEADQUARTERS AND THE TOP LEVEL OF OFFICIALS

28. General Assembly resolution 13 (I) provided for the principal units of the Secretariat and authorized the appointment of certain top-level officials. The following proposals constitute departures from the provisions of that resolution. Should the General Assembly approve the reorganization plan as incorporated in the budget estimates for the year 1955, it would thereby be modifying those parts of resolution 13 (I) which are inconsistent with these proposals.

29. The top-level officials of the Organization—comprising those who will have responsibility for, or supervision of, the principal units, together with the two Under-Secretaries who will have responsibility for special problems but who will not be in charge of any of the principal units and the Deputy Under-Secretaries to be appointed in certain departments—will have the *status*

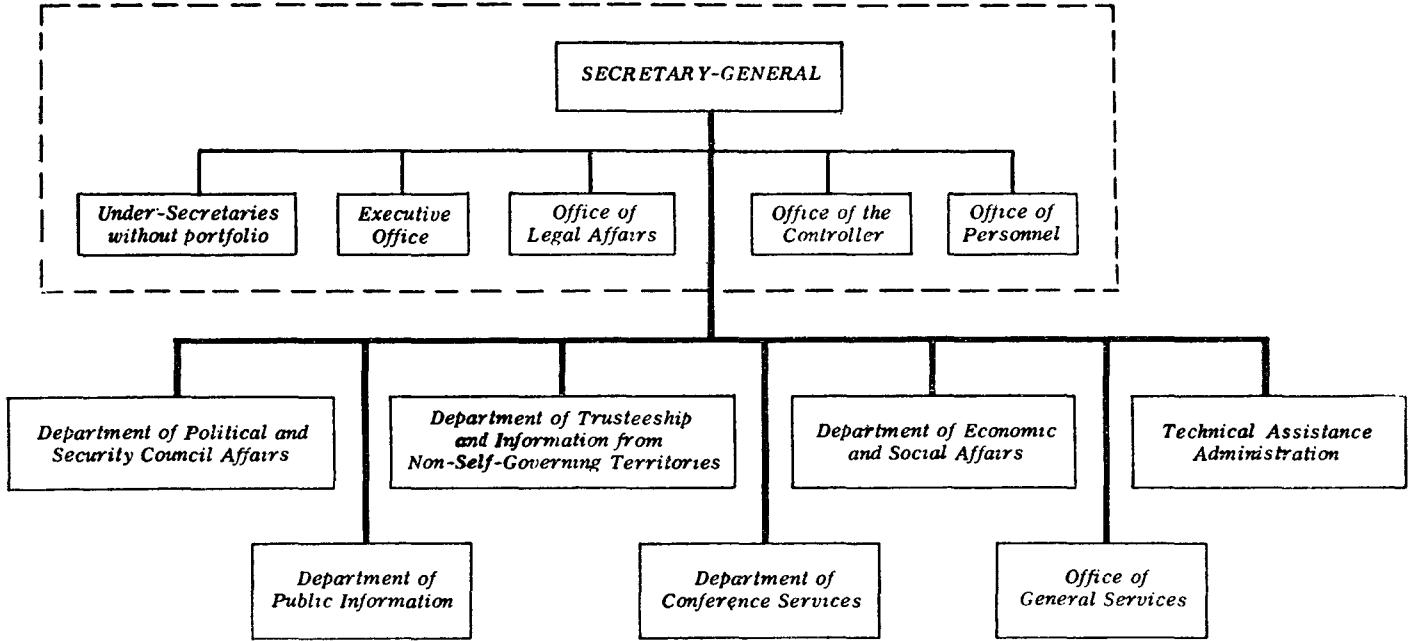
of Under-Secretaries. As a rule, the Secretary-General shall designate a top-level official to deputize for him when he is absent or unable to perform his functions.

30. Resulting from these arrangements, the word "Under-Secretaries" would be substituted for the words "Assistant Secretaries-General" in staff regulation 1.10 and for the words "Assistant Secretaries-General, Principal Directors" in staff regulation 4.5 (a).

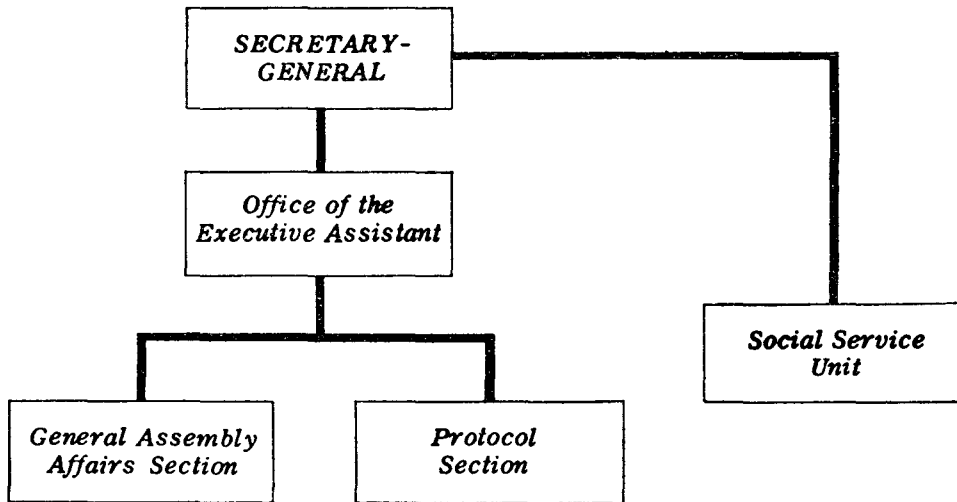
31. In presenting these new organizational arrangements, I have anticipated that the officials having the status of Under-Secretaries will be accorded the privileges specified in section 19 of the Convention on the Privileges and Immunities of the United Nations. That section, in providing that the Secretary-General and all Assistant Secretaries-General would be granted the privileges and immunities of diplomatic envoys, clearly contemplated that the highest level of officials immediately under the Secretary-General should be accorded the privileges appropriate to their functions. I trust that it will be found consistent with the intentions of that section that those who would now be the highest level of officials immediately under the Secretary-General should enjoy the privileges recognized as appropriate to that status and to the responsibility it carries.

32. The creation of a single supervisory level entails a revision by the General Assembly of annex I of the staff regulations of the United Nations dealing with salaries and related allowances. My recommendations in this connexion will be submitted in another report, since I believe the General Assembly will wish to consider this question separately.

PROPOSED ORGANIZATION OF THE SECRETARIAT AT HEADQUARTERS



PROPOSED ORGANIZATION OF THE EXECUTIVE OFFICE OF THE SECRETARY-GENERAL

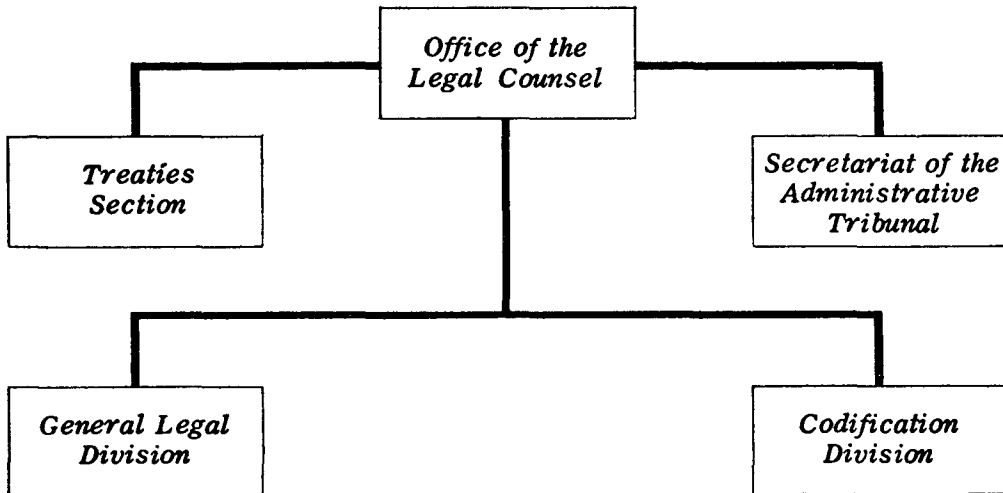


TARGET MANNING TABLE

Professional Posts.....	14
General Service Posts.....	16
Total.....	30

The Internal Audit Service (with target establishment of 10 Professional and 6 General Service posts) and the Health Service (3 Professional and 9 General Service posts) report to the Secretary-General through this office.

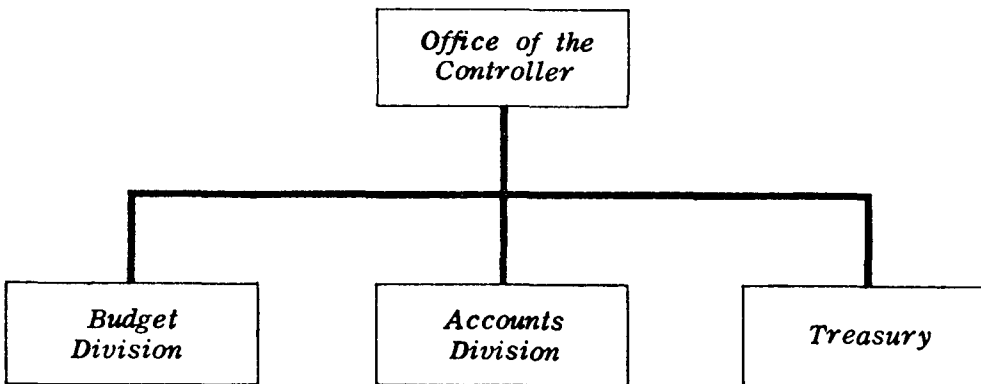
**PROPOSED ORGANIZATION OF THE
OFFICE OF LEGAL AFFAIRS**



TARGET MANNING TABLE

Professional Posts.....	27
General Service Posts.....	22
Total.....	49

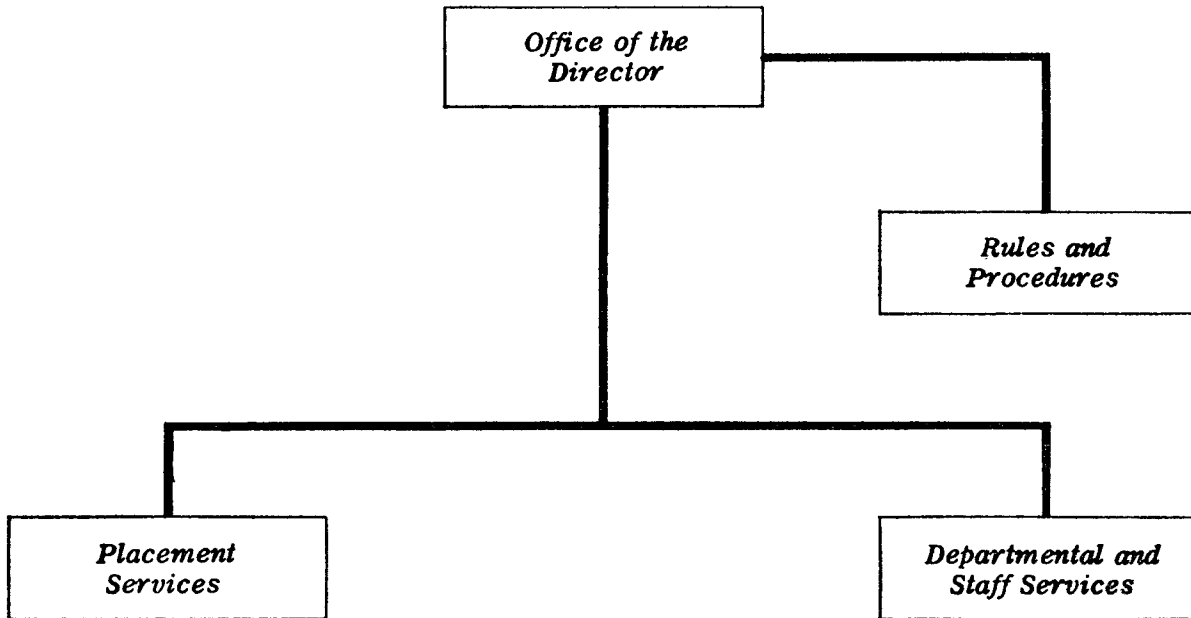
**PROPOSED ORGANIZATION OF THE
OFFICE OF THE CONTROLLER**



TARGET MANNING TABLE

Professional Posts.....	44
General Service Posts.....	42
Total.....	86

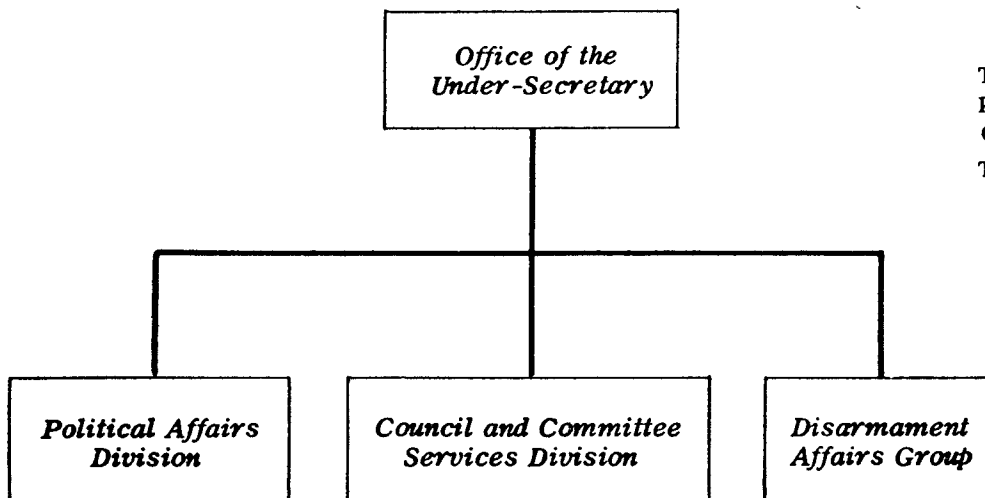
**PROPOSED ORGANIZATION OF THE
OFFICE OF PERSONNEL**



TARGET MANNING TABLE

Professional Posts.....	27
General Service Posts	33
Total.....	60

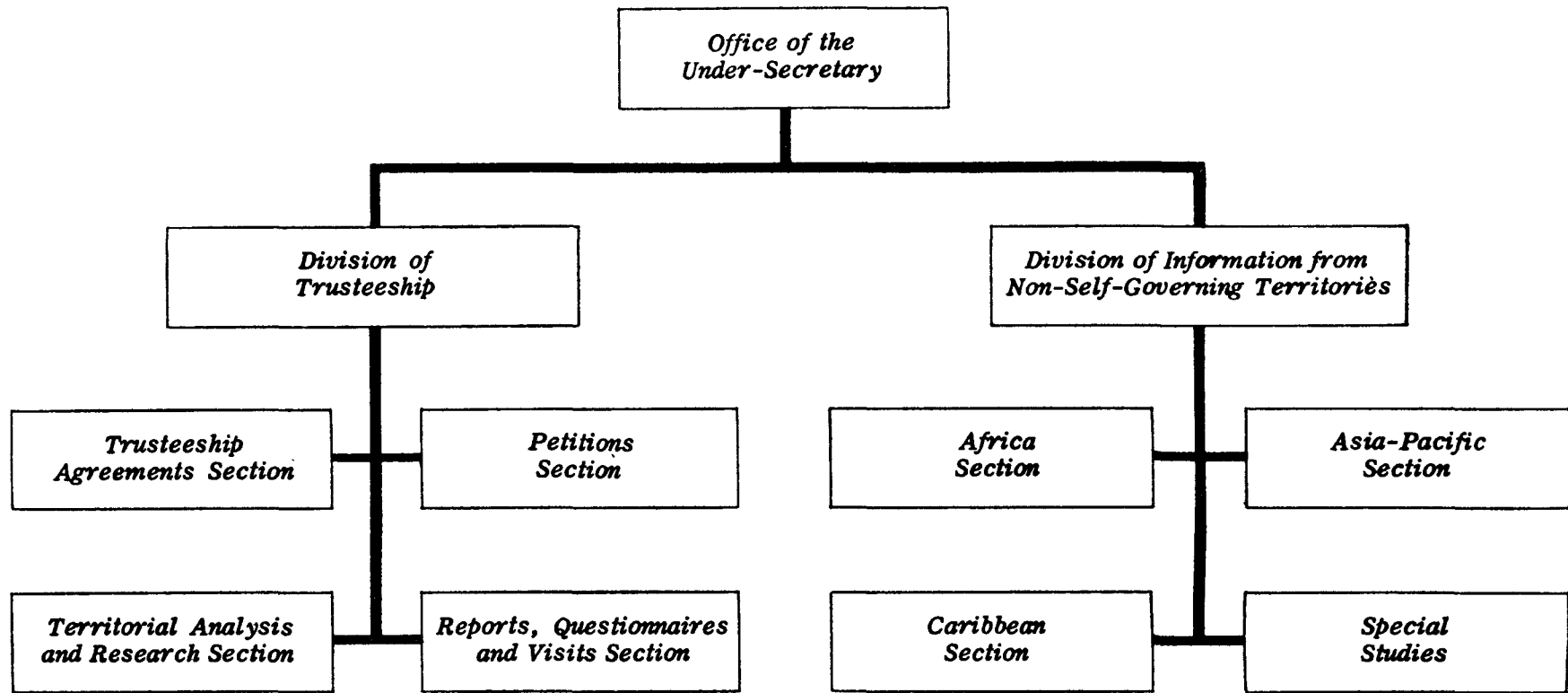
**PROPOSED ORGANIZATION OF THE
DEPARTMENT OF POLITICAL AND
SECURITY COUNCIL AFFAIRS**



TARGET MANNING TABLE

Professional Posts.....	41
General Service Posts... ..	21
Total.....	62

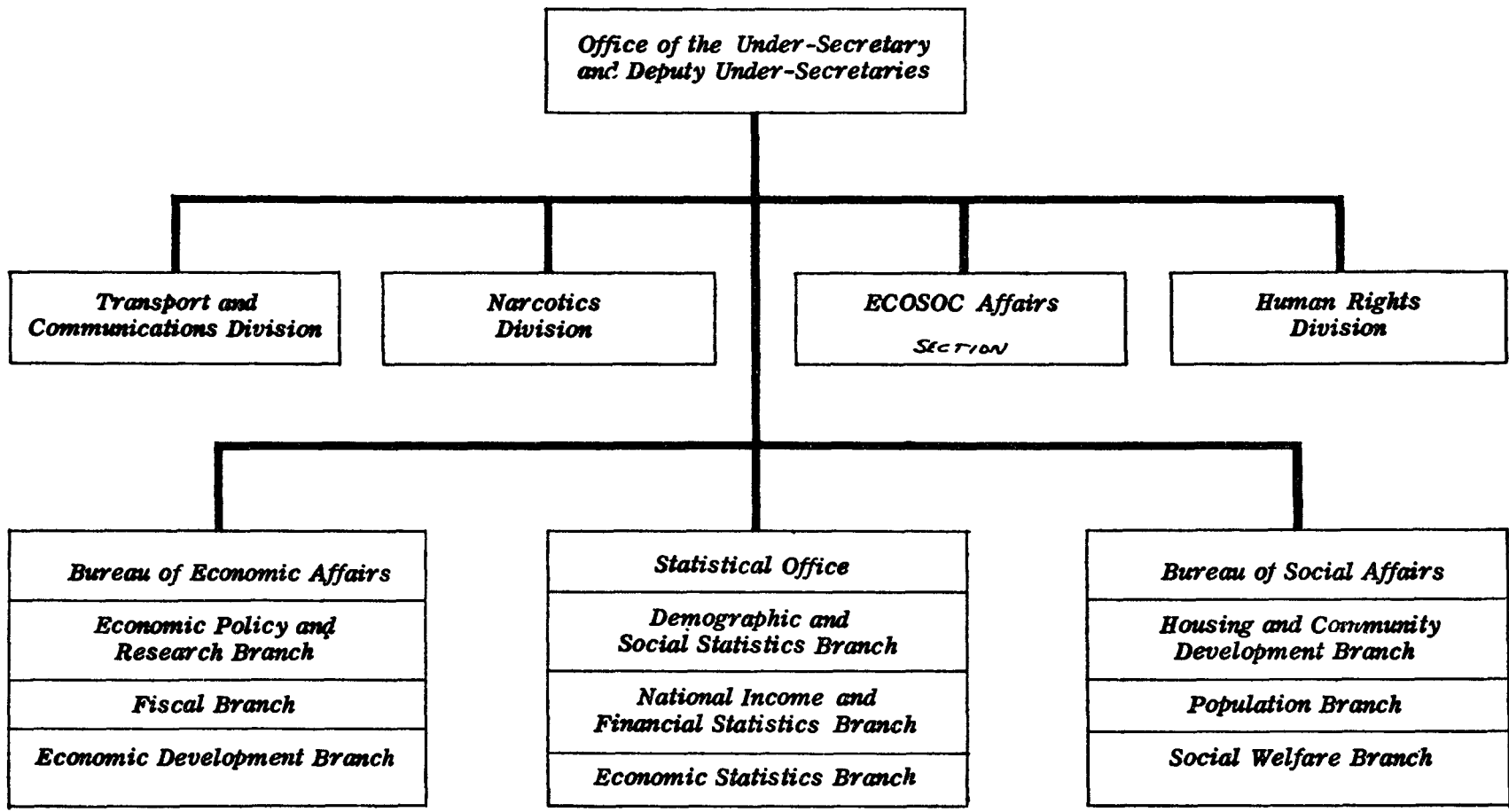
**PROPOSED ORGANIZATION OF THE
DEPARTMENT OF TRUSTEESHIP AND
INFORMATION FROM NON-SELF-GOVERNING TERRITORIES**



TARGET MANNING TABLE

Professional Posts.....	59
General Service Posts.....	31
Total	90

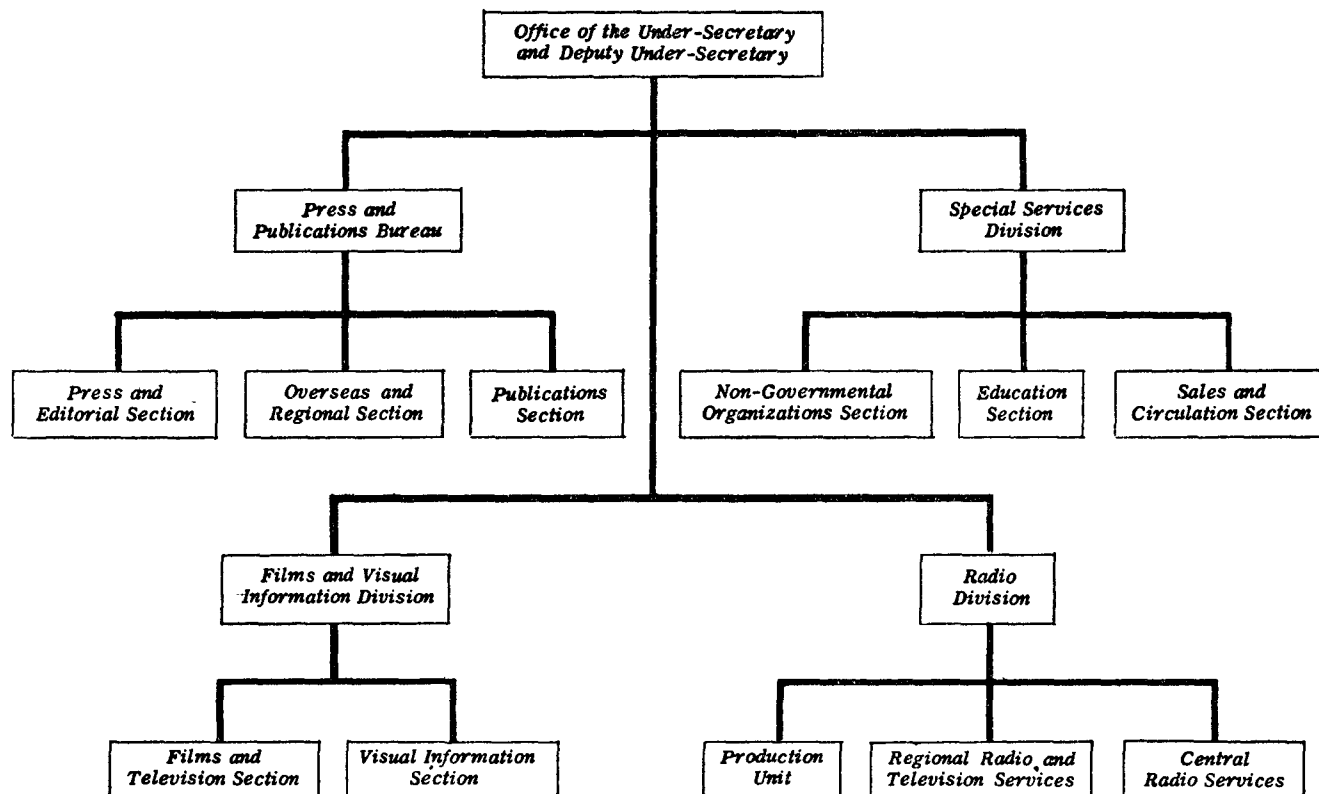
PROPOSED ORGANIZATION OF THE
DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS



TARGET MANNING TABLE

Professional Posts.....	270
General Service Posts.....	169
Total.....	439

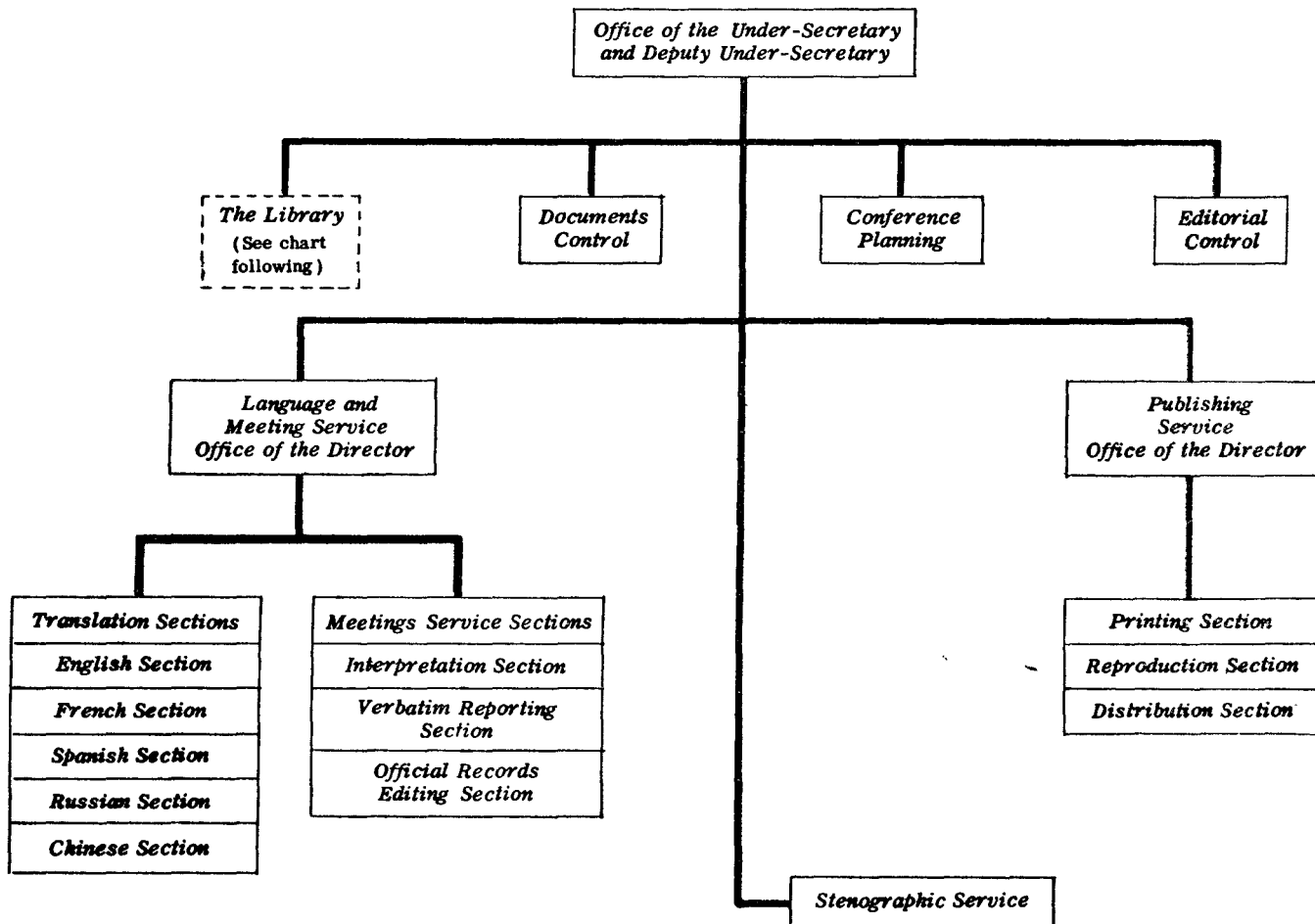
PROPOSED ORGANIZATION OF THE
DEPARTMENT OF PUBLIC INFORMATION



TARGET MANNING TABLE

Professional Posts.....	129
General Service Posts	119
Total	248

PROPOSED ORGANIZATION OF THE
DEPARTMENT OF CONFERENCE SERVICES

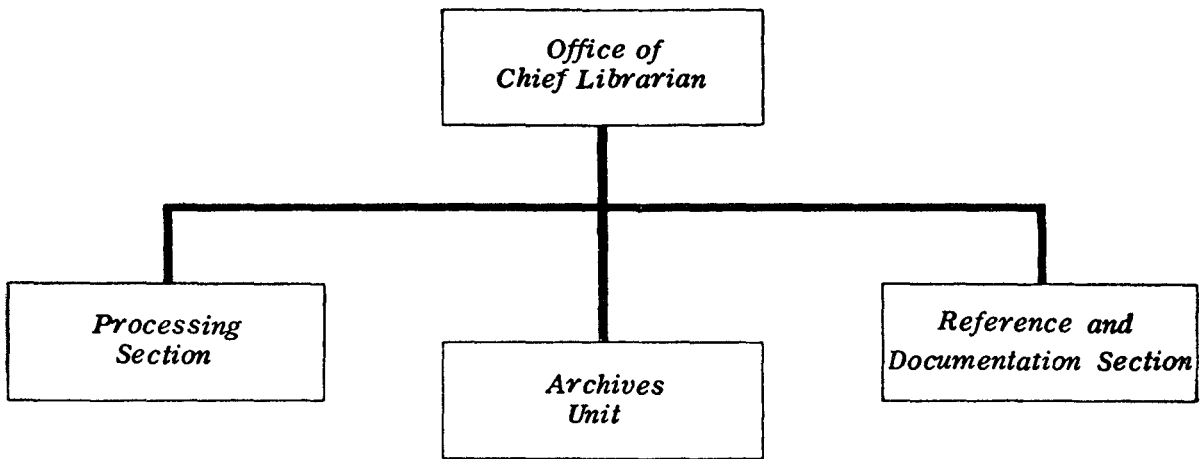


TARGET MANNING TABLE

Professional Posts	447
General Service Posts	462
Total	909
Plus 11 manual workers.	

The Military Staff Committee secretariat (with target establishment of 6 Professional and 6 General Service posts) will work in collaboration with this department.

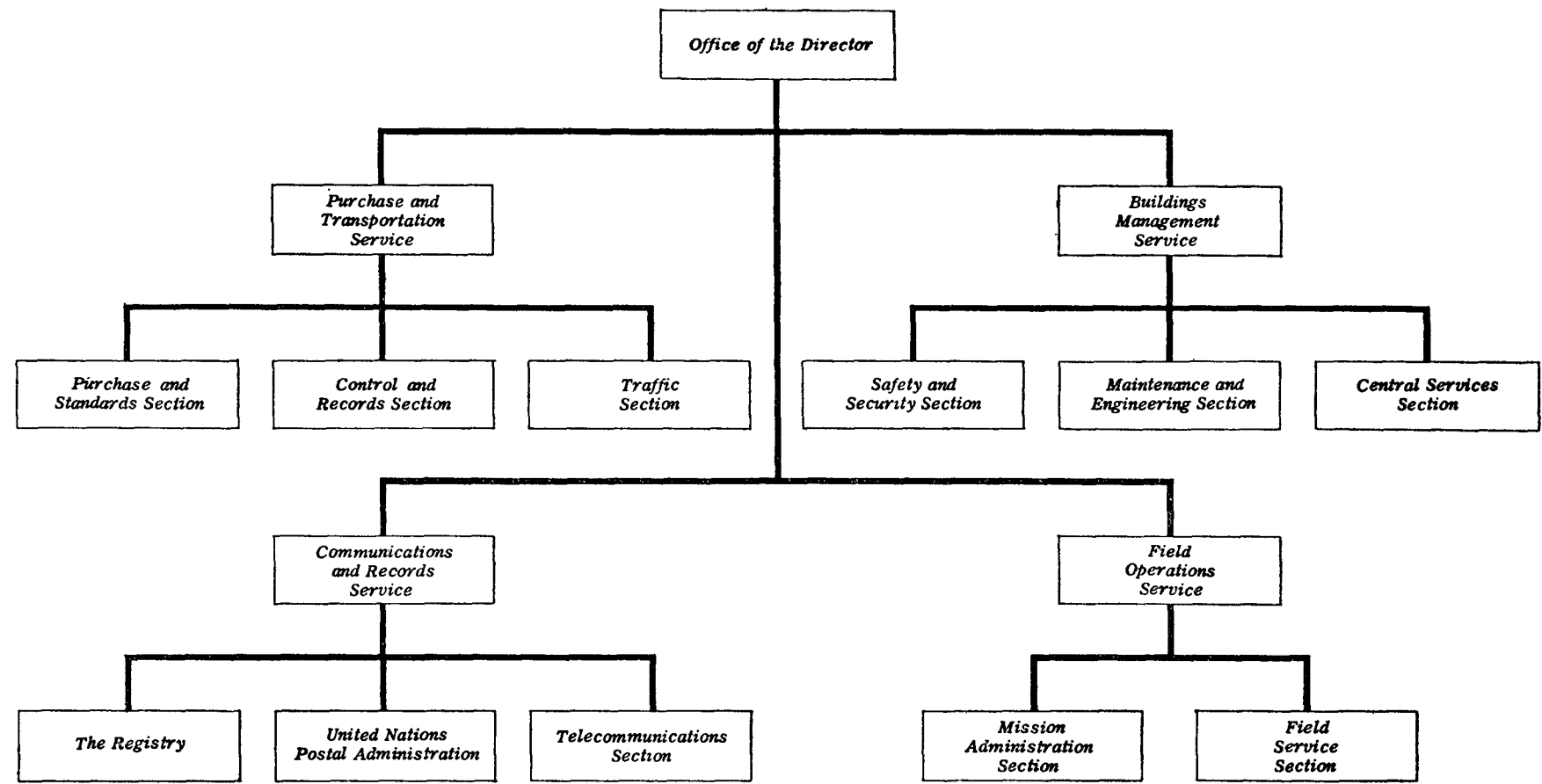
PROPOSED ORGANIZATION
OF THE LIBRARY



TARGET MANNING TABLE

Professional Posts.....	34
General Service Posts	50
Total.....	84

PROPOSED ORGANIZATION OF THE
OFFICE OF GENERAL SERVICES



TARGET MANNING TABLE

Professional Posts.....	52
General Service Posts.....	425
Total	477
Plus 163 manual workers.	

DOCUMENT A/2745

Sixth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[7 October 1954]

1. The Advisory Committee on Administrative and Budgetary Questions indicated in its report³ on the 1955 budget estimates the basis on which it had undertaken a preliminary review of the organization of the Secretariat. Apart from the Secretary-General's budget document, there was available to the Committee during June and July 1954 a note by the Secretary-General concerning the work of the Secretariat in the economic and social fields (E/2598). At that time the Economic and Social Council had not yet considered the note. The Advisory Committee had therefore received from the Secretary-General only such proposals for a revised plan of organization as are reflected in the 1955 budget estimates; and even as regards that part of the Secretariat which had already been reviewed by the Survey Group appointed by the Secretary-General early in 1954, the Secretary-General's proposals could not be definitive. The Committee accordingly decided: (a) to attempt no more than tentative recommendations in its budget report to the General Assembly (A/2688); and (b) to consider at a further session in mid-September the additional material which the Secretary-General would then be in a position to submit.

2. At this latter session the Advisory Committee had before it the report of the Secretary-General on the organization of the Secretariat (A/2731), as well as the recommendations of the Survey Group,⁴ which made during 1954 a thorough review of the Headquarters establishment excluding the Technical Assistance Administration (TAA) and the United Nations Children's Fund (UNICEF). Consideration was also given to the pertinent discussion at the eighteenth session (July-August 1954) of the Economic and Social Council, as reflected in Council resolution 557 (XVIII) of 5 August 1954 and in the records of the Council.

3. The Advisory Committee has not attempted, in the limited time at its disposal, an exhaustive study of the Survey Group's conclusions; such a study would require detailed testimony on many of the intricate and technical matters which the Group examined. Furthermore, under the division of responsibilities between the General Assembly and the Secretary-General, matters of detailed organization which do not involve programme and budgetary issues or issues of administrative policy or public opinion should be left to the discretion of the Secretary-General.

4. In consequence, the present report deals mainly with the proposals or observations submitted by the Secretary-General in his report to the General Assembly (A/2731); it excludes the structural charts attached thereto, which, for the reason stated in the previous paragraph, the Advisory Committee has not been able to consider in detail. The Secretary-General's plan on organization was, however, based on the recommendations of the Survey Group, and those recommendations have had a direct

bearing on the 1955 estimates for Headquarters departments and were also reflected in the estimate of financial implications of the target establishment (A/2731, paras. 7, 16 and 17).

5. Two related points should also be emphasized: first, that the important recommendations made by the Economic and Social Council in resolution 557 (XVIII) on the organization and operation of the Council and its commissions are subject, in the final resort, to approval by the General Assembly and, secondly, that the Secretary-General has not so far reviewed any of the United Nations offices outside Headquarters.

6. In the latter connexion, the Advisory Committee suggests that the Secretary-General may perhaps wish to consider the advisability of including in the Survey Group a few persons outside the Secretariat of the United Nations possessing wide experience in organization and methods of administration.

7. The Advisory Committee notes also with interest that, as part of this second stage of review, the Secretary-General intends to study the system of co-ordination at present in force among the overseas offices (including TAA and UNICEF) and between those offices and Headquarters departments. The Committee assumes that this study will doubtless cover such points, among others, as the extent to which common services can be developed at each centre; procedures for ensuring a clear division of responsibility in joint projects, and for establishing closer contact between technical assistance experts and the secretariats of the regional economic commissions; and the possible consolidation and regrouping of information centres.

8. The Secretary-General indicated (A/2731, paras. 20, 26 and 27) the rate at which his proposals regarding the Headquarters establishment might suitably be carried into effect; the larger part of the anticipated decrease in staff costs would be reflected in the 1955 and 1956 budgets, with a small balance of reduction to be held over until the 1957 estimates. Apart from the regrouping of certain services effected in 1954, the implementation of his plan would thus cover a two-year span from January 1955 to the end of the year 1956.

9. Because of its direct bearing on the personnel policy proposed by the Secretary-General, this latter question of the length of time needed for a complete reorganization has received particular attention from the Advisory Committee. As the Secretary-General observed (A/2731, para. 3), the conclusions of the Survey Group "point towards significant results in terms of greater organizational efficiency, improved staffing arrangements, and budgetary savings"; but such savings "will emerge as a by-product of the reorganization process rather than as ends in themselves". In paragraphs 12 to 14 below the Committee offers comment on the personnel policy proposed by the Secretary-General (A/2731, paras. 20, 27).

10. From a budgetary point of view, the Secretary-General's proposals represent a most welcome "reversal of the previous upward trend" in annual appropriations. At Headquarters the reduction over the target period, by

³ See *Official Records of the General Assembly, Ninth Session, Supplement No. 7, A/2688, para. 17.*

⁴ This Group, in most of whose meetings the Secretary-General personally participated, consisted of six senior members of the Secretariat.

comparison with the 1954 budget, was tentatively estimated by the Secretary-General at \$2 million gross, comprising the following items :

<i>Established posts</i>	<i>Dollars (US)</i>
Professional and higher category ..	1,158,000
General service category	492,000
	1,650,000
<i>Common staff costs</i>	350,000

The total reduction of \$2 million which the Secretary-General expects to achieve on the above Headquarters items would be realized in three stages : (a) 1955 budget : \$900,000 ; (b) 1956 budget : \$750,000 ; (c) 1957 budget : \$350,000.

11. These estimates, and more particularly those covering the years 1956 and 1957, are of a purely tentative character. The Secretary-General suggested that it would be prudent, for the reasons stated in paragraph 17 of his report, not to regard the conclusions on which he based the estimates "in too rigid a manner" either as regards detailed organization or possible target establishment. This point was also brought out in the Survey Group's report, which in numerous passages referred to the possibility of further adjustments beyond those recommended for the target period. Two examples may be cited : in the case of the Department of Public Information the Survey Group, though limiting itself to such recommendations as could be carried out within a relatively short period, referred also (in paragraph 2 of section XII of its report) to broader considerations of policy not wholly within its competence which might lead over a span of years to a more extensive adjustment in information activities. The second example concerns the Department of Conference Services, the volume of whose work as a servicing department will be partly determined by the nature and scope of substantive programmes and by the efficacy of the additional measures contemplated (as in Economic and Social Council resolution 557 A (XVIII)) for the control of documentation. The net effect on the Department's workload cannot at this stage be assessed. Depending, however, on actual experience and on the factors mentioned above, further reductions beyond those already proposed by the Secretary-General may reasonably be expected in the budgets for 1956 and subsequent years.

12. The question of the appropriate personnel policy to be followed in the process of reorganization, to which reference has been made in paragraph 9 above, presents special difficulty. The position taken by the Secretary-General was first stated in a report⁵ considered by the Fifth Committee at its 427th to 429th meetings, held on 8 and 9 December 1953 :

"The abolition of posts involved in the process of reorganization and review need not affect the existing staff to any important extent".

Subsequently, in his Foreword to the 1955 budget estimates⁶ the Secretary-General stated :

"...I have informed the staff at Headquarters that, as far as the overwhelming majority is concerned—and this applies especially to members below the senior level—the necessary adjustments should be attainable through the normal turnover of staff...".

Finally, the Secretary-General reaffirmed this position, in virtually identical terms, in paragraph 20 of his latest report (A/2731), while in paragraph 27 he observed that he would not recommend to the General Assembly "a

more severe approach in resolving the matter of personnel policy... Any speeding up of the reorganization programme to reach the target establishments for departments with the minimum possible delay would inevitably occasion an approach to the personnel policy issue different from that which I recommend, that is, that the adjustments in vacancies should be attainable in the main through the normal turnover of staff. Of course, a budget saving could be realized earlier through specific termination action. It would be a non-recurring saving, however, and would be offset to the extent that the action taken would necessitate the payment of sizable indemnities under the Staff Regulations."

13. There is force in these arguments, to which the Advisory Committee gives due weight, recognizing that responsibility should largely be left to the Secretary-General in a matter so closely related to his function as the chief administrative officer of the United Nations. It is thus with reserve that the Committee suggests that some acceleration in the proposed policy may merit consideration, not on financial grounds alone, but also as a stimulus to increased efficiency, since the Committee feels some concern lest the carrying out of the projected reductions over a prolonged period should have a depressing effect on staff morale and on the efficiency of the Organization as a whole. Should the General Assembly agree with this suggestion, the Advisory Committee would recommend the necessary supplementary provision for the payment of such special indemnities as might be required.

14. In making these suggestions the Advisory Committee takes note of the fact that the number of approximately 284 posts to be eliminated over the target period includes some 160 posts at present vacant or expected to fall vacant by the end of 1954. Therefore, even allowing for a limited staff recruitment during 1955, the number of existing staff members likely to be affected by a policy of accelerated termination would be relatively small. In the Committee's opinion, such a policy, applied with a strict regard to the criterion of personal efficiency, might be followed without detriment to the work of the Organization or hardship to the staff. It appears indeed consistent with the "closely controlled policy of inter-departmental staff transfers" as advocated by the Secretary-General (A/2731, para. 20), and which implies, in the Committee's understanding, that, subject to efficiency and the possession of the necessary qualifications, the holder of a post which is found redundant on a regrouping of services or functions will be given full consideration for alternative employment in other areas of the Secretariat.

15. The Secretary-General referred also to certain recruitment and promotion policies which would move "in the direction of geographical equilibrium". The Advisory Committee interprets the term "equilibrium" in the sense intended in the Charter, which speaks in Article 101, paragraph 3, of "the highest standards of efficiency, competence, and integrity" as constituting the paramount consideration in the employment of staff, and which then goes on to refer to "the importance of recruiting the staff on as wide a geographical basis as possible".

16. Under the Secretary-General's proposals (A/2731), the basic departmental structure as adopted by the General Assembly during the first part of its first session (resolution 13 (I) of 13 February 1946) would be maintained with the following exceptions : the two Departments of Economic Affairs and Social Affairs would be amalgamated in a single department ; the Department of Conference and General Services would be divided into two separate units (Department of Conference Services ; Office of General Services) ; and the Legal Department

⁵ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 48, A/2554, para. 28.

⁶ *Ibid.*, Ninth Session, Supplement No. 5, A/2647.

and the Department of Administrative and Financial Services would be transformed into staff offices of the Secretary-General (Office of Legal Affairs; Office of the Controller; Office of Personnel).

17. The Secretary-General, during November 1953, tentatively proposed (A/2554, paras. 21 and 22) the institution in each department of a single supervisory level of Under-Secretary combining the two highest post levels under the Secretary-General: Assistant Secretary-General and Principal Director. The Secretary-General also suggested that "in the light of experience it may be found necessary, in exceptional cases, for example in the new Department of Economic and Social Affairs, to give Under-Secretaries the assistance of Deputy Under-Secretaries" (A/2554, para. 24).

18. The Secretary-General's definitive proposals (A/2731, paras. 13 and 14) were the following: the single top echelon would comprise (a) Under-Secretaries, with or without departments; (b) Heads of Offices (Controller; Legal Counsel; Director of Personnel; Director of General Services); and (c) Deputy Under-Secretaries, who under "a suitable division of administrative responsibilities" would be "not subordinate to, but co-ordinate with" the Under-Secretaries concerned.

19. To sum up, under the scheme of organization now proposed by the Secretary-General, instead of eight authorized posts of Assistant Secretary-General (of which five are at present filled) and eleven authorized posts of Principal Director (of which ten are at present filled)—or a total of fifteen filled posts as hitherto provided—there would be sixteen posts at the top supervisory level, comprising seven Under-Secretaries, five Heads of Offices and four⁷ Deputy Under-Secretaries, all having the same status. The Secretary-General has stated his intention of filling only fifteen of these posts for the time being. The Advisory Committee was informed that, in putting forward this proposal, the Secretary-General had the object not only of providing for a wider range of direct contact between himself and his senior officers, but also, and more especially, of developing among the senior staff a greater flexibility in dealing with the tasks falling upon the Secretariat.

20. While the Advisory Committee notes the advantages which the Secretary-General believes will be derived from such an arrangement, particularly during the period while the reorganization is being carried out, it feels some concern about the long-term effect of the continuation in the Secretariat of so large a proportion of posts carrying the highest rank. It is true, of course, that in relation to the over-all saving which the Secretary-General has already achieved or proposed, the extra cost involved in these posts is relatively small. But, in the Committee's view, the continuation of so large a number of posts at the top supervisory level may offset some of the benefits already obtained from the reorganization and prejudice the good name of the Organization.

21. In particular, the Advisory Committee finds it difficult to see the justification for assimilating the status of Deputies to the Under-Secretaries to that of the highest level. The Committee considers, on the contrary, that the scope of responsibility exercised by a Deputy Under-Secretary (in the exceptional cases where such a post is authorized) must necessarily be narrower than that assumed by the officer in charge of the department; by the same token, his status should be subordinate.

⁷ This figure is exclusive of the post (with equivalent responsibilities) proposed by the Secretary-General for TAA, which has not yet been reviewed.

22. From the purely administrative standpoint, the Advisory Committee is of the opinion that the special position of Deputy to the Under-Secretary cannot be justified for departments of the Secretariat. It is suggested that normally one of the Directors of divisions or bureaus or another Under-Secretary should deputize for the Under-Secretary in the event of his absence or incapacity. Nevertheless, the Committee recognizes that, in the initial stages of the reorganization of the Secretariat, certain exceptional arrangements may be needed in order to ease the transition from the original to the new staffing pattern. Accordingly, while not favouring the creation of a new echelon between the departmental head and the divisional directors, the Committee would not oppose the establishment, during a provisional period of adjustment, of a maximum of two posts of Deputy Under-Secretary.

23. The Secretary-General's report indicated that the closest attention was paid by the Survey Group to the work of the Secretariat in the economic and social fields. The Advisory Committee has therefore endeavoured, in the time available, to consider and comment on a few among the major points of importance which arise out of the discussions and recommendations of the Economic and Social Council, the afore-mentioned note by the Secretary-General (E/2598), and the two reports now under review. Necessarily, however, the general reservation referred to in paragraph 3 above applies also to the comments that follow.

24. By resolution 557 A (XVIII) of 5 August 1954 the Economic and Social Council took action of cardinal importance to the economic and social work of the United Nations. In addition to document E/2598, the Council had before it a memorandum by the Secretary-General on the subject of documentation (E/2542). In the text of the resolution the Council, after "recognizing the necessity for the control and limitation of documents, as well as for making a reasonable reduction in the volume of individual documents", endorsed the Secretary-General's approach to the problem of the concentration of effort and resources and expressed its general approval of the suggestions relating to the priorities and programmes set forth in sections II to V inclusive of the Secretary-General's report (E/2598). Paragraph 4 of the resolution reads:

"The Economic and Social Council

"Invites the Secretary-General, taking into account the discussions in the Council:

"(a) To take such action as is appropriate to put his suggestions into effect;

"(b) To submit to the commissions, for their consideration, his plans regarding publications and studies and, in this connexion, to call their attention to General Assembly resolution 789 (VIII) concerning the control and limitation of documents;

"(c) Pending consideration by the commissions and any further action by the Council, to proceed with his plans in accordance with sub-paragraph (a) above;

"(d) To pursue his review of the substantive work programme of the Secretariat in the economic and social fields and to furnish further reports to the Council".

The Secretary-General accordingly intends, subject to the approval of the General Assembly, to take action in the sense of the above resolution. It may be noted that, while the Council envisaged a process of consultation between the Secretary-General and its commissions, this was not laid down as a condition precedent to action on the plans under reference. Any objection by a commission of the Council to those plans would have to take the form of a positive, contrary proposal to be considered by the Council itself. In the Advisory Committee's view,

this is a salutary and indispensable provision if confusion is to be obviated and the volume of documentation reduced; it serves also to ensure that modifications desired by a particular commission shall be reconciled, through the process of consideration in Council and Assembly, with the general scheme of reorganization.

25. There are indications both in the Secretary-General's report and in that of the Survey Group that economies beyond those actually outlined may be achieved in the course of the review of the work and activities of the Secretariat. The Advisory Committee welcomes these indications and understands that such additional economies may also result from the above recommendations of the Economic and Social Council.

26. In a statement made to the Fifth Committee at its 427th meeting on 8 December 1953,⁸ the Secretary-General observed that his proposals⁹ for the organization of the Secretariat, as outlined at that time, called not for approval but merely for preliminary consideration and comment, and that the final decision would have to be taken on the basis of his budget proposals for 1955. Consistent with this position, the Secretary-General pointed out in his latest report (A/2731, para.10) that, as regards the proposed merger in a unified department of the Departments of Economic Affairs and Social Affairs, he has refrained from making "a serious change of this type without the benefit of the General Assembly's further understanding of my intentions". As regards the possible amalgamation of TAA with the single Department of Economic and Social Affairs, the Secretary-General, while considering that such a measure should be the normal arrangement, felt that there continued, on balance, to be an advantage in maintaining TAA for the time being as a separate entity. On this latter point, the Committee has previously suggested that the continued separation of TAA from the unified substantive department should be regarded as a provisional measure, to be reviewed within two years' time.¹⁰ The Secretary-General's proposal accords therefore with that suggestion, and the Committee further notes with interest that, under the plan of organization, full responsibility will rest with the Department of Economic and Social Affairs for the substantive and advisory functions which TAA may require in support of particular economic and social projects, and that this arrangement will ensure that essential substantive support for technical assistance operations will be provided without the risk of a duplication of functions.

27. The Secretary-General proposed the transfer to Geneva of the Division of Narcotic Drugs and of the major part of the Transport and Communications Division. Both these measures would give rise to certain questions of organization, but since the latter transfer would probably not be effected until 1956—thus allowing time for further study in conjunction with the review of the European Office, as well as during the examination of the 1956 estimates—the Advisory Committee has given closer attention to the proposal relating to the Division of Narcotic Drugs.

28. The Division would remain a part of the Department of Economic and Social Affairs and would report on substantive matters directly to Headquarters, to the Office of the Under-Secretary. It seems to the Committee, therefore, that an indication is needed of the volume of work that would thereby fall on the Department, and specifically whether it would be found necessary to assign staff to the Office of the Under-Secretary for the sole

purpose of reviewing reports submitted by the Division from Geneva and giving policy guidance. The Secretary-General has stated (E/2598, para. 26) that a gain in efficiency and economy may be anticipated through the location of the Division in the same building with the Permanent Central Opium Board and the Drug Supervisory Body. Apart from the specific items of possible economy to which the Survey Group referred in section X, paragraph 82, of its report, the Advisory Committee presumes that close collaboration with the Central Board and Supervisory Body would be reflected in staffing reductions beyond those resulting from the proposed re-grouping of functions within the Division, which is not, in the Committee's understanding, related to its geographical situation. To this point—which may also have a bearing on the staffing of the joint secretariat of the Central Board and the Supervisory Body—the Secretary-General may wish to give consideration when reviewing the organization of the European Office.

29. Two related matters not touched upon in the Survey Group's report seem worthy of consideration. First, with the transference of the Narcotics Division to Geneva, it seems reasonable to suggest that, in the interest of economy in staff travel, the Commission on Narcotic Drugs should normally meet in Geneva and that, if this is done, the annual session should be regarded as the single session of a functional commission of the Council contemplated for Geneva under the terms of paragraph 1 (b) of General Assembly resolution 694 (VII) on the programme of conferences. Secondly, the Advisory Committee understands that laboratory facilities for the testing of drugs are at present provided free of charge by the United States Government. Therefore, while it might be necessary, even if the Division remained at Headquarters, to consider at a future date the provision of such facilities, the transference of the Division to Geneva will raise an immediate question of cost, unless laboratory facilities are similarly furnished without charge by the Swiss authorities.

30. The Secretary-General has reached the conclusion that the major responsibilities of the Secretariat, other than those related to economic development, in the field of transport and communications should also be transferred to Geneva. However, pending a careful review of the situation at Geneva as well as at Headquarters, no firm decision is possible as to the precise date by which the Transport and Communications Division should be transferred. Such a review is planned for early in 1955, and the results will doubtless be reflected in the Secretary-General's 1956 estimates. The Advisory Committee therefore confines its comments at this stage to the following points:

(a) A complete merger of the activities of the Transport Division of the secretariat of the Economic Commission for Europe (ECE) with those of the Division transferred from Headquarters is not contemplated, although the Survey Group proposes (section X, para. 58) "close co-ordination and even a large measure of actual integration so far as the deployment and utilization of staff are concerned". The Committee does not desire so much to question the projected arrangements (under which staff reductions would be achieved in the ECE secretariat as well as in the transferred Division) as to draw attention to the administrative difficulties that may arise out of the division of responsibilities: a single director would be in charge of both the "Headquarters" and regional operations; in the case of the former activities the director would report directly to Headquarters and, as regards the regional operations, indirectly through the Executive Secretary of ECE;

(b) In view of the fact that work in the transport field continues to be performed in the Economic Commission

⁸ See *Official Records of the General Assembly, Eighth Session, Fifth Committee, 427th meeting, para. 46.*

⁹ *Ibid.*, Annexes, agenda item 48, A/2554.

¹⁰ *Ibid.*, agenda item 48, A/2606, para. 11.

for Latin America and the Economic Commission for Asia and the Far East, the possible repercussions of the transfer on the work and the staffing of the secretariats of those Commissions are a matter of some importance, which will doubtless receive attention during the second stage of the review ;

(c) In section X, paragraph 60, of its report, the Survey Group observes that, irrespective of the location of the Division, "there would appear to be a strong indication that the Division as it is now constituted is overstaffed and that the target... establishment... might well envisage an appreciable saving of personnel".

31. Comment has been offered in the foregoing paragraphs only on points of major importance with which the Secretary-General's report deals or which arise out of that report. The Advisory Committee again emphasizes that, in view of the circumstances mentioned in paragraph 3 above, it has not attempted an exhaustive study or appraisal of the recommendations made by the Survey Group, on whose report it has relied principally for background information or detailed explanation in considering the proposals which the Secretary-General has presented in his formal submission to the General Assembly.

32. Pending the receipt of the separate report to be submitted by the Secretary-General, the Advisory Committee reserves its position on the necessary amendments to the Staff Regulations, which amendments will deal, among other things, with the salaries and related allowances of the top supervisory level, a matter to which the Committee has referred in its first report to the ninth session of the General Assembly (A/2688, paras. 22-28).

33. The annex to the present report shows, by each level, the number of posts tentatively estimated by the Secretary-General as a target establishment at Headquarters, together with the numbers respectively authorized for 1954 and requested for 1955. It will be seen that the reductions contemplated comprise the following :

Category	1955	Target
Principal Officer and higher levels	2	3
Professional	68	133
General Service	91	148
	<u>TOTAL</u>	<u>161</u>
	CUMULATIVE TOTAL	284

ANNEX

ESTABLISHED POSTS AT HEADQUARTERS
(exclusive of the Technical Assistance Administration)
as tentatively proposed by the Secretary-General

	Total by post level			Target figures, decrease by comparison with 1954	
	1954	1955	Target *		
Assistant Secretary-General	8	—	—		
Under-Secretary	—	15	16	- 3	
Principal Director	11	—	—		
Director	20	22	21	(+ 1)	D-2
Principal Officer	38	38	37	- 1	D-1
<i>Professional</i>					
Senior Officer	121	119	106	- 15	P-5
First Officer	314	301	289	- 25	P-4
Second Officer	479	465	452	- 27	P-3
Associate Officer	206	185	165	- 41	P-2
Assistant Officer	107	89	82	- 25	P-1
TOTAL FOR PROFESSIONAL AND HIGHER CATEGORIES	1,304	1,234	1,168		
<i>General Service</i>					
Principal	134	139	118	- 16	G-5
Senior	345	338	335	- 10	G-4
Intermediate	744	755	732	- 12	G-3
Junior	299	203	193	-106	G-2
Messenger	39	35	35	- 4	G-1
<i>Total for :</i>					
General Service category	1,561	1,470	1,413		
GRAND TOTAL	2,865	2 704	2,581	-284	

* See paras. 8, 9, and 12-14 of the present report.

DOCUMENT A/2765

Ninth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text : English]
[25 October 1954]

1. The Secretary-General has submitted for the consideration of the General Assembly a proposal (A/C.5/583, para. 8) that paragraphs 1 and 2 of annex I to the Staff Regulations of the United Nations¹¹ should be deleted and replaced by the following text :

"Annex I

"Salary scales and related provisions

"1. An Under-Secretary or an official of equivalent rank shall receive as basic remuneration a salary of \$US18,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied), together with an allowance of \$US3,500. The Secretary-General may grant, in special cases and on an annual basis, an additional allowance up to an amount of \$US6,000. The allowances for Under-Secretaries or for officials of equivalent rank shall be deemed to include all representation (including hospitality) as well as education and children's allowances. If otherwise eligible, such officials shall receive the other allowances and benefits which are available to staff members generally."

2. In considering the Secretary-General's present proposals it is perhaps relevant to recall the statement made last year in a report¹² outlining his plan of organization of the Secretariat. This statement may be summarized as follows :

It had originally been intended to create in the Assistant Secretaries-General a group of representative officials charged with a dual responsibility : (a) to serve the Secretary-General in a representative capacity with individual Member countries ; and (b) to direct the various departments with the assistance of Principal Directors as administrative officials responsible for the actual conduct of operations. In view, however, of the establishment at Headquarters of permanent national missions, the work of the Assistant Secretaries-General had consisted largely of departmental duties rather than the wider diplomatic function originally contemplated. In these circumstances the Secretary-General had reached the conclusion that the reconstituted departments should be headed by only one echelon of officials, who might be described as Under-Secretaries and whose responsibility would be essentially administrative. Such political responsibilities as they might be required to exercise in particular areas or on particular issues would be theirs by delegation from the Secretary-General.

The base salary of the Under-Secretaries would be that at present received by the Principal Directors, although it might prove necessary to make an adjustment by means of special allowances. Any such allowances would take account of the status of the Under-Secretaries in relation to the executive heads

and senior officers of specialized agencies. Furthermore, account might also have to be taken of the special responsibilities to be assumed by the heads of certain departments of the Secretariat and, finally, the Secretary-General should be empowered to have regard to the special qualifications of candidates.

Experience might point to the necessity in exceptional cases of affording Under-Secretaries the assistance of Deputies. It might, in addition, be necessary to appoint one or two Under-Secretaries without portfolio, to serve as advisers to the Secretary-General on special questions.

3. The emoluments proposed by the Secretary-General for officials at the top supervisory level at Headquarters (Under-Secretaries, Heads of Offices, and Deputy Under-Secretaries) would consist of a salary and an allowance and, in special cases, an additional allowance. Both these allowances would be free of assessment under the Staff Assessment Plan. For the purpose of comparison, the existing remuneration of Assistant Secretaries-General and of Principal Directors is shown in the table on page 21, together with the salaries and allowances proposed for the new top echelon.

4. Attention is drawn, in respect of this comparative table, to the fact that, although the existing regulation provides that Principal Directors shall receive a representation allowance varying from \$1,000 to \$3,500, the average of such allowances actually in payment at Headquarters during the first half of 1954 exceeded \$3,000¹³, and that in no case did the allowance fall below \$2,000. During the same period, nine of the eleven holders of Headquarters posts at that level were at step II in the salary scale, and therefore in receipt of a salary of \$18,000 (gross).

5. It will also be seen from the table that the level of emoluments proposed for the new category of Under-Secretary would range from the level of the existing maximum emoluments of a Principal Director to an amount equal to the remuneration of the majority of existing Assistant Secretaries-General. Although it is stated that the proposed maximum additional allowance of \$6,000 per annum would be paid in special cases only, the Advisory Committee is informed that the total provision in respect of such additional allowances is tentatively estimated by the Secretary-General in the region of \$60,000 per annum.

6. *Salary rate.* In a report submitted during December 1954¹⁴ the Advisory Committee suggested that necessary variations in the remuneration of the supervisory officials might best be achieved by means of salary rates graduated according to the responsibilities of the individual posts. In view, however, of the relatively small difference between the Committee's earlier suggestion and the

¹¹ See resolution 590 (VI) adopted on 2 February 1952 by the General Assembly.

¹² See *Official Records of the General Assembly, Eighth Session, Annexes* agenda item 48, A/2554, paras. 21-24.

¹³ Under the staff regulations, a representation allowance in excess of \$3,500 is authorized, as an exceptional payment, in one particular case. This amount has been omitted in the calculation of the above average figure.

¹⁴ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 48, A/2606, para. 8.

EXISTING SCALE *			PROPOSED SCALE *		
<i>Assistant Secretaries-General</i>			<i>Under-Secretaries and officials of equivalent rank</i>		
	Gross Dollars (US)	Net Dollars (US)		Gross Dollars (US)	Net Dollars (US)
Salary	23,000	15,000	Salary	18,000	12,500
Allowance		7,000 to 10,000 *	Allowance :		
			(i) Basic *		3,500
			(ii) Additional (up to)		6,000
TOTAL NET		22,000 to 25,000	TOTAL NET		16,000 to 22,000
<i>Principal Directors</i>					
	Gross Dollars (US)	Net Dollars (US)		Gross Dollars (US)	Net Dollars (US)
Salary	17,000 to 18,000	12,000 to 12,500			
Representation allowance		1,000 to 3,500 *			
TOTAL NET		13,000 to 16,000			

* A cost-of-living adjustment of 7½ per cent of gross base salary, subject to a maximum of \$750 (gross) is payable at Headquarters at all post levels including Assistant Secretaries-General and Principal Directors.

* One Assistant Secretary-General receives an allowance of \$10,000, bringing his total remuneration to \$25,000 (net). The remainder receive \$7,000 for a total of \$22,000 (net).

* As stated in the text of the proposed amendment, this allowance, unlike the existing representation allowance of a Principal Director, is deemed to include education and children's allowances, the monetary value of which can be

determined only on an individual basis, being dependent on a number of variable factors, such as the number and ages of children, and whether the children attend schools in the home country or special national schools in the area of the duty station. Details concerning the education and children's allowances may be found in annex IV to the staff regulations (General Assembly resolution 590 (VI)).

* Exceptionally, the General Assembly has authorized the payment of a representation allowance of \$5,500 to one Principal Director, bringing his total remuneration to \$18,000 (net).

Secretary-General's present proposal, the Committee does not wish to adhere to its previous position on this matter. It concurs also in the proposed uniform salary rate for the top supervisory level of \$18,000 (gross), as distinct from the existing salary scale for Principal Directors which provides for a salary rising from \$17,000 (gross) to \$18,000 (gross) after two years of satisfactory service. The Committee likewise agrees, though with some hesitation, that posts at the top supervisory level should all carry as a minimum a representative allowance of \$3,500. In so doing, it has regard to the provision in the proposed draft regulation that the allowance shall be deemed to include all representation (including hospitality) as well as education and children's allowances.

7. *Additional allowance.* So far as the additional allowance is concerned, the Advisory Committee notes with satisfaction the terms in which the proposed regulation¹⁵ has been drafted. No general entitlement to the whole or any part of this additional allowance is established thereunder. It is a purely discretionary provision to be applied by the Secretary-General only "in special cases", and the Committee has been assured that the annual review, which is expressly provided for, will involve the closest scrutiny of all relevant factors; that the amount (if any) of the additional allowance is to be based in each individual case both on actual experience during a current year and on anticipated requirements; and that, accordingly, the allowance will be increased or decreased, as a matter of ordinary administrative procedure, as and when the Secretary-General considers this necessary and appropriate.

8. It is evident that the appropriate rate of the additional allowance should be determined with reference

to the aggregate of the two allowances, basic and additional. Under the Secretary-General's proposal, this aggregate would vary from a minimum of \$3,500 to a maximum of \$9,500, reflecting the wide difference in the nature and extent of the representational duties which the holders of the posts may normally have to perform. In the main, therefore, the level of emoluments now proposed for officials in the top echelon will be appreciably higher than those of the existing Principal Director level.

9. It is, of course, true that under the reorganization proposals the Under-Secretaries will report directly to the Secretary-General, whereas the formal position of the existing Principal Directors is that they report to an Assistant Secretary-General. However, in the opinion of the Advisory Committee, the amount of the allowances should be specifically related to the importance of the tasks to be performed rather than to the relationship to the Secretary-General. The Committee considers that it would sufficiently meet the case if the additional allowance payable to these officials, over and above the minimum basic allowance of \$3,500, were subject to a maximum of \$4,000. The total emoluments of these officials would thus range from \$16,000 (net) as a minimum to a maximum of \$20,000 (net) per annum. Further, the Committee considers that, on the basis of fifteen posts, the total expenditure in respect of these additional allowances should be subject to an over-all limit of \$35,000.

10. The Advisory Committee has been informed of the Secretary-General's intention to provide for a difference in emoluments between Under-Secretary and Deputy in order to mark the fact that final responsibility will rest with the former official. If posts of Deputy Under-Secretaries are to be authorized, this difference could, in the Committee's opinion, best be achieved through a lower salary level for the Deputies; the Committee does not, however, insist on this point. But inasmuch as a

¹⁵ "The Secretary-General may grant, in special cases, and on an annual basis, an additional allowance..."

single rate of salary and a uniform allowance are proposed, a differing degree of responsibility can be reflected only in the additional allowance. The limit of \$35,000 in the total expenditure on such allowances is recommended on that assumption. The Advisory Committee further suggests that the Secretary-General might find it administratively desirable to authorize the additional allowance on a voucher basis. In addition, while endorsing the proposal that the payment of the latter allowance should be fixed and reviewed annually by the Secretary-General, the Committee considers it reasonable that, in any special case where an addition to the basic allowance is approved, the two items should be consolidated in the form of a single administrative payment.

11. *Transitional measures.* The Secretary-General referred in paragraphs 5 and 6 of his memorandum (A/C.5/583) to a problem arising out of the fact that certain officials at present receive, in accordance with existing regulations, total emoluments which would differ from those now proposed. The Secretary-General considers that, as a transitional measure, the *status quo* of any such officials who continue in the service of the United Nations should be maintained in all respects, and specifically he proposes that "any appointment already made on the basis of existing regulations should for its duration imply the carrying forward in total of existing obligations".

12. The Advisory Committee understands this proposal as signifying that an official of the category under reference who holds an appointment for a term expiring on 31 December 1954 shall continue, in the event of his being granted an extension of appointment or a new appointment at the top supervisory level, to receive the emoluments of his present appointment, notwithstanding that these may be in excess of the emoluments which under the revised conditions attach to the appointment he will fill. As the Committee interprets the proposal, the transitional measure would apply (with the one exception considered below) exclusively to an official already serving at the level of Assistant Secretary-General whose present term of appointment expires at the end of the year 1954 and who receives as from 1 January 1955 an extension of appointment or a new appointment at the top supervisory level. The measure would apply in particular to (a) the amount of base salary; (b) the amount of pensionable remuneration; and (c) the rate of allowance, each of which would be maintained, without change or impairment, at the respective figure entered in the existing letter of appointment, namely, \$15,000 (net) as regards item (a), \$15,000 as regards item (b), and \$7,000 in respect of item (c).

13. It is, however, the view of the Advisory Committee that, upon expiry of the present term of appointment, and in the event of the grant of an extension of appointment or of a new appointment, conditions of service based on the revised regulations should apply in all respects, the net base salary and the pensionable remuneration being reduced in consequence from \$15,000 (present salary and pensionable remuneration of an Assistant Secretary-General) to \$12,500 (the corresponding amount applicable to an Under-Secretary or official of equivalent rank). Accordingly, the Committee is not prepared to concur in the proposed transitional measure.

14. The exception referred to in paragraph 12 above, which concerns an official at present serving at the level of Principal Director, was discussed in the third report of the Advisory Committee to the ninth session (A/2724, paras. 4-7). The Committee expressed the opinion that the amount of the pensionable remuneration of staff members should be determined solely by reference to the

actual salary received, and that the acceptance as pensionable remuneration of an assumed or notional figure exceeding the actual net base salary could not be regarded as consistent with the principle of equality of treatment among staff members. In its report to the General Assembly on the financial report and accounts of the United Nations (A/2751, para.5) the Fifth Committee concurred in the observations of the Advisory Committee on this subject.

15. *Title of "Under-Secretary".* The title of "Under-Secretary", as contained in the text of the proposed draft regulation (A/C.5/583, para. 8) has already been the subject of discussion in the Fifth Committee and, while the Advisory Committee does not find the proposed title entirely appropriate, it believes that the matter may most suitably be left to the decision of the Secretary-General.

16. *Emoluments at the Director level.* The Advisory Committee concurs in the views expressed by the Secretary-General in paragraph 7 of his memorandum concerning the emoluments of officers at the Director (D-2) level, to the effect that no change should be made at this stage either in the existing salary range (\$15,000 to \$17,000) or in the provision in the staff regulations empowering the Secretary-General, in special cases, to grant Directors a representation allowance of up to \$1,500. The Committee understands that the continued payment of this allowance would be subject to an annual review similar to that proposed for the allowances of Under-Secretaries and officials of equivalent rank.

17. The foregoing observations are related to, and based upon, the situation at Headquarters alone, in regard to departments and other organizational units which have already been the subject of review by the Secretary-General. Consequently, they cannot be construed as applying, or necessarily applying, to any of the United Nations offices away from Headquarters, which are to be reviewed in the course of 1955.

18. *Text of amendment to staff regulations.* The Advisory Committee recommends for adoption the following amendment to the staff regulations of the United Nations:

AMENDMENT RECOMMENDED BY THE ADVISORY COMMITTEE
ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

Annex I to the Staff Regulations

To substitute for paragraphs 1 and 2 the following single paragraph:

"Annex I

"Salary and related provisions

"1. An Under-Secretary or an official of equivalent rank shall receive as basic remuneration a salary of \$US18,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied), together with an allowance of \$US3,500. In special cases the Secretary-General may grant, on an annual basis, an additional allowance up to an amount of \$US4,000. The allowances for Under-Secretaries or for officials of equivalent rank shall be deemed to include all representation (including hospitality) as well as education and children's allowances. If otherwise eligible, such officials shall receive the other allowances and benefits which are available to staff members generally."

Paragraphs 3 to 9 to be renumbered accordingly.

would cover not only the cases affected (in the initial period) by his proposed transitional measure (A/C.5/583, paras. 5 and 6) but also the additional officials who may ultimately become entitled to such compensation when the Technical Assistance Administration is merged with the Department of Economic and Social Affairs. It seems necessary, therefore, in order to establish a valid basis of comparison between the figures proposed respectively by the Secretary-General and the Advisory Committee, to clarify the following points:

(i) On the subject of the transitional measure, the Advisory Committee adheres to its previous position that, upon expiry of the present terms of appointment of the officials concerned and in the event of the grant of a new appointment, conditions of service based on the revised regulations should apply in all respects (A/2765, paras. 11-13);

(ii) The Committee believes that the global limit for compensation should be fixed annually by the General Assembly in the appropriation resolution. Specifically as regards the year 1955, it recommends that the amount should be authorized on an experimental basis;

(iii) In view of the foregoing consideration, the Committee in determining the 1955 requirements, both in the present report and in its earlier report (A/2765), has taken the arbitrary figure of fifteen posts as the Headquarters establishment at the top supervisory level.

(iv) In referring, in the appended text of amendment, to "appropriate justification and/or reporting", the Advisory Committee wishes to make it clear that these may be of many kinds. Essentially, the justification must be such as to meet the standards or requirements which the Secretary-General prescribes, and which would satisfy the General Assembly as being reasonable and proper expenditure in the interest of the United Nations.

(b) The Advisory Committee, while concurring in principle with the revised proposal of the Secretary-General, remains of the opinion that it would be desirable for additional payments made under the proposed paragraph 2 of annex I of the Staff Regulations to be limited to a maximum of \$4,000 per annum in the case of any one official. Further, the Committee considers that, in

view of the added information available as a result of the discussions in the Fifth Committee, a global amount of \$40,000 for the first experimental year should be adequate for these purposes. This represents an increase of \$5,000 by comparison with its previous recommendation (A/2765, para. 9).

6. To give effect to the foregoing, the Advisory Committee recommends the following amendment to the Staff Regulations of the United Nations:

ANNEX I TO THE STAFF REGULATIONS

"To substitute for paragraphs 1 and 2 the following paragraphs:

"Paragraph 1

"An Under-Secretary or an official of equivalent rank shall receive as basic remuneration a salary of \$US18,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied), together with an allowance of \$US3,500.

"Under-Secretaries or officials of equivalent rank shall not be entitled to education and children's allowances but shall, if otherwise eligible, receive other allowances and benefits which are available to staff members generally.

Paragraph 2

"The Secretary-General is authorized, on the basis of appropriate justification and/or reporting, to make additional payments to Under-Secretaries and officials of equivalent rank at Headquarters to compensate for such special costs as may be reasonably incurred, in the interests of the Organization, in the performance of duties assigned to them by the Secretary-General. The maximum total amount of such payments is to be determined in the annual budget by the General Assembly."

DOCUMENT A/C.5/580

Statement made by the Secretary-General at the 435th meeting of the Fifth Committee on 11 October 1954

[Original text: English]
[11 October 1954]

1. The Committee's decision to discuss the question of Secretariat organization in conjunction with its general debate on the 1955 budget estimates will, I believe, prove practical and helpful since these two questions cannot be divorced—the Secretary-General having been requested by the General Assembly at its last session to proceed, to the extent possible, with the implementation of the reorganization proposals earlier outlined, and to prepare the 1955 estimates within the broad framework of these proposals. As the report of the Fifth Committee made clear, it was not the intention nor the desire of Governments of Members that the Secretary-General should wait for the General Assembly at its current session formally to pass in detail upon arrangements which, in any event, fell largely within his administrative jurisdiction. Such subsequent consideration of reorganization proposals as might be called for was intended to take place, for the most part, in the course of the Committee's regular budgetary review, commencing with the 1955 estimates.

2. In order, however, that the General Assembly should have the fullest opportunity of reviewing the implementation of the decisions taken at its last session, it seemed to me desirable that this question be placed as a separate item on this session's agenda and that all relevant data concerning target plans should be made available for information to delegations as well as to the Advisory Committee. In the further implementation of these plans, the opinions voiced in the Fifth Committee, as well as the observations that have been offered by the Advisory Committee, will, of course, inside the framework set by Article 101 of the Charter, be taken fully into account. I shall indeed welcome the freest and frankest exchange of views on all aspects of Secretariat organization and structure, both in the course of the general discussion on which the Fifth Committee is about to embark, as well as in the course of its consideration in the first reading of the 1955 estimates.

3. I assume, however, that delegations will wish to follow the line taken by the Advisory Committee by

addressing themselves, for the most part, to broad policy issues affecting organization, structure and staffing, bearing in mind that Committee's observations that "under the division of responsibilities between the General Assembly and the Secretary-General, matters of detailed organization which do not involve programme and budgetary issues or issues of administrative policy or public opinion should be left to the discretion of the Secretary-General." The report which I have submitted for your formal consideration (A/2731) has accordingly attempted to focus attention on those particular aspects of the reorganization upon which it would seem desirable and appropriate for the General Assembly to express itself. Attention is directed especially to the conclusions regarding principal units of the Secretariat at Headquarters, to the arrangements proposed with respect to the top level of officials and to the anticipated long-term financial implications of the reorganization proposals as a whole.

4. I believe it would be helpful, also, if, in their discussion of these matters and of the 1955 budget estimates, members were to bear in mind the remarks contained in the introduction to my annual report on the work of the Organization (A/2663). If I may, I would like to emphasize the following considerations which, as I have stated in my annual report, are broadly relevant to any appraisal of the Secretariat's ability successfully to fulfil its total responsibilities:

"In the first place, the Secretariat's contribution to United Nations purposes will be more vital and effective and its achievements more enduring, to the extent that its necessarily widespread activities, whether in related or unrelated areas of work, are so conceived as mutually to strengthen and supplement each other. Dispersion of effort and resources over a miscellany of projects is an ever-present danger in any international enterprise of the scope of the United Nations.

"In the second place, the fact should be borne continuously in mind, by Members no less than by the Secretariat itself, that the very nature of the responsibilities that must be assumed by the Secretary-General and his senior staff imposes a limit on the volume of the tasks that can be handled effectively, irrespective of the additional funds, personnel and facilities that might be placed at their disposal. That is to say, for a body such as the Secretariat, with its necessarily centralized structure, there exists an optimum size which is desirable if it is to be efficient and effective in the dynamic development of the activities of the Organization. This forces the responsible organs to make a choice between urgent and less urgent projects. A similar choice is imposed on the Organization by the fact that Governments, after a certain point, find it difficult to cope with the mass of documentation and other information provided by the Organization.

"There is one further consideration, and an important one, that requires to be emphasized if the United Nations Secretariat is to respond in the future, as I believe it has responded in the past, to the changing needs it is called upon to meet. The very nature of its task necessarily involves a capacity to adjust easily and quickly to new demands and unforeseen developments. This can only be assured if the Secretary-General continues to enjoy a large measure of administrative discretion in such matters of internal management as the scheduling of work and the utilization of Secretariat staffing and resources."

5. In the light of the considerations I have set forth, it seems to me that the Committee may wish to concern itself, at least in the first instance, with those points concerning Secretariat organization—and fortunately they

are very few—upon which the Advisory Committee has seen fit to adopt a different attitude to myself. In the hope that it may facilitate the work of this Committee, I shall first try to give my reaction to certain specific observations which the Advisory Committee made in its sixth report. I know that it is the desire of the Committee that I do so in all frankness.

6. Perhaps I should preface my remarks by saying that I have detected, in the discussions that have occurred with some delegations and with the Advisory Committee, an undercurrent of concern that the organizational arrangements proposed may impose too heavy a burden upon the Secretary-General in the sense that the span of his personal and direct responsibility has been, as compared to formerly, too greatly extended. I believe that any such impression is based upon a misconception of what the proposed arrangements in fact involve and how they will operate.

7. In the first place, the number of top-level officials reporting directly to myself will be smaller than hitherto. Excluding the Technical Assistance Administration, the regional economic commissions and the Geneva Office—areas which have yet to be reviewed—the organizational arrangements that obtained in past years provided for a total of some nineteen to twenty posts at a Principal Director or higher level, with all of the encumbrances of which it was necessary for the Secretary-General to deal regularly. In this connexion the fact should not be overlooked that in the past the Secretary-General's contacts with Principal Directors were no less intensive than those with Assistant Secretaries-General, and certainly involved demands upon his time and attention comparable to those which he may be expected to have under the new plan of organization with Heads of Offices. The new arrangements, developed on the basis of the proposals endorsed in principle by the General Assembly at its last session, will mean a reduction in the number of such posts (or those of approximately equivalent status and responsibility) to a maximum of fifteen or sixteen, comprising Under-Secretaries, Deputy Under-Secretaries and Heads of Offices—that is a reduction of four to five posts.

8. The fact, however, that the number of top officials dealing regularly with the Secretary-General will show this reduction is of less importance than the fact that pressures upon the Secretary-General will at the same time be eased through the establishment of better defined and more clear-cut lines of authority. A major administrative weakness of the old system was that it led to a kind of diffusion of responsibility, which meant that lines of authority both in the substantive and strictly administrative fields tended to become confused and uncertain. Thus, in consulting with officers on one level, it was too often necessary for me also to consult simultaneously with officers on other levels. Experience under the new plan of organization has already been sufficient to convince me that we will achieve the clarity and simplification aimed at when just one top echelon is established instead of the two levels previously maintained. I cannot stress too strongly the importance of this consideration in terms of the conservation, and equally the concentration, of the Secretary-General's energy and effort. I hope that Members will bear this fact in mind in their over-all evaluation of the recommended structural and organizational arrangements, upon the elaboration of which much careful and patient thought and the collective experience of the Secretary-General and his principal assistants have been expended.

9. In one respect, it is true, the scope of the Secretary-General's immediate responsibilities has been increased, namely, through his assumption of direct control over financial, personnel and legal matters. The desirability

of this arrangement was the subject of understandable reservations on the part of some delegations when the reorganization plans were initially before this Committee. Members will recall that I proposed, on that occasion, that the situation, as it concerns personnel and financial arrangements, should be reconsidered at a later date, perhaps after two years' experience. That proposal still stands, though I am bound to say that the fears entertained—fears which I must confess I, myself, shared to some degree—have not, so far, materialized. I am sure, moreover, there will be no dissent from the proposition that the Secretary-General himself should assume, in these important questions, the fullest possible measure of personal responsibility consistent with the full and effective carrying out of his political and other Charter functions.

10. In its observations on the proposed structure of the Secretariat at the top level, the Advisory Committee questioned in particular the justification for posts of Deputy Under-Secretaries in the Departments of Economic and Social Affairs, Public Information and Conference Services, although recognizing that in the initial stages of the reorganization certain exceptional arrangements might be needed to ease the transition from the original to the new staffing pattern.

11. From a strictly budgetary point of view the Advisory Committee or any delegation is, of course, fully entitled to satisfy itself that the need for these, or indeed for any posts for which funds are requested, is fully justified. However, the reasons which have been given in the report of the Survey Group in support of its recommendation that these three, or possibly four, Deputy posts be provided are, to my mind, entirely convincing. Had the Survey Group not so recommended, I would in fact, myself, on the basis of experience and in the interests of good administration, have felt compelled to request their provision. I am satisfied that failure to so provide in these three large, complex and administratively difficult areas would, in the long run, represent a false economy. The amount that may be saved is small indeed and in relation to the total savings insignificant; it may easily turn out to end up in a cost increase. Considering that in two of the departments in question, equivalent posts have existed for the past eight years and that in three other departments (or former departments) such posts are being eliminated, I fail to understand how the arrangement proposed can now be construed as prejudicing the good name of the Organization. On the other hand I have very much in mind the grave risks that would be incurred if satisfactory arrangements were not to be made with respect to these three critical areas of Secretariat responsibility.

12. The Advisory Committee seemed to question especially the justification for assimilating the status of Deputies to that of Under-Secretaries. In this connexion, I can only assume that my approach to this matter has not been made sufficiently clear. Perhaps the terms I have used in my report in describing the status of these officials as co-ordinate with rather than subordinate to that of Under-Secretaries require some amplification in order properly to reflect the type of arrangement that I had in mind. The arrangement proposed is not one that is based on a system of strict formal division of authority, but one which involves an agreed sharing of total operational responsibilities in the departments concerned, with the Deputy (or Deputies) working, as it were, at the side of the Under-Secretary as an integrated and co-ordinated team inside which the final word on the division of responsibilities, however, necessarily rests with the Under-Secretary. While it perhaps reflects a different administrative philosophy than is usually found in national administrations, it is not a philosophy that is

in any way new, untried or untested. On the contrary, it is a system with which I am personally familiar both from my home country and from a growing and healthy practice in this house. In my experience this system works infinitely better than any other in an administration with responsibilities of the kind entrusted to the United Nations Secretariat. I trust I shall not be misunderstood if I suggest that, without prejudice to the unfettered right of this Committee, and of the General Assembly, to take such decisions as they see fit on budgetary grounds, it must be in the hands of the Secretary-General to develop such internal working relationships as he has found will most effectively help him to discharge his responsibilities as chief executive officer of the Organization.

13. May I turn now to one of the major questions dealt with by the Advisory Committee in its report on the organization of the Secretariat—the question of the personnel policy to be followed in giving effect to the staff reductions proposed in the target manning tables? I have given much thought to the Committee's suggestion that the process of implementation might be speeded up, recognizing as I do that the suggestion, from an administrative point of view, has much to commend it. I have come to the conclusion, however, that on balance there are much stronger reasons for not seeking to move too quickly. Any departure, at this stage, from the policy which I intimated last year it would be my intention to adopt and on the basis of which I have since given firm assurances to the staff, would unquestionably result in repercussions affecting efficiency and morale throughout the Secretariat far outweighing any advantages to be gained from a speedier adjustment to the target. While it is true that the balance of the reductions still to be achieved, so far as Headquarters is concerned, amounts only to some 140 or so posts, it must be borne in mind that these are not spread evenly throughout the Secretariat, but tend to be concentrated mainly within certain substantive areas. These are not necessarily areas in which the turnover is heavy or professional interchangeability possible; indeed, the contrary tends to be the case, so that the placement of staff surplus to target establishments must be planned for over a reasonable period of time, involving as it frequently does, numerous rearrangements of functions and switches of posts and persons. The only alternative procedure would be to resort to large-scale terminations, which would inevitably have a most damaging effect on a morale situation which I have done my best to improve but which still is not fully stabilized. It would mean the loss, in many instances, of trained and experienced officials whose services it is very much in the interest of the Organization to retain. And it would necessarily result in unwarranted hardship in numerous individual cases and would involve the Organization in needless expense through payment of heavy termination indemnities. I am happy to report, however, that in the light of the promising progress already made, it should be possible to go some distance towards meeting the Advisory Committee's point of view. That is to say, I now believe it to be possible, while adhering strictly to the policy of relying, to the fullest extent possible, on the normal process of turnover, to effect the necessary staffing adjustments more rapidly than was earlier envisaged. Left free from the ties of a rigid, and necessarily arbitrary, timetable. I shall undertake to so organize recruitment and placement policies as to ensure that the 1956 budget estimates will, to all intents and purposes, reflect the target manning tables which the Survey Group has established—always subject, of course, to such changes in programme and other developments as cannot at this time be foreseen. It is possible that by the end of 1955 there will remain a small number of special and

exceptional cases which, for one reason or another, offer little, if any, prospect of satisfactory alternative placement. Should the Fifth Committee so wish, I shall be more than ready to discuss with the Advisory Committee possible arrangements, consistent with the personnel policy so far followed and with existing rules and regulations, whereby definitive action in such exceptional cases might be speeded up in the interests both of the Organization and of the individuals concerned.

14. One somewhat incidental observation of the Advisory Committee to which I would attach some importance is the suggestion in paragraph 6 of its report (A/2745) "that the Secretary-General may perhaps wish to consider the advisability of including in the Survey Group a few persons outside the Secretariat of the United Nations possessing wide experience in organization and methods of administration." While I am sure that the suggestion has been put forward with a view to assisting the Secretary-General in what is recognized to be an important and exacting task, I very much fear that at this late stage such a proposal, if given effect to, would serve only to complicate and confuse an operation which has so far proceeded smoothly and, as the Advisory Committee itself testified, with highly satisfactory results. It is certainly true that situations have existed in the past, and no doubt will arise in the future, in which outside experts can clearly make a most useful contribution. I do not believe, however, that the self-critical review in which we in the Secretariat have been engaged is the type of operation in which such outside experts can usefully assist. They do not have, and cannot be expected to have, or easily or readily acquire, the necessary detailed knowledge of the Secretariat's operations and functions which those participating in the kind of review which the Survey Group is undertaking must, of necessity, possess. Moreover, the review still to be undertaken of overseas offices and of the system of co-ordination at present in force between those offices and Headquarters departments, including the Technical Assistance Administration and the United Nations Children's Fund, can only proceed intelligently if carried forward with full knowledge and understanding of the problems that have already emerged in the course of the preceding survey of the Headquarters Secretariat. I am confident, furthermore, that the necessary diversity of experience in organization and methods of administration and, above all, the necessary experience of and familiarity with United Nations programmes and problems is available within the Secretariat itself, without having to incur needless cost and delay in seeking outside consultant assistance. In making these observations I have not in any way overlooked the value outside experts may have as a guarantee—to me, just as much as to the Governments and the public—that no aspects or possibilities have been overlooked in the review operation. These advantages, however, cannot outweigh the conclusions to be drawn from the considerations of a substantive nature that I have here presented.

15. I do not believe there are other points arising out of the Advisory Committee's report on the organization of the Secretariat which call for specific comments at this stage. With your indulgence, however, I would appreciate the opportunity of participating actively in your discussion as it proceeds and, in the course of such participation, of amplifying and clarifying my position with respect to the points so far dealt with, and of stating fully my views with respect to other matters that may be touched upon during the Committee's debate. With this understanding I now address myself to the budget estimates for 1955, again directing my remarks to the specific recommendations and observations that have been made thereon by the Advisory Committee.

16. For the financial year 1955, I have proposed a budget which, by comparison with the budget appropriated for 1954, shows a reduction of \$1,005,810.

17. The Advisory Committee has recommended a further reduction of \$420,550 in the Secretary-General's estimates. The facts on which these summary figures are based are set out in the information annexes to the budget estimates for 1955 (A/2647), and in the second report of the Advisory Committee to the ninth session of the General Assembly (A/2688), both of which documents comprise the working texts for the Fifth Committee's consideration of the 1955 budget.

18. The largest single reduction recommended by the Advisory Committee is that of \$162,150 relating to the funding of pensions for Judges of the International Court of Justice. The Advisory Committee, for purely budgetary reasons, has not at the present time found it possible to support my proposals for the inclusion in the budget of the provisions necessary to establish a Fund from which the pensions of the Judges of the International Court would be paid. My proposal was first included in the estimates for 1954. It has the unanimous support of the International Court and, while I appreciate the reasons which prompt the views of the Advisory Committee, I regret very much the recommendation that the contemplated arrangements should again be deferred. If, in view of the not insignificant reductions in other parts of the budget for 1955 as compared with earlier years, the Fifth Committee would see fit to provide at the current session for the establishment of this particular fund, I would warmly welcome such an action. You are certainly aware of the fact that the proposed postponement of the funding operation is not a saving; it does not reduce the financial commitments of the Organization. Having said that, I will leave the matter in your hands.

19. The recommendations of the Advisory Committee affecting all other sections of the budget envisage a reduction in the estimates of \$258,400. In very general terms this—which, in principle, should indicate possible further economies—is about one half of one per cent of the total budget I proposed. To what extent this reduction, if approved, will result in a net saving depends on circumstances partly outside the control of the Secretary-General.

20. I believe that my estimates as submitted represent as close a measurement of the financial needs of the Organization for the coming year as is possible at the present time. However, I recognize that differences of opinion regarding budgetary matters are always possible. I am, therefore, well content to let the Fifth Committee come to its own conclusions as to what should be, in the light of all the circumstances, a suitable level of appropriations for 1955. However, I would wish to point out that the budget I have presented this year—based as it is on a radical overhauling of the work of the Secretariat and with estimates without any bargaining margins—requires from the appropriating organs another approach than budgets showing less of a harsh "Treasury approach". I am sure this is fully appreciated by the Committee.

21. The reductions for various items proposed by the Advisory Committee are mostly small in size. All the same they may, from my point of view, be important in substance. Let me, at this initial stage, make some observations concerning various cases of this nature. In so doing, my sole purpose is to facilitate the work of the Fifth Committee when it takes up the reading of the estimates.

22. First, I would refer to the estimates for section 9 concerning the Department of Trusteeship and In-

formation from Non-Self-Governing Territories. The Advisory Committee recommended no reduction in the level of the estimates for 1955, but I have noted the comments in paragraph 100 of the Committee's report, where it is stated that the top level structure of this Department appeared to be heavy, and might be reduced. It is certainly not my wish to establish in this, or in any other department, a larger number of senior posts than is absolutely necessary. At the same time I have to stress that the greater the economies which I manage to achieve by staff reductions, the greater demands will be for firm and imaginative administration on the senior levels. Economy moves are self-defeating if adequate supervision is not provided for. The programme of the Department of Trusteeship is both heavy and complex, and it is wise to avoid steps jeopardizing the best utilization of the staff of the Department.

23. I would refer next to the recommendations of the Advisory Committee for a reduction of \$20,000 to be applied at the Secretary-General's discretion to the estimates in chapter II of section 10, which relate to the Department of Public Information. I do not feel I am in a position to contest this reduction, which is very small compared with the total amount proposed for this chapter. It falls, so to say, within the unavoidable margins of error. However, it must be noted that any reduction of funds required essentially for operational use must tend to diminish the effectiveness of those operations. The reorganization of the Department has as its primary aim the achieving of an effective use of staff within the various departmental units and, in this connexion, to ascertain what savings in staff costs can be achieved. But I could not readily accept the premise that a reduction in staff costs—and, in the case of chapter I of section 9, the estimates have to some extent achieved this—should result in a corresponding reduction in operational costs. I believe my original estimates represented a fair reflection of a work programme which, while not excessive, would bring beneficial and effective results to the United Nations in the information field; I would not wish to pass without comment any proposal which would tend to decrease the efficiency of our information activities.

24. The Advisory Committee recommended that the estimates for established posts in section 11a, concerning the Library, be reduced by a sum of \$14,000. As I understand it, here again the Advisory Committee considered that there were too many senior posts. I do not myself think that in a total establishment of 85 posts, provision for one Director, two senior officers and five first officers is too liberal. I can only repeat here what I said a short while before, that lack of proper supervision might well be a false economy. I am at present considering the establishment within the Library of a legislative indexing service in order to concentrate in one place work of this type hitherto being done by several departments. Even if I did agree with the assumptions of the Advisory Committee, it would be, in my opinion, more a question of downgrading a post or so, rather than of reducing the total number, for I do not readily see, at least at the present time, how any reduction in the staff of the Library could be achieved without a corresponding reduction in services. I hope that when the Committee takes up these particular estimates, it will give due consideration to these views.

25. Regarding section 15, relating to common staff costs, I will make only two brief comments at this stage. The Committee will be provided with sufficient information for it to reach a decision on the inclusion of an appropriate sum for a subsidy to the International School such as I have proposed in the estimates. I will also submit for the Committee's consideration, at its current session, a

report on possible measures for a solution of the problem of tax reimbursement in accordance with the understanding reached during the Committee's discussion of this question at the eighth session.

26. I have noted the reductions totalling \$35,000 proposed by the Advisory Committee in the estimates for section 16, Common Services. My estimate for this section was very much on the tight side; in addition, the section covers a field in which little discretion is left to the Secretary-General and although I would enjoin upon those officials responsible for the administration of the varying common service provisions the necessity to observe strict economy, there remains a constant possibility of an unavoidable deficit if the budget is cut too tight. The maintenance at an appropriate standard of this large building and of all its facilities can be undertaken economically, but it cannot be done without sizable expenditure. In relation to the total volume of the estimate, the percentage reduction proposed is not significant, and I would not wish to contest it. However, it is essential to maintain, at all events, appropriate standards in the services provided, and I would therefore ask that the reduction be applied to the various items of the section at my discretion. On that understanding, I am prepared to accept a level of estimates for common services as recommended by the Advisory Committee.

27. In the case of Permanent Equipment, section 17, I am equally prepared to accept the reduction recommended but not without a word of warning. This particular reduction, which is comparatively high percentage-wise compared with the total estimate, might result in the possibility of not being able to replace needed equipment. It may just be another case of false economy, as, if this estimate is cut in any one year, estimates for succeeding years may well need to be presented at a correspondingly higher level than would otherwise be necessary. Again I would ask the Committee to agree to my adjusting the amounts for particular items within the total appropriated, on the understanding that if it should be essential to provide equipment during the course of 1955 for which no funds are available, I will approach the Advisory Committee for its help.

28. Section 18 comprises the various estimates relating to the activities undertaken by the European Office at Geneva. I would have preferred it if the Advisory Committee had refrained from recommending a cut of \$6,400 in the provision for established posts in the Geneva Information Centre. It is my intention, early in 1955, to review the activities undertaken in Geneva as a part of the survey of the Secretariat in offices away from Headquarters, including all the information centres. Again, while I do not contest this specific reduction of the Advisory Committee, you will allow me to reserve my final position upon this question; should I find, as a result of an "on the spot" investigation, that the establishment provided for initially in my budget estimates is necessary, I will come back to the Committee next year and ask for a provision of credits sufficient to meet that need.

29. The Committee will note the proposed reduction of \$11,000 in the estimates submitted for the Joint Secretariat of the Permanent Central Opium Board and Drug Supervisory Body, as a consequence of the Advisory Committee's view that the restoration of the post of Deputy Secretary to the Board should be deferred for the present. As the Permanent Central Opium Board maintains the need for this post, I feel that, in the light of the past history of this case, I must give my support to it. I trust that the Fifth Committee will consent to hear the President of the Permanent Central Opium Board on the question of the Board's staffing requirements when he will be in New York and at the disposal of the Committee.

30. After consultation with the High Commissioner, I do not wish to contest the reduction of \$12,000 proposed by the Advisory Committee in section 19, relating to the Office of the High Commissioner for Refugees, but I would expect that the Committee would wish to give careful consideration to the observations on the effect of that reduction which the High Commissioner might wish to present in due course.

31. The question of the administrative relationship of the Secretary-General to the High Commissioner was raised during the budget discussions last year, and the Secretary-General undertook to review this matter in connexion with his proposals for reorganization of the Secretariat. My further report on reorganization in the offices overseas will cover the question.

32. I would like now to comment very briefly on the reductions of \$15,000 and \$10,200 proposed in the estimates for the Economic Commission for Asia and the Far East and the Economic Commission for Latin America, respectively. I have noted that these reductions should be specifically applied to the items for temporary assistance and consultants, and official travel. The nature of the work of these Commissions, as well as their location, necessitates expenditures for consultants and official travel purposes which are proportionately heavier than those for other established offices. I will do my best, however, to achieve the savings recommended, provided that I might apply the total reduction, in each of the two sections, at my discretion. I would not like to conclude my observations upon these two sections without referring to the ready recognition by the Advisory Committee of the need for basic establishments in both Secretariats at the level which I originally proposed. This level is somewhat higher than in past estimates. It is to be expected that with the increases in established posts thus provided for in the estimates, a reasonable stage of stabilization will have been achieved in the budgets for the established secretariats of the two Commissions.

33. We come now to the Technical Assistance Administration. In this case, the Advisory Committee, while recommending approval of the 1955 estimates as they have been presented, has expressed the hope that it may be found possible to effect a further reduction of some \$30,000 in the administrative as distinct from the operating expenses during the coming year.

34. I should like to refer briefly to the history of this item. As everyone is aware, the Expanded Programme of Technical Assistance has not expanded as was originally hoped, expected and to some extent prepared for. As a result of this delay, the Technical Assistance Administration, during the year 1953, reduced its administrative costs by something over \$100,000. A year ago, in discussing the estimates for 1954, the Advisory Committee proposed that a further \$50,000 should be saved. As a result of a continuing decline in the size of the operating programme, combined with an internal reorganization

involving a severe contraction in the Headquarters manning table, the Technical Assistance Administration has succeeded in effecting a saving that by the end of the year will total some \$250,000.

35. In estimating how far it may be possible to go in meeting the Advisory Committee's present request for a further reduction for 1955, it is necessary to keep in mind the extent and gravity of the reductions that have already been made. The possibility of effecting any reduction in 1955 will depend almost entirely on the size of the operational programme that is carried out during that year. The Director-General of the Technical Assistance Administration will keep the situation constantly under review, and if it is possible to make further reductions, this will be done. In judging the success or failure that attends these efforts, however, the Committee will wish to keep in mind the considerations that I have just placed before it.

36. The last special reference to the estimates, which I would wish to make at this stage, concerns the recommendation of the Advisory Committee, in paragraph 32 of its report, for a global reduction of \$3,000 to be applied at the Secretary-General's discretion to certain of the up-gradings in posts provided for in the estimates, and the consequent inclusion in the budget of a new appropriation section—Section 34. I would like to assure the Committee that in the very detailed survey of Headquarters departments I had to give considerable thought to the question of the grading of specific posts. I do not contest the inclusion in the budget of a new section envisaging a reduction of \$3,000 in the funds appropriated for established posts, for I readily recognize the cautionary note in this particular proposal. I also sympathize with it. I would only ask for the Committee's understanding that in agreeing to this particular recommendation I shall be in no way hampered in deciding, in the light of particular organizational requirements within the various departments, on a suitable level for particular posts, within the limits originally proposed in my estimates, for carrying out as effectively as possible the scheme of organization with which the Committee is by now familiar. Let me just add that in any case, compared with 1954, that scheme provides not only for a reduction in the total number of posts, but does not contemplate any increase in the number of posts at any given level in any Headquarters department.

37. The Committee will recollect that before it recommended appropriations at the level finally approved for the financial year 1954, I undertook to do my best, during the course of 1954, to save a million dollars on the budget. I am glad to tell you that for all activities budgeted for at that time, this target will have been achieved by the end of this year. I am sure you will allow me, at the close of this statement, to place on record my appreciation of the confidence the Fifth Committee showed me last year when it recommended to the General Assembly an appropriation in the full amount for 1954.

DOCUMENT A/C.5/581

Statement made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions at the 435th meeting of the Fifth Committee on 11 October 1954

[Original text: English]
[11 October 1954]

1. Thank you, Mr. Chairman, for inviting me to introduce the two reports of the Advisory Committee.

2. Two items are before the Fifth Committee—Organization of the Secretariat, and the Secretary-General's budget estimates for the financial year 1955. To a large

extent the first of these two items encompasses the second, as least as far as the Headquarters establishment is concerned. In the interest of brevity, I will confine myself principally to the item on organization, principally, but not exclusively, because there are certain budgetary aspects to which it is only fitting that reference should

be made at the outset. The Secretary-General has rightly pointed out that his 1955 budget estimates "show in respect of departments at Headquarters a not insignificant decrease, thus indicating a reversal of the previous upward trend" in the annual appropriations. The budget submission for 1955, as a whole, represents a decrease, in comparison with the 1954 figure, of something over one million dollars, by far the largest part of the decrease being attributable to the reorganization at Headquarters. This last factor will, according to the Secretary-General's tentative estimate, account for an aggregate reduction, over the "target period", of some two million dollars.

3. The Secretary-General has spoken of the personnel policy which he feels should be followed in so far as the present staff is concerned; both in written submissions and in his oral statement of today, he has touched upon the grounds on which that policy is based. I should like therefore to say a few words on the subject. The Advisory Committee in paragraph 13 of its more recent report (A/2745) recognizes the force in the arguments adduced by the Secretary-General, and recognizes also that "responsibility should largely be left to the Secretary-General in a matter so closely related to his function as the chief administrative officer of the United Nations". It would be well, in this context, to define the scope of that function: first, it is the prerogative of the Secretary-General to appoint the staff under regulations established by the General Assembly; secondly, it is for the Secretary-General, through the medium of the annual budget estimates, to propose the number of staff appropriate to the tasks expected to fall upon the Secretariat in a given year; and thirdly, with specific reference to the year 1955, the Secretary-General is in an excellent position to know, as regards activities judged redundant in the course of his review, what residual jobs may remain to be completed, and how much time and staff they will require. This is hinted at in paragraph 27 of the Secretary-General's report, where he observes that "a change in the current level of substantive programmes beyond the one proposed would... be called for" in the event that the General Assembly were to adopt "a more drastic approach". The counterpart of these prerogatives is the control exercised, directly or indirectly, by the General Assembly. In the performance of its functions of control it relies on the Fifth Committee and the Advisory Committee. Now, the Advisory Committee has suggested that some acceleration in the proposed personnel policy may merit consideration. It has done so with reserve, for the reasons that I have just developed. But the Committee nonetheless wonders whether it is not better policy, where redundancies are bound to occur, to take immediate measures rather than to permit a state of suspense and agony to continue over a period of time: that surely might be most damaging to morale and, as a corollary, to efficiency. Inasmuch, however, as such measures may be deemed somewhat drastic, the Advisory Committee has further suggested that there would be a case for the payment of special indemnities beyond those provided in the Staff Regulations. I noted with appreciation the Secretary-General's assurance that he will make every effort to meet the Advisory Committee's suggestion about some acceleration in the application of his personnel policy. The Secretary-General stated, I think, that he hoped to go some distance to meet the Advisory Committee's view.

4. I turn next to the suggestion put forward in paragraph 6 of the Advisory Committee's report, to the effect that "the Secretary-General may perhaps wish to consider the advisability of including in the Survey Group a few persons outside the Secretariat of the United Nations possessing wide experience in organization and methods of administration". Let me state at once that this is not intended, and should not be read, as in any way a

criticism of the competence, integrity or judgment of the Group or of its members, for whom my colleagues and I have the highest regard and esteem. The paragraph bears quite another meaning. The difference between the Secretary-General and the Advisory Committee lies in the method and philosophy underlying the approach to the problem of seeking out existing weaknesses in the administration and proposing remedial measures. The Advisory Committee regards the conclusions of the Survey Group as representing a commendable effort at self-criticism, and—as we have made clear in our report—the contents of the Group's report point the way in numerous passages to possible further adjustments beyond those concretely proposed for the target period. I am well aware that in the work of review and reorganization the Secretary-General is dealing largely with problems peculiar to the United Nations or to the United Nations family of organizations, and that, subject to the over-all constitutional control by the General Assembly, those problems fall for the most part within his exclusive competence. Accordingly, the Advisory Committee's suggestion is prompted by the thought that possibly there may be advantage in bringing to these problems a viewpoint—an additional viewpoint—not coloured by the experience of several years' service in the Secretariat.

5. I come now to that part of the Secretary-General's proposals which received our closest attention. I refer to the top supervisory level, which, under the Secretary-General's plan, will comprise Under-Secretaries, Heads of Offices and Deputy Under-Secretaries; these three categories of officials will, in the Secretary-General's words, "have the same status and far-reaching responsibilities, the only difference between them being in the type of work which they will perform". These proposals have caused the Advisory Committee the greatest difficulty and embarrassment.

6. For the sake of clarity, I should add one further point of difference: the rate of remuneration. The Secretary-General's separate report on the salaries and related allowances of the top supervisory level is not yet available. However, the Advisory Committee understands that, while a single salary level will be proposed, it will provide, by means of gradations within that level, for a difference in emoluments between the Under-Secretaries, and the Deputy Under-Secretaries. In its budget report (A/2688, para. 26) the Advisory Committee referred to a related matter which arose in connexion with the 1955 estimates: the question of the salary rates proposed, for that year, for the several Under-Secretaries. Of the seven posts of Under-Secretary at Headquarters (including two without departments), five would carry a gross salary of \$23,000, two a gross salary of \$18,000. The Advisory Committee has recorded its understanding that "this proposal in no sense represents a firm pattern of remuneration for future holders of the posts in question; nor does it imply an attempted assessment of the relative responsibilities attaching to the highest post in each of the various Headquarters departments". There is, I believe, no difference of opinion with the Secretary-General on this point.

7. The Secretary-General has just spoken of the system of administration which he considers best fitted to the requirements of the Secretariat. None would question that the advantages which he foresees in such a system contain many features meriting unanimous support. The system would give vitality to the work and foster the team spirit and would encourage free criticism among officials sitting as equals round the table. The system would thereby broaden the official's approach and make him both better informed and more versatile. These are some of the excellent features the Secretary-General's expects from the system which he envisages.

8. The principal doubt which the Advisory Committee entertains is stated in paragraph 21 of its report, which reads: "In particular, the Advisory Committee finds it difficult to see the justification for assimilating the status of Deputies to the Under-Secretaries to that of the highest level. The Committee considers, on the contrary, that the scope of responsibility exercised by a Deputy Under-Secretary (in the exceptional cases where such a post is authorized) must necessarily be narrower than that assumed by the officer in charge of the department; by the same token, his status should be subordinate". The Deputy's scope of responsibility will be narrower because final responsibility is to rest with the Under-Secretary. That is an inherent element of the proposed system and is reflected, as I have already indicated, in the difference in emoluments attaching to the respective posts. This being so, it is not clear to the Advisory Committee how in practice the Deputy can be co-ordinate with the Under-Secretary and be granted an equal status. I submit that an efficient administrative structure must avoid confusion resulting from a terminology that makes it difficult to perceive the lines of authority or readily to identify by means of their titles the respective positions and responsibilities of officials.

9. In paragraph 22 of its report the Advisory Committee states the conclusion which it has reached with respect to the position of Deputy Under-Secretary. Although it does not favour the creation of a new echelon between the departmental head and divisional directors, "the Committee would not oppose the establishment, during a provisional period of adjustment, of a maximum of two posts of Deputy Under-Secretary". Now, the Advisory Committee understands that the second such post in the Department of Economic and Social Affairs is, in any case, not likely to be filled during 1955. It follows that, in so far as that year is concerned, the difference between the Secretary-General and the Advisory Committee amounts to one post of Deputy Under-Secretary.

10. This is no more than an attempt to touch upon the salient points in the Advisory Committee's report on organization. I have refrained at this stage from detailed argument on each point, but I shall, of course, be happy to reply at greater length to whatever points the members of the Fifth Committee may raise in the course of their general statements.

11. I wish next to refer briefly to the Advisory Committee's recommendations on the Secretary-General's 1955 budget estimates—briefly, because each appropriation section will be reviewed in detail by the Fifth Committee. To anticipate that review would represent a duplication. For the most part, I will confine myself to points raised by the Secretary-General.

12. As regards the funding of the pensions of members of the International Court of Justice, I have only one point to add to what is said in paragraph 242 of the Advisory Committee's budget report. The fact that significant reductions are proposed, by comparison with earlier years, on other sections of the budget is not, in my view, the strongest argument in favour of this proposal. Any budgetary reductions or any surplus on appropriations should surely first inure to the benefit of Member States, unless there is an overwhelming case for a new expenditure. Such a case was the transfer, in two successive years, of surpluses to the Working Capital Fund. But the strengthening of that Fund was clearly indispensable. It is very different with the present proposal, which from a practical point of view will make not one iota of difference to the pension rights of the members of the Court. Essentially, however, the matter is one for the Member States, and the Advisory Committee merely felt that the extensive budgetary implications should be brought to their notice.

13. I turn next to the Trusteeship Department. Perhaps I have not fully understood the point made by the Secretary-General, because what the Advisory Committee has recommended and what the Secretary-General proposed appear to me to be identical. In its budget report, in paragraph 100, the Advisory Committee said in effect that for 1955 the proposed number of posts was satisfactory; but that, on a further review of the structure of the department, there should be an effort to reduce the supervisory level. Now that is precisely what the Secretary-General has already done, as I note from the relevant chart attached to his report and from the detailed figures in the Survey Group's report. The Advisory Committee referred to three levels: Directors, Principal Officers and Senior Officers; at these levels the number of posts which the Secretary-General proposed is 17 for 1955, and 15 for the target period, or a reduction of two. Is there any difference at all between the Secretary-General and the Advisory Committee? I see none.

14. The Secretary-General referred next to the Department of Public Information. The estimate proposed by the Secretary-General for chapter II of section 10 is \$558,600, the figure recommended by the Advisory Committee was \$538,600. No other reduction is recommended either on this section or on the section (totalling \$905,000) for Information Centres. Between these sections the Secretary-General will have power of transfer without the concurrence of the Advisory Committee. It seems to me unlikely therefore that a situation of budgetary difficulty can possibly arise during 1955. The Advisory Committee's recommendation is based on the points made in paragraph 107 of its report, to which I would refer the members of the Fifth Committee.

15. As regards the Library, the Secretary-General's observations on the number of senior posts and the necessity for adequate supervision deserve our closest attention. The Advisory Committee was, of course, aware that for several years supervision was in fact exercised, and, I believe, adequately exercised, by a small number of officials. During those years one of the three top posts remained vacant. I should, however, add that the reduction of \$14,000 recommended on established posts was not specifically directed to any particular post or posts.

16. Since reference has also been made to the possibility of establishing a unit for legislative indexing, I should make it clear that no such proposal was before the Advisory Committee at the time of its review of the 1955 estimates. The Survey Group discussed this matter in its report and envisaged an over-all economy through the centralization of this function in the Library. But again that has not so far been examined by the Advisory Committee.

17. On section 15, Common Staff Costs, there is virtually no divergence of opinion between the Secretary-General and the Advisory Committee. The Committee felt that a specific decision on the subsidy to the International School should first be taken by the General Assembly before inclusion of the item of \$7,400. The reason is that the Fifth Committee never intended the subsidy to be a continuing, or necessarily continuing, provision.

18. I think the Secretary-General's observations on sections 16 and 17, Common Services and Permanent Equipment, are entirely valid. While I have not, of course, had an opportunity of consulting my colleagues of the Advisory Committee, I cannot think that they would oppose the Secretary-General's proposal that he should be free to apply the various cuts recommended to items in each of these two sections at his own discretion, and not necessarily in the manner specified by the Advisory Committee.

19. As regards the Geneva Information Centre, I note that the Secretary-General, while not contesting the Advisory Committee's recommendation for 1955, desired to reserve his final position until the outcome of the review of offices away from Headquarters. That is, of course, an entirely appropriate position.

10. Comment is not, I think, called for at this stage either on the Joint Secretariat of the Permanent Central Opium Board and Drug Supervisory Body or on the Office of the High Commissioner for Refugees since, as the Secretary-General has indicated, the Fifth Committee will in due course have the benefit of direct testimony by the President of the Board and by the High Commissioner for Refugees.

21. As regards the Economic Commission for Asia and the Far East and the Economic Commission for Latin America, the Secretary-General has proposed that here again he should distribute the total reductions, in each of the two sections concerned, at his own discretion. My observations on sections 16 and 17 apply equally to these two sections: that seems to me an entirely acceptable proposal.

22. The last matter on which I wish to offer comment is certainly not the least important. On sections 26 to 29, Technical Assistance Administration and Technical Programmes, the Advisory Committee had concurred in the estimates submitted by the Secretary-General. As regards the administrative expenses for the programme as a whole (both regular and Expanded Programme), the Advisory Committee suggests that efforts should be made to achieve a reduction of \$30,000 in the 1955 estimate. It is necessary, in my view, to bear in mind that this figure

is related not solely to the estimate of \$386,700 proposed under section 26, but to the estimate of total administrative expenditures, financed both from the regular budget and from extra-budgetary sources. The estimate in question amounts, on a gross basis, to \$1,336,000. The reduction suggested by the Advisory Committee is \$30,000.

23. The Secretary-General has submitted considerations which are indeed very weighty: first, that during 1953 TAA reduced its administrative costs by over \$100,000; secondly, that during 1954—during the current year—the saving under this head is likely to amount to no less than \$250,000. It is fitting that, in my capacity as Chairman of the Advisory Committee, I should in my turn lay emphasis on those two facts, which reflect the greatest credit on the Director-General of the Technical Assistance Administration. I wish to add—because a mere reading of relevant documents will not bring out this point—that I am personally aware of the tremendous effort that Mr. Keenleyside has had to exert in order to achieve this splendid result, for which he is to be warmly commended. Why, then, it may be asked, does not the Advisory Committee reflect this achievement in its own recommendation? First, let me say that this is not a firm recommendation, since the estimate itself (of \$1,336,000) cannot be a firm estimate, for reasons into which I need not here enter. Secondly, I do feel that the Advisory Committee's suggestion should be read against the background of its separate report on the Expanded Programme of Technical Assistance, which contains detailed observations on the optimum proportion of administrative to total expenditure. The Fifth Committee will in due course consider that report, but I have thought it right, in fairness to Mr. Keenleyside, to make these few comments at this point.

DOCUMENT A/C.5/583

Salaries and allowances of Under-Secretaries or officials of an equivalent rank: memorandum by the Secretary-General

[Original text: English]
[14 October 1954]

1. My report on the Organization of the Secretariat (A/2731) outlined my proposals for the central organization of the Secretariat at its top level. These proposals contemplated the replacement of the two highest levels under the Secretary-General—one echelon of Assistant Secretaries-General and one of Principal Directors—by a single supervisory level having the status of Under-Secretaries.

2. I indicated further in the above-noted report that approval by the General Assembly of such a change would entail a consequent revision of annex I of the staff regulations of the United Nations and that I would accordingly submit to the General Assembly my particular recommendations on this question.

3. Taking into account the views expressed during the 427th and 428th meetings of the Fifth Committee held on 8 December 1953, and after further careful study of the question, I propose that the basic remuneration of Under-Secretaries or officers of equivalent rank should correspond to the emoluments paid to Principal Directors under the present system; that is, that each such official should receive in base pay an amount of \$12,500 net (\$18,000 gross) and an allowance—which shall also be deemed to include education and children's allowance—of \$3,500.

Thus, from the standpoint of the professional responsibilities and status of each post in the top supervisory level, the emoluments paid would be identical.

4. In the interest of the United Nations it is desirable and necessary for appointees to the top supervisory posts to maintain broad contacts with various groups. The Secretary-General therefore proposes that in addition to the basic emoluments noted in paragraph 3 above, an allowance should be paid at the Secretary-General's discretion, commensurate with the responsibility which he believes particular posts should carry for the most appropriate and effective maintenance of these contacts.

In the performance of duties at the top level, it will, in the opinion of the Secretary-General, be of importance for the Organization that these officers, in varying degrees, maintain close and continuing relations with diplomatic officials, members of delegations, and other representatives of Governments, as well as with members of non-governmental organizations, representatives of the press or other information media, members of the public and representatives of the staff.

The extent to which it would be desirable and necessary to provide for the above purposes would vary in the particular cases. The Secretary-General therefore pro-

poses that the General Assembly authorize in addition to the basic remuneration the payment of an allowance which would be fixed and reviewed annually by the Secretary-General and which would in no case exceed an amount of \$6,000. In the cases where the allowance would be of this magnitude total emoluments would equal what is now normally paid to an Assistant Secretary-General. It should be observed that the difference in responsibilities between the present Assistant Secretaries-General and various officers in the new top echelon is not such as to warrant a reduction of emoluments. It should also be noted that the present allowances were determined at a period when the costs of living were considerably lower than those now prevailing.

5. With regard to the current arrangements whereby certain officials receive total emoluments in accordance with existing regulations which would differ from the proposals set out above, the Secretary-General considers that as a transitional measure the *status quo* should be maintained as a minimum in all respects including the level of pensionable remuneration which at present obtains.

6. Specifically on the question of pensionable remuneration, the Secretary-General, in the light of experience achieved in implementing any revised regulations, would wish to study further this question which gives rise to obvious and important considerations. While he thus would propose that any appointment already made on the basis of existing regulations should for its duration imply the carrying forward in total of existing obligations, he recognizes that it would be reasonable to apply new conditions of service to appointments to be made in the future. In view of the complexity of this particular question, he would propose that the General Assembly should review this particular aspect of the question at its tenth session and in light of a detailed appraisal of all related aspects to which the Secretary-General will give consideration in the meantime, in consultation with the Advisory Committee on Administrative and Budgetary Questions.

7. Having reviewed the remuneration paid to officers at the Director level under the current regulations, the Secretary-General is of the opinion that no change should be made at the present time either in the salary range authorized under the existing regulations or in the provision at the Secretary-General's discretion in special cases of a representative allowance up to an amount of \$1,500. Also, these allowances should be determined on an annual basis in accordance with the criteria proposed for allowances to Under-Secretaries and officials of equivalent rank.

8. Should the General Assembly approve the above proposals, paragraphs 1 and 2 of annex I of the staff regulations would have to be replaced by the following paragraph which is submitted for consideration by the General Assembly :

"SALARIES AND ALLOWANCES : UNDER-SECRETARIES AND OFFICIALS OF EQUIVALENT RANK

"Annex I, paragraph 1

"An Under-Secretary or an official of equivalent rank shall receive as basic remuneration a salary of \$US18,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied), together with an allowance of \$US3,500. The Secretary-General may grant, in special cases and on an annual basis, an additional allowance up to an amount of \$US6,000. The allowances for Under-Secretaries or for officials of equivalent rank shall be deemed to include all representation (including hospitality) as well as education and children's allowances. If otherwise eligible, such officials shall receive the other allowances and benefits which are available to staff members generally."

9. It would also be necessary to amend the salary scales laid down in paragraph 4 of annex I of the staff regulations so as to delete the Principal Director level.

DOCUMENT A/C.5/583/Add.1

Salaries and allowances of Under-Secretaries or officials of an equivalent rank : note by the Secretary-General

[Original text : English]
[1 November 1954]

The Secretary-General proposes that paragraphs 1 and 2 of annex I of the staff regulations be replaced by the following paragraphs :

"Annex I, paragraph 1

"An Under-Secretary or an official of equivalent rank shall receive as basic remuneration a salary of \$US18,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied), together with an allowance of \$US3,500.

"Under-Secretaries or officials of equivalent rank

shall not be entitled to education and children's allowances but shall, if otherwise eligible, receive other allowances and benefits which are available to staff members generally."

"Annex I, paragraph 2

"The Secretary-General is authorized to make payments to Under-Secretaries and officials of equivalent rank at Headquarters to compensate for such special costs in the interest of the Organization as arise in the performance of duties assigned to them by the Secretary-General, on the basis of such justification as he deems appropriate. Such compensation shall not exceed a total of \$60,000 for all officials concerned."

DOCUMENT A/C.5/591

Statement made by the Secretary-General at the 443rd meeting of the Fifth Committee on 22 October 1954

[Original text : English]
[23 October 1954]

1. This may be a good moment in the work programme of the Committee to clarify a few points and to give replies to some questions which have been raised in the course of the debate. I take it that the Committee may wish to continue its consideration of the reorganization in the form of a general debate, so I should like, with the Chairman's permission, to reserve my right to take the floor again at a later stage if there should be a need for it. This is not a winding-up statement; I just want to give the Committee some additional information on the problems it is considering.

2. May I first of all take up the questions raised the other day by the representative of India, questions which are of the greatest importance and to which I should like to give as complete and clear a reply as I can.

3. The first question was : What is the precise nature of the plans that the Secretary-General has in view in "farming out" facilities for research in universities and other research centres, and which are those universities and research centres? I believe that the question refers not only to publications issued, but also to research activities proper in the economic and social field.

4. No specific plans involving such arrangements have yet been formulated. The Survey Group, in fact, confined itself to the observation that the possibility of enlisting the co-operation and assistance of national governments and institutions in different parts of the world for the carrying out of certain types of research is a matter that would seem to merit fuller exploration. I think you all know that such arrangements are not new. They have been undertaken in many instances in the past. It should be recognized—and I know it only too well—that such farming-out possibilities are limited, that for the most part major projects could not be handled in this manner without, as the Survey Group has pointed out, a serious loss of efficiency and inequality of results. However, in instances where the research involved is of an essentially specialized or scientific character and where there could not exist in the Secretariat staff members possessing the necessary specialized qualifications, it is proposed that efforts should be made to take advantage of such national or regional facilities as may be available. It goes without saying that, to the extent that such arrangements are found practicable, every precaution would be taken to safeguard the quality of the work performed and to ensure its conformity with United Nations standards and policy.

5. The problem involved is one of a very general nature : to what extent should we permit the Secretariat to develop into a research institution? There has been a pressure in that direction and it is sometimes only too tempting to follow that pressure, but I must say I feel that we would harm the general, sound development of the Secretariat if we accepted specialized units for highly specialized problems of a technical nature inside the house and let them flower and put forth fruits which certainly might be very valuable but, in the long run, are outside what the Secretariat as an institution should take care of.

6. In order to counter a tendency to drift into this kind of academic activity, I think it is wise to follow

the line indicated by the Survey Group; that is to say, always to have in mind whether the same operation could not with advantage be done by some national or regional organization or by some academic institution. In the cases where such an operation is of direct United Nations concern or follows from resolutions taken by the main organs of the United Nations, it goes without saying that it should remain strictly under United Nations control or under United Nations responsibility with a very firm grip on the situation. We would not give our tasks to others and shirk our own responsibility. But in a special situation, instead of building up a specialized unit inside the Secretariat, we would try to enlist the services of centres already existing, under the firmest control and leadership of the Secretariat.

7. The question was also asked : What universities and research centres have we in mind? Frankly, we have no special research centres or universities in mind at all, because this is just an idea that we feel that we should study; it is not a plan which has become solid in any specific case. But one thing seems to me to be quite obvious, and that is that we should endeavour, within the limits of practical possibilities, to give a fair spread to such contacts. It is not a question of just using neighbouring universities or research centres; it should be one of our concerns to see to it that in this respect, too, due regard is given to the proper geographical distribution. I could easily see that in special lines, let us say, some of the highly qualified specialists of Oxford would be the best people; in other cases I could count on a Latin-American university, or I could count on an Indian university. There is no line taken as to what should be done, but this principle, at least in my mind, should be the guiding one.

8. With, on the one hand, due regard to geographical distribution, and, on the other hand, a very firm leadership from the Secretariat, I think that the suggested arrangements should not be a matter of concern. They may prove a good practical device where we do not want to expand for a limited, specialized task in a direction which is not in the natural line of development of the Secretariat.

9. The second question raised by the representative of India was : What is the precise nature of the proposals that the Secretary-General has in contemplation in regard to public information, visual instruction and lectures, and what are the voluntary organizations he has in mind for carrying out this type of work?

10. Here, again, I must say that the plans which are referred to in the report of the Survey Group are at a very early stage, so I must talk more about the trend which we have in our mind than about any practical suggestions. These initial plans do not introduce any new procedures. The task of the Secretariat in the public information field has always been, and continues to be, the best possible utilization of all existing channels of mass information, governmental and private.

11. The non-governmental organizations have rendered us increasing co-operation and I hope we shall be able to secure their further co-operation as the work develops. One thing that has been rather encouraging was to see

how leaders and members of the non-governmental organizations have themselves taken on more and more the burden of spreading information concerning the United Nations. To the same extent, of course, they have reduced the burden on our shoulders. Our responsibility is, obviously, to see to it that we provide them with objective, factual information on the United Nations, and nothing but that. I should like to take this opportunity to say that I feel that anything in the line of propaganda from the United Nations is inappropriate. We should not indulge in that and we should not encourage others to do it. However, if they do it on their responsibility and if the only point where we come into the picture is the one where we provide simple factual information, I think we should but be grateful for the services rendered by those organizations.

12. There has been a notable strengthening of the interest among the organizations specializing in public lectures to include the United Nations and also the specialized agencies among their subjects. We have seen that in the United States, where lecturers of themselves have formed a special committee for the purpose of co-ordinating their liaison with us and obtaining the most appropriate material. We have had the same type of encouraging experience also in other areas. I hope we shall be able to enlist the direct interest of the national Governments all over the world because it will help a lot.

13. I may remind you of a fact which you probably saw in the press, that, last summer, I invited here Mr. Robert Schuman in order to get a chance to discuss with him just this problem in the area of which he is a prominent representative. That was only the first step to a follow-up of the policy which we have pursued here in the United States. I hope to be able, within a reasonable time, to consult in the same way people with wide experience from other areas which are represented in the United Nations.

14. We have a specific problem here at Headquarters where, of course, the demand for information, for lectures, etc., is more acute than anywhere else. As you know, we have arrangements in the house—the guide service and other services—which are there in order to meet such needs.

15. The guide service does raise a question which I should like to go into here for a moment. I think that it is one of the cases which might be of special interest to the delegations in general, and it might also have been in the mind of the representative of India. So far, this operation has been under the direct guidance of the American Association for the United Nations and I think that the AAUN has done a most valuable work. We do appreciate it—but there is a question of principle involved, and that is, to what extent information here should be provided by an organization which is not under the United Nations itself, or, in other words, whether the information activity should not be on United Nations responsibility with the Secretariat having it in its hands.

16. I think there is a solution to that problem and I hope very soon to be able to bring out a proposal which might take care of it. I feel that we should use the possibilities existing in these various activities to bring people from all over the world into this house in order to help us and also in order to get the proper kind of training. We earn, as you know, some money in this operation, and I think it would be a reasonable approach—which, of course, would have to be submitted to the Committee—to set aside part of that income as a basis for a kind of scholarship which would be open for general competition and for which our endeavours should be to get an even and equitable spread all over the world.

17. We know that students in Europe, students in Asia, students in Latin America may find very great difficulties, indeed, even to get the necessary foreign exchange to come here for studies to see the United Nations first-hand. They have also other financial difficulties if, in order to get here, they must earn their way somehow through the year or years they are here. The scholarships might help to solve such problems. They would bring here students who would pay for what they get by serving as guides. At the same time, they should be under an obligation to follow certain courses given by us at Headquarters. They could also, of course, attend other courses on international affairs. We might in that way build up a kind of centre for students of international affairs from all over the world, who would get a chance they would never else have had to see the United Nations at work and to get acquainted with the problems as they look from the inside.

18. If we embark on that line—and I wish to reserve my opinion on the details until I am able to produce the report—it goes without saying that that whole operation would be a United Nations operation.

19. The suggestion I mentioned here is a tentative one, but I think it gives an indication of how I see the possible further development of activities, where we have so far co-operated with national organizations, or non-governmental bodies, but where we, as we grow into greater maturity and experience, may be able to develop the arrangements in such a way as to get the United Nations itself at the very centre of operations, at the same time as we open new possibilities for a truly international approach to these matters.

20. As to the reference made to visual instruction, explanations are contained in the budget estimates and the report from the Survey Group. Also in this case the approach is based on long-established practices. Over many years, in fact, the Department of Public Information has endeavoured to stimulate the use of United Nations subjects and themes in motion pictures, most of which, of course, are produced by private companies. We just have not got the money for those rather heavy investments. It is proposed to undertake similar stimulating activities at new motion picture production centres outside this country. Possible arrangements have already been discussed for Latin America, Europe and Asia.

21. I should also mention that very good results have been achieved when it comes to the production and issuing of other visual information material of various kinds—mainly posters, charts and similar visual aids—dealing with the United Nations and its specialized agencies, for use in schools. National Ministries of Education, as well as various public and private foundations and institutions, practically all over the world, have been most co-operative in this respect.

22. Finally, reference has been made to the United Nations Yearbook. For several years now this book has been published under a contract with Columbia University Press. Thanks to the public interest created over these years, the publication is now entirely self-supporting so far as printing costs are concerned. We are exploring the practicability of covering also the editorial costs through a similar contractual arrangement, possibly with the same contractor. The editorial responsibility will, of course, continue to be that of the United Nations. We have not yet reached a point where it is possible to say whether this will prove to be a feasible arrangement at this stage but it goes without saying that what I have indicated here is what we are aiming at.

23. The third question raised by the representative of India was this: How does the Secretary-General propose

to bring about a more equitable "geographical equilibrium" so far as recruitment to superior posts is concerned?

24. Here we approach, of course, a very central problem. First of all, I would like to say that, throughout all phases of the reorganization programme, recruitment will necessarily be at a minimum. Keeping down recruitment will obviously be the only way to get the maximum reduction by means of a normal turnover, which we are aiming at. Consequently, unless Secretariat members of long standing, with suitable qualifications, are to be debarred from placement and promotion opportunities, there will not be the possibility in the immediate future to make major improvements in the geographical equilibrium of the staff, except at the expense of tried and tested staff. Here again we are in a situation where something can be done when you build up an organization, but much less can be done, and only in a much more cautious way, at a later stage, when, necessarily, not only legal, but especially moral, commitments have been created.

25. When I have given this matter thought—and I have given it quite a lot of thought—it has seemed to me that the right solution is what I would call planned recruitment. We must make in advance a thorough study of where and how vacancies are likely to arise. We will have in mind the statistics showing which groups and which countries are under-represented, and we will try to go straight for those countries in the recruitment and to give priority to the under-represented groups so that we will move in the direction of the proper kind of equilibrium.

26. I know you do not mean that I should do that at the cost of quality, and I feel quite sure that with the assistance of the Governments—and I count on such assistance—it will be possible to reconcile the two aims: to move in the direction of equilibrium and to maintain, or even improve, the general standard.

27. The basic idea is this one of planned recruitment. I must ask the Fifth Committee and the General Assembly and the Member Governments to have some patience, because necessarily such an operation is time-consuming. It will be done as quickly and as expeditiously as possible, but it will be an operation where we have to make progress step by step.

28. There is, of course, a special problem in the case of the most senior posts. There again I have a heritage, a legacy, from the past which, to a certain extent, has set the pattern, but with the limited freedom that it may give me, if I am being fair, strictly fair, in my personnel policy, I will here again endeavour to move as quickly as possible in the direction of a more satisfactory balance.

29. On one point I feel strongly for reasons of staff morale and for reasons also of our general prestige as a master employer—and I think we should be that. That point is that I hold that the Administration should not terminate a man only in order to get a place for a man of another nationality; if we bring the question of nationality into play in such a way as to be unfair or unjust to anybody serving in the house, I think it will hit back and it will be, in the long run, an unsound policy. This may be said to limit unnecessarily my possibilities. But, after all, we are not here for one year or two years. We are here for a long while, and if a consistent policy is pursued over the years, it will be quite possible to achieve satisfactory results also with the attitude I have explained.

30. The fourth question is this one: What machinery has the Secretary-General in mind in ensuring that vacancies in important posts in the United Nations are

brought to the attention of the various Governments, and has he any system of advisory selection bodies for ensuring that the selection will be a just one?

31. I think I have in part replied to this question by indicating that in a system of planned recruitment we must try to find the best candidates inside the group, or groups, of countries from which we would like to recruit because they are at present under-represented. That means that we will have to go to the Governments concerned and bring to their attention our wishes to get some people from those countries. This may, to a certain extent, be an innovation, if we push the procedure to the point of being a matter of principle in our policy. I think, however, that it is a wise innovation because it will help us to work in the direction of that equilibrium in the house which we all want to see.

32. I come now to another idea: namely, to publish generally the vacancies in the house. That, of course, can be done, and it may be wise to do it—provided that all delegations recognize that I have to take into consideration not only professional qualities, but also this question of geographical equilibrium. It would be misleading if I were to give the indication that all posts were equally open for free competition when there are cases where I do feel that certain countries should have priority. All the same, I should like to consider the possibility of finding some very simple system of announcing vacancies as they arise. That could, of course, be done by some kind of communication to the delegations present here in New York. For reasons which are, I think, obvious from what I have said, I am not now in a position to say exactly how it should be done or what qualifications and comments would be necessary in order to ensure that the operation would not be misleading. In any case, the matter will be studied.

33. In this context, particular interest was expressed in the present system of advisory selection bodies and the whole administrative system which is applied when we recruit. Under the staff regulations, appointments are, as you know, made by the Secretary-General on the advice of an Appointment and Promotion Board. The major function of that Board is to ensure that the selection from among candidates for appointment is the best one possible in the light of the criteria of selection set down in the Charter—I might add: set down in the Charter as qualified in this statement. The Board is an entirely internal body composed of a representative group of senior officials of the Secretariat. Those officials are of many nationalities. The seven present members of the Board, each of whom represents one department of the Secretariat, are nationals of the following countries: Belgium, Greece, India, Mexico, the United Kingdom, the United States of America and Yugoslavia. The alternate members are nationals of the following countries: Canada, China, France, India, Norway, the United Kingdom and the United States. As can be seen, there is a very wide range of nationalities.

34. I hope that these replies have clarified the main points. If there is any additional information that anyone here would like to have, I shall be happy to furnish it at a later stage.

35. I may perhaps be excused if, as I am now speaking, I take your time also in order to make a few observations on the reorganization in general. As I have already said, I do not think that this is the right moment to make an attempt to sum up my conclusions from this most valuable and interesting debate. Again, I am interested only in helping, to the extent I can, Member nations in their continued deliberations and considerations.

36. In several cases, there has been some concern about—let us call it—the insufficiency of the economies achieved. I can understand that. I can understand that it is tempting to say, “Could we not go further?”. If economies were accepted as an end in themselves, we could of course go further. If we had to balance a budget in the sense that a national Government may have to balance a budget, it would always be possible to make cuts going far beyond what I have proposed. But the whole consideration on my side and that of the Survey Group has been a different one: one of rationalization and concentration of efforts. We have been satisfied with the economies which flow from this rationalization and concentration. That does set a limit. The economies achieved do not pretend to go beyond what I have thought will be possible as a consequence of a more rational administrative approach. However, I have raised the question of a programme revision, especially with the Economic and Social Council. Of course, that programme revision could be pushed further if Member nations are willing to review their previous approach to various political problems and practical activities.

37. One further point should be stressed in this context. There is no reason at all to fear that the economies which we have in view, and even in hand, will weaken the possibilities of the United Nations to render service to the under-developed countries. On the contrary, as can be seen from the Survey Group's report, it has been one of the main guiding principles that, if anything, our possibility of rendering service in that field should be strengthened. I think that is the case, and I would not advise you to take any step which would reduce our possibilities of useful action in that specific sphere.

38. With that starting point—rationalization and concentration, not economies as an end in themselves—and with concern about the services we can render to the so-called under-developed countries, I do not believe that greater economies now would make sense or would be possible without later hitbacks, as it were, either in the form of less efficiency in our operation or in the form of additional demands at a later stage for funds to cover gaps which have developed because of the first, somewhat exaggerated cuts.

39. Another concern which has been expressed here refers to the size of the higher level. I have the impression that, somehow, some people have got the idea that this is an operation which has been more “harsh” as concerns the people down the line than as concerns the people at the top.

40. First, I should like to say that that is not true. If we have an average reduction of the staff of, say, some 15 per cent, the cut of the senior posts is greater than 15 per cent; it is somewhere between 15 and 20 per cent. In other words, the reduction of senior posts and the reduction of posts down the line is proportional. You may say that it should be possible to cut more on the higher levels than on the lower. In a certain sense, I can see that you might get that impression when you look at the matter from the outside. It is not, however, true. After all, there are two possibilities in an administration of this kind. One is to have a very great number of people, highly specialized, working rather independently. That is an extremely costly operation. The other is to have a comparatively much smaller staff of people working down the line, of whom you ask a much higher degree of flexibility, a much higher degree of intensity in their specific efforts. This is the cheaper approach, but it does require very strong leadership and also strong supervision. That is to say, when you switch from a system of very many specialized persons down the

line to a system of fewer people down the line with a greater demand for flexibility, you at the same time increase the burden on the senior level. In other words, you must in a certain sense count on buying savings down the line through relatively greater expenditure at the top. Now, we have managed in this case to avoid that, and I am happy that we have done so. On the other hand, I think that you can easily see that I would regard it as false economy if we went so far in our wish to achieve economies as to cut the senior level to an extent where the weaknesses of a smaller administration would appear. In order to be able to recommend to you the various reductions of the staff down the line, I must feel safe as concerns the supervision and the efficiency of the senior level. That is the reason why I would not consider it wise to go any further in the reduction of the senior level and why I would like you to understand that if we get a proportional reduction, as we have done, it is really the very most that we can envisage if we are to see to it that we have such proper leadership as makes it possible to run this whole operation with a smaller staff.

41. Perhaps it would also be helpful if I revert again to the few questions which seem to be especially controversial from a practical point of view—questions of detail, as has been pointed out, but nevertheless, of course, questions of importance.

42. I might mention first the question of outside *expertise* when we follow up the survey operation concerning centres in other parts of the world and, generally, in the field. I have already explained how I look at it. From my point of view, it is nothing but a practical problem. If, for example, in the case of the European Office, a solution were to present itself by which I could meet the point made by the Advisory Committee without running into the difficulties which I have pointed out in my initial statement (A/C.5/580), it is unnecessary to say that I would be happy to meet the point of view of the Advisory Committee. But I should not like to have my hands tied in the sense that I would have to add some kind of outside *expertise* if I were personally convinced that, with the people I could get, that really would not help the operation, or might prolong it. I want to be quite clear on this point. I have no objection in principle to the line taken by the Advisory Committee. This is a practical problem. If there is a way in which I feel that this operation can be strengthened and made more efficient, I will be glad to take it. But I am not sure that there is. Under such circumstances, I would be happy if in this case you trusted my judgment.

43. Another problem, and the one which has attracted perhaps the greatest attention, is, of course, the problem of the various Deputies. On that point I should like to be a little more precise than I have been before and to put before you for consideration what seems to me to be the minimum that I can, in good conscience, advise you to take.

44. I leave aside for a moment the question of the second Deputy in the Department of Economic and Social Affairs and concentrate on the first Deputy, who is mainly in charge of the relations with the various specialized agencies. I have already given you in detail my reasons for considering this post as a necessary one in the whole operation and also the reasons why, in this specific case, there cannot be any question, from my point of view, concerning the need to have him on the same level, as concerns his standing, as an Under-Secretary. For that reason, I would say that in this specific case the minimum that I could envisage as a wise policy would be that this Deputy for External Affairs—let us call him

that—should be approved without any reservations as to the definite character of the arrangement or as concerns his status.

45. As for the Deputy for Public Information, I would suggest that you give your approval on a tentative basis and ask for a reappraisal of the situation after two years. Personally, I am convinced that the establishment of this post is the right idea, but, as I told you the other day, from my point of view this is necessarily a trial-and-error operation, and I would therefore find it most reasonable to reconsider the situation after a couple of years.

46. As concerns the Deputy suggested for the Conference Department—the one who has proved to be the most controversial—I would suggest that you trust me to the extent of giving me the possibility of filling that post if it is found necessary. There, again, I would say that reappraisal after a couple of years would be, from my point of view, a wise thing. However, I would never even fill the post without being in agreement with the Under-Secretary in charge of the Department. I have already pointed that out. And I might add that from my point of view it would be helpful, when there is a question of filling the post, if I could have a chance to consult with the Advisory Committee on that issue. In other words, what I suggest to you is that you give me the authority to fill the post, that you do that on a tentative basis and on the understanding that the post will not be filled if, after further study and consideration of the situation, the Under-Secretary in charge and I myself find that there is no need for it now, and the further understanding that in this matter I would consult the Advisory Committee in order to make sure that we see eye to eye on the issue.

47. Concerning the fourth post, the one suggested for the Economic Department, I have already told you that I do not ask for that post now. There is no need for a decision. We should like to have further experience. If I mention it here, it is only because I should like to reserve my right to revert to the matter next year if the experience during 1955 is such as to warrant such a step.

48. I think that that covers the ground, for the essential part, with regard to the various Deputies.

49. Finally, there is the question of the speeding-up. I have already given you my very strong reasons for

feeling unhappy about any speeding-up operation which would force me to take action opposed to what I consider to be good personnel policy—that is to say, by premature terminations. We have to put in the scales, on one side, what I consider to be serious difficulties from the point of view of morale, and, on the other side, the economic or financial advantages. Of courses, it is not quite easy to make an appraisal of what a speeding-up would mean from a financial point of view. However, we have done our very best to find out where it would take us, and the result is that the net saving would, in fact, be a very modest one. I guess it would be of an order of magnitude perhaps not even amounting to \$50,000. If you put in one scale something of that size, and in the other the difficulties into which we are likely to run by rushing terminations, I must say that I remain definitely in favour of the line I took in my initial statement. As you will remember, I saw possibilities, in the light of recent experiences, of speeding up the operation while remaining true to the line so far followed. What is left for discussion now is something like half a year. In this case, again, I must ask you for your trust as concerns my judgment of the advantages and disadvantages

50. In concluding this statement, I should like to make just one brief observation. I do not think that, when we assess what has been done and what is being done here, we should disregard the part of the planned reduction—indeed one half—which has been achieved by a freezing operation carried through over the last eighteen months. It is not something that we have got for nothing. It has been part of a consistent reorganization policy, in which we anticipated at an early stage the development which we are now considering. On the credit side of this whole operation, all those reductions which have already been achieved should be remembered.

51. The reorganization, in fact, has been going on in a quiet way for more than a year. We have now reached a stage where we have to draw up accounts for the past and the future of this operation. I ask you to permit us to continue the operation in the same way in which we have conducted it for the last year. I think that the experience of that period in the form of savings and in the form of maintained or even improved staff morale, fully warrants such an appeal.

DOCUMENT A/C.5/594

Salaries and allowances of Under-Secretaries or officials of an equivalent rank: statement made by the Secretary-General at the 445th meeting of the Fifth Committee on 27 October 1954

[Original text: English]
[27 October 1954]

1. The Fifth Committee has before it my report on the salaries and allowances of Under-Secretaries and officials of equivalent rank, document A/C.5/583, in which I submitted to the Committee my proposals concerning the future remuneration of the top echelon of the United Nations Secretariat. The Fifth Committee has also before it the report of the Advisory Committee on the same question (A/2765).

2. We have had a long discussion concerning the reorganization, and in the course of that discussion I have been happy to note, and I think we have all been gratified to see, a considerable meeting of the minds. I must confess that it is with some embarrassment that I take the floor here today, because I feel we have come to a point where we do not see eye to eye. Then, of course, it is good to discuss what are the differences, but I must

explain from the very beginning that the proposals I have put forward are proposals without any margins, for which I thus must stand very firmly if I am to follow my own conclusions and convictions. My regret that we—the Advisory Committee and the Secretary-General—have not been able to see eye to eye on this point is the more profound because I do feel we are here facing a problem in the proper solution of which the Secretary-General's personal knowledge and personal judgment should be allowed to play an important part.

3. There appear to be two major points on which the Advisory Committee differs from the Secretary-General.

4. The first of these points concerns the special allowances, the maximum of which the Advisory Committee wishes to reduce from \$6,000 to \$4,000, at the same time

recommending that an over-all limit of \$35,000 be established for a total expenditure in respect of such additional allowances.

5. The second point concerns the transitional measures proposed by the Secretary-General, and in which the Advisory Committee is not prepared to concur at all.

6. I should like to deal with each point, and shall start off with the question of the special allowances.

7. On this point, I find in the Committee's report two observations which I assume have played an important role in the deliberations of the Committee. The first one is to be found in paragraph 8 of the Committee's report, where it is stated that :

"In the main, therefore, the level of emoluments now proposed for officials in the top echelon will be appreciably higher than those of the existing Principal Director level."

The second observation is to be found in paragraph 9, where the Committee states as its opinion that :

"... the amount of the allowances should be specifically related to the importance of the tasks to be performed rather than to the relationship to the Secretary-General."

8. As regards the first observation of the Committee, I hope the Chairman and the members of the Advisory Committee will forgive me for saying that I have some doubts regarding the relevancy of this observation, because I feel—and I feel strongly and I am confident that the members of the Fifth Committee will agree with me—that the question for consideration is not the one of a pay increase to Principal Directors, but that of establishing a proper level of emoluments for the top echelon of the Secretariat after reorganization.

9. This leads me to the second observation of the Advisory Committee, and I am happy here to be able to record my wholehearted agreement with the Committee, and I would like, with your permission, to develop a little more on the importance of the tasks which the new top echelon will have to shoulder. I remind you of the quotation that "allowances should be specifically related to the importance of the tasks to be performed rather than to the relationship to the Secretary-General".

10. The present level of Assistant Secretaries-General will disappear, it is true. I think we should recognize that that does not mean that the incumbents of the new unified level will have less to do or less responsibility. In fact, they will have a somewhat changed responsibility because their relationship to the Secretary-General will be changed, but, if anything, they will have more to do and I will have to rely more heavily upon them than before. An Assistant Secretary-General had at his side as his helper a Principal Director. An Under-Secretary will not have such a man. It is true that there will not be the kind of specific delegation of political responsibility which people talked about or thought of in San Francisco. But such delegation of responsibility has not taken place in all the past years. There is no change.

11. The new Under-Secretary and the officials of equivalent level will carry at least the same workload as the present Assistant Secretaries-General and will have, from my point of view, at least the same responsibilities, although with a slight change of emphasis in their relationship to the Secretary-General. This seems to me to provide the background against which the proposals for salaries and allowances for the new top echelon should properly be judged.

12. Coming now to my proposal as actually submitted, I am sure the Committee will have observed that what

I proposed was that a total remuneration for officials in the top echelon should be within the range between the present *maximum* for Principal Directors, \$16,000, which is exclusive of children's allowances and education grants to which these officials are entitled under the present system, and the present *minimum* for Assistant Secretaries-General, \$22,000. I submit that this proposal is a reasonable one and provides for nothing more than fair treatment for the new top officials within the Secretariat.

13. I have already given my reasons as concerns responsibilities and workload. Let me add one observation which I think is most relevant. We discussed previously the standard and the quality of the men who should man our top echelon. Is there anybody who feels that the Secretary-General could in any way reduce his demands for quality in the people to be recruited to the new level? Is there anybody who believes that it would be easier, in a situation with greatly increased costs of living, for the Secretary-General to recruit at the level we wish to maintain than it was previously? Most certainly not.

14. The level which we have at present is one which is necessary for proper recruitment with the standards we wish to maintain. In saying that, I base myself not on any speculation, not on any theory, but on most solid experience.

15. In this connexion, I think it would be worth while to examine the rates for Assistant Secretaries-General and top-ranking directors established by the General Assembly in 1946. In resolution 13 (I) adopted by the Assembly at the first part of the first session, it was provided that an Assistant Secretary-General would receive a net salary of \$13,500 and an allowance varying from \$7,000 to \$11,500, and that a top-ranking director would receive a net salary of \$11,000, with an allowance varying from \$3,000 to \$6,000. Compared with those rates, I consider that my proposal for a net salary of \$12,500 and a total allowance varying from \$3,500 to \$9,500 is reasonable. I have already drawn attention to the fact that the price level here has increased since 1946. I think that from the information which has been presented to this Committee, members know that that increase amounts to something like 32 to 35 per cent. That represents a corresponding reduction of the real value of the emoluments.

16. I have gone into this matter in some detail. I have done so, also, with some—let me admit it—heat. I am quite sure that representatives understand that that would not have been the case if this were not a question of great concern to me. It is a question of great concern not only because it involves a fair evaluation of the responsibilities of the posts on the top echelon of the Secretariat, but also because the Committee's decision on this point unavoidably will have an important effect upon my possibilities for running this new, reorganized Secretariat in a way corresponding to the demands which the General Assembly and Member Governments are perfectly justified in placing upon it.

17. The other main point of difference between the Advisory Committee and the Secretary-General concerns my proposal that, pending a final review and decision by the General Assembly at its tenth session of the question of pensionable remunerations for the top echelon, the *status quo* of present incumbents of the posts should be maintained as a minimum in all respects. The purpose of that proposal is to safeguard the interests of the present incumbents of the posts of Assistant Secretaries-General pending the gaining of some experience in the operation of the new system. I do believe that Member Governments will agree with me that such a transitional measure is proper not only from the point of view of

human considerations, but also—and just as much—from the point of view of the interests of good administration. The principle of fairness applies not only down the line but also on the top echelon.

18. I could, of course, go into much greater detail, but I do not think there is any reason for me to do that here and now. I have given to the Committee the main outline of my reaction. I might sum it up in this way :

19. In a period when prices were some 30 per cent lower than they are now, the General Assembly gave its appraisal of a reasonable level for the top echelon. Since that time there has been no reduction in real responsibilities; there has most certainly been no diminution in the demands for top quality. In such circumstances, I must consider as unjustified a reduction in emoluments. I should like to confess that, when I examined this problem, I was considering in the circumstances, not a reduction, but a possible increase.

20. There has been a reference here to what may be paid to Government officials in this country. I should, however, like to draw attention to the fact that such a comparison is not quite fair. I think a fairer comparison would be with the salaries paid to representatives of Governments of Members in New York, persons who are supposed to have, and do have, the same background experience as those whom we wish to have on the senior level here. I think that the result in that case would be more illuminating.

21. I have not been able to see what the justification could be for a reappraisal downwards of salaries in relation to the appraisal made by the General Assembly at the beginning of this Organization's life. I must add that on the basis which is suggested as an alternative, I do not feel that I could in good conscience assume my responsibilities for a proper recruitment of the top echelon.

After a statement by the Chairman of the Advisory Committee on Administrative and Budgetary Questions, the Secretary-General continued as follows :

22. There are just two points of clarification which may be useful.

23. First, I should like to say that I have not seen any reorganization where, unless there were qualitative grounds for it, demotions were permitted. Here, there is no reason for demotions, and I do not see how they could be justified.

24. Quite apart from that, we must not in the name of economy—and what we are discussing here is at the very most \$25,000—run the risk that I shall not be able to man properly a new, reorganized Secretariat on the top level or that I shall not even be able to retain on the top level people of a standard which is more than ever necessary if the so-called streamlined Secretariat is to function well.

25. Thus, I do not feel that this proposal does in any way conflict with our wish to get the reorganization going properly; from the point of view of fairness, I must say—as I said before—that our problem can be solved only by a transition as fair as the one which we should undoubtedly have granted to people down the line. The fact that a contract expires at the end of January 1954 should not make us forget that some of these people have been serving the Organization in the same capacity for seven or eight years. What has happened to their responsibilities, to their qualities, to the price level here justifies no new treatment.

26. The other point that I should like to clarify in order to avoid any misunderstanding is that I did not start out from the Assistant Secretary-General level in order to explain the present one. But, historically speaking, we really have only one firm point in the system; namely, that the General Assembly has already determined once what the salary level at the top echelon should be. It made that determination in relation to certain responsibilities, to a certain price level, to a certain need for recruitment. When I started to consider what should be the proper level for a new top echelon, I had to ask the following question: How does that level compare with the criteria applied by the General Assembly when it approved the level established in 1946? And there, I have failed to see what is the difference justifying a tightening up of the salary system beyond what I have proposed.

DOCUMENT A/C.5/595

Salaries and allowances of Under-Secretaries or officials of an equivalent rank: statement made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions at the 445th meeting of the Fifth Committee on 27 October 1954

*[Original text: English]
[27 October 1954]*

1. Before I deal with the points of divergence between the Secretary-General's proposals and the Advisory Committee's recommendations, I wish to say a few words about the basis on which the Committee undertook its study. Of course, the principal document was the Secretary-General's recent report (A/C.5/583). The Committee, however, also took under consideration the Secretary-General's original report of December 1953 (A/2554). The Fifth Committee will find therefore in paragraph 2 of the Advisory Committee's submission a summary of that part of the Secretary-General's statement of policy which seemed to the Advisory Committee to have an immediate bearing on the question before us: how to determine a suitable level of emoluments for officials in the top echelon.

2. The table appended to paragraph 3 of the Advisory Committee's report (A/2765) shows the existing scale both

for Assistant Secretaries-General and Principal Directors as compared with the proposed scale for Under-Secretaries and other officials at the top supervisory level. It shows, as pointed out in paragraph 5, that the proposed new scale of emoluments would run from the maximum figure of the existing Principal Director level (\$16,000 net) to a figure equal to the emoluments of almost all the Assistant Secretaries-General serving at the present time (\$22,000 net).

3. It is fair to qualify this statement by a reference to footnote b to the table in paragraph 3, as well as the final sentence in paragraph 6. At present the representation allowance of a Principal Director does not exclude entitlement to education and children's allowances. But under the proposed new scale the allowances of officials at the top supervisory level are deemed to include education and children's allowances. To that extent, a

straight comparison is not easy. The maximum of the allowance of a Principal Director may, in certain circumstances and for the reason I have just stated, exceed \$3,500 and bring his total net emoluments beyond \$16,000. In the case, however, of Under-Secretaries (or officials of equivalent rank) there is no provision for increasing the allowances beyond the stated maximum in any circumstances.

4. That being said, I draw attention to the following points: the Advisory Committee concurs in the Secretary-General's proposal for a uniform salary rate for the top supervisory level of \$18,000 (gross), as well as in the further proposal to fix the basic allowances at the uniform figure of \$3,500, which in effect becomes a minimum figure of allowance. As regards the second of these two proposals of the Secretary-General, it may be noted that the Advisory Committee's concurrence is qualified by the words "though with some hesitation". Those words were inserted because the Advisory Committee had some doubt whether, having regard to the wide variations in what we may somewhat loosely term duties of representation, there is a strong case for setting the minimum at \$3,500. The representation allowance of a Principal Director at present ranges from \$1,000 to \$3,500, and while it is true that the figure of \$1,000 appears only in the scale and is not actually being paid to any official at that level, it is also true that amounts down to \$2,000 are being, and have in the past been, paid.

5. I turn next to the question of the additional allowance, one of the two points of divergence (excluding minor points of method or procedure) between the Secretary-General and the Advisory Committee. The Secretary-General has proposed a maximum of \$6,000; the Committee recommends a maximum of \$4,000 with an over-all limit (based on fifteen posts) of \$35,000 as the budgetary provision for these payments. In paragraph 9 the Advisory Committee suggests that "it would sufficiently meet the case if the additional allowance payable to these officials, over and above the maximum basic allowance of \$3,500, were subject to a maximum of \$4,000". The range of net emoluments would thus be \$16,000 to \$20,000 per annum. This, in the opinion of the Advisory Committee, is a fully adequate range for an echelon of officials whose responsibilities are to be "essentially administrative". At the higher steps in this range of emoluments there seems sufficient provision both for "the special responsibilities" that will have to be exercised in certain departments as well as for "the special qualifications of candidates".

6. I may at this point say a few words about the Advisory Committee's suggestion that payment of the additional allowance should be made subject to voucher. The voucher system admittedly involves certain drawbacks, and the necessary scrutiny—if it is to be other than perfunctory—may be administratively difficult and even delicate. It offers, on the other hand, one important advantage: the Secretary-General has stated (and this is implicit in the text of his amendment to the Staff Regulations) that he intends to fix and review annually the rate of additional allowance paid in each "special case". Consequently, the vouchers submitted by the officials concerned would constitute a valuable basis on which to review a rate previously authorized and determine an appropriate rate for a coming year.

7. There remains, I think, only the question of the proposed transitional measure on which I need comment at this stage. The number of officials concerned is extremely small, as the Advisory Committee was informed, and it is not possible, pending the fixing of the individual rates of allowance, to determine what, if any, would be the decrease in the net emoluments which such officials would receive on being transferred to the new scale which has been proposed by the Secretary-General. Were an additional allowance of \$6,000 to be authorized, there would be no difference in net emoluments, although the rate of pensionable remuneration would fall from \$15,000 to \$12,500, which are the respective figures of net base salary of an Assistant Secretary-General and an Under-Secretary.

8. The Advisory Committee would not have found it difficult to recommend a transitional measure of this kind had the terms of appointment of the officials concerned run beyond 31 December 1954, for a limited period, say, of six to nine months. But such is not the case. Their terms of appointment expire on 31 December next. As from the following day—and I think I am right in saying that 1 January 1955 is the effective date in view—a new plan of organization, including a new salary rate at the top supervisory level, is to be introduced. It is therefore difficult to see on what grounds new appointments should be offered to the officials in question which would differ from those foreseen in the revised Staff Regulation and, consequently, from those held by their colleagues at the same level. Is it not eminently reasonable to argue that here too the principle of equality among staff members should obtain?

After a statement by the Secretary-General, the Chairman of the Advisory Committee on Administrative and Budgetary Questions continued as follows:

9. In his statement a few moments ago the Secretary-General pointed out that the Assistant Secretaries-General have in fact never exercised all the functions which were originally foreseen as those of their office. But the fact remains that the salary rate for Assistant Secretaries-General was fixed in 1946 on the basis of the functions originally contemplated. Therefore the salary rate of an Assistant Secretary-General is surely not relevant. All that we have to consider is what would be an appropriate level for an Under-Secretary or official of equivalent rank.

10. As regards the proposed transitional measure, is it conceivable that, when the appointments of the officials concerned expire at the end of this year and they are granted new appointments as from 1 January 1955, the revised conditions of service should not apply to them immediately? In the Advisory Committee's opinion, the new regime, the new conditions of service should, of course, come uniformly into effect as from 1 January 1955. Otherwise, why should so much time and effort be devoted to the elaboration of a new plan of organization and to the fixing of a new salary scale, within that plan, for the top supervisory level?

11. In conclusion, may I express the hope that the Secretary-General, in considering these various matters, will also have regard to the point of view which must be that of an administrative and budgetary committee? It is from that angle that I have considered them, and for that reason that I have been as forthright in my statement as the Secretary-General has been in his.

DOCUMENT A/C.5/596

Salaries and allowances of Under-Secretaries or officials of an equivalent rank: statement made by the Secretary-General at the 448th meeting of the Fifth Committee on 1 November 1954

[Original text: English]
[1 November 1954]

1. As I promised at the end of the 447th meeting, I have over the week-end devoted the most serious consideration to the problem which has arisen for this Committee because of the difference of opinion concerning my proposal to establish a level of emoluments for top officials in line with the standard so far maintained, a standard which, as you know, because of the price increase, is considerably lower than the one established in 1946 and confirmed in 1949 and 1950.

2. Various suggestions for compromises have been put forward and I have considered them carefully. In the light of this study I have certain proposals to make which may make it easier for the Committee to understand and to accept my attitude. I have got the impression that objections to the proposals, to a large extent, are explained by what I must consider to be slightly mistaken views of the character of the financial commitments I have to put on the shoulders of some senior officials, the way in which compensation can most properly be given for those commitments and, finally, the need for freedom of action for the Secretary-General in his recruitment policy.

3. Before putting forward my new proposals, I would—in spite of my reluctance to go into this or that kind of comparison—want to bring to your notice one fact which does, I think, throw added light on our problem. I would not attach any exaggerated importance to it. I do not consider it an argument. But I think it is one of those facts which, after all, should be kept in mind before a judgment is passed on the salary policy of this Organization. At the 447th meeting of the Committee, the Chairman of the Advisory Committee mentioned that, for example—if I understood him correctly—a man like Lord Layton was recruited to the League of Nations in Geneva for a salary of, say, \$11,000. I am grateful to him for bringing that to your attention. That happened a great many years ago. Evaluated in present-value money, this salary of \$11,000 would correspond today to at least something like \$19,000 in New York. It should be remembered—and I think we all understand that—that when Mr. Layton was recruited on the basis of that salary, he still had some way to go before he became the Lord Layton who now enjoys the respect and admiration of the whole world. In the course of my study of the situation over the week-end, I have, in the light of this example, looked at the salary rates generally applied in the League of Nations; and I think that, due account being given to the value of money in Geneva in the twenties and thirties compared to New York in the year 1955, the Chairman of the Advisory Committee will admit that that salary level—the salary level prevailing in Geneva—was considerably higher than the one proposed for the United Nations.

4. I have the figures here before me, re-evaluated on a basis which, I may say as an economist, certainly does not over-estimate the value of the salaries in present New York prices, in present U.S. dollar purchasing power. The Deputy Secretary-General had total emoluments amounting to \$34,000; the Under-Secretaries-General had emoluments amounting to, in present-day values, \$28,000;

the Legal Adviser had a salary of \$24,000. It should be remembered that the staff of the League, at the time when those salaries applied, was something like 700 compared to something between four and five times that number in the present Organization. The number of top officials varied but was never less than four and amounted, sometimes, to seven, plus the Treasurer. That is to say, a staff one-fourth or one-fifth of the present staff was run, at some periods, with the top senior level at salaries considerably exceeding what has been proposed here, being about half of the one I propose for the United Nations.

5. I said before that I mention this not in order to establish any kind of basis for my own proposals, but in order to dispose of the impression—if that impression prevails somewhere—that we are lax in our salary policy, that we are spendthrifts. Nothing would be more deplorable than if this impression were left in the mind of anybody—in the minds of the press, in the minds of the public—because it is not true. If somebody, hearing these figures from the League of Nations, replies that the quality of the United Nations Secretariat is lower than the quality of the League of Nations Secretariat, I have to say two things. First I do believe that he is wrong, and I cannot understand on what criteria he would base such a comparison. Second—and what is more important—even if he were right, that should not be the case and the Secretary-General should have the possibilities of correcting the situation. An acceptance of another view as a reason for a lower level of salaries here would bring us, indeed, into a vicious circle.

6. In my initial statement (A/C.5/580), I said that the attitude taken by the Advisory Committee would put me in a position where I could no longer, in good conscience, assume the responsibility for proper recruitment. I have to repeat that statement, having in mind the general ceiling of \$35,000, the refusal to accept in specific cases special allowances amounting to \$6,000, and also the refusal to accept a transition policy which would mean that the United Nations was living up to standards which, I believe, most good employers in the private labour market would accept.

7. I got the impression that somehow the main difficulty psychologically—and with all due respect, I suppose also politically—is that a special allowance of \$6,000 added to the basic emoluments, and regarded as parts of the salaries without equivalent expenditures, would bring the sum total of emoluments up to a level which might look excessive in the light of the salary plans of, I suppose, practically all national administrations serving within their own countries.

8. I take it that it was with this background that the representative of the United States proposed a different approach, to delete entirely the special allowances and, instead, increase the representation fund of the United Nations. I cannot follow him in that proposal, but I feel that his suggestion indicates the direction in which we should move in order to get away from misunderstandings which threaten to hamper the sound development of our system.

9. With that in mind, I would delete from the Staff Regulations any specification of special allowances for the highest level of officials and let the Staff Regulations set out only the basic rules concerning what should be considered personal emoluments for those officials. That is to say, in my initial proposal for a redraft of the Staff Regulations, I maintain only that part which covers the basic salary and the basic regular allowances, giving the sum total of emoluments amounting to \$16,000 net.

10. The other problem, which I tried to cover in the draft staff regulations by special allowances, I would solve in a different way: by introducing a new staff regulation granting the Secretary-General authority, within a certain global limit, to compensate senior officials for the cost incurred because of such contacts and representation as he assigns to them, on the basis of such justification as he may deem appropriate.

11. Within brackets I would like to say that I regret that I have to use the word representation, which gives an impression which is completely misleading and which certainly is part of the psychological problem which has arisen. But I appeal to those who have served or are serving in the Foreign Service to understand what the word means in terms of practical life.

12. May I repeat: I amend my proposal so as to eliminate completely the reference to special allowances. Instead, I introduce a new staff regulation authorizing the Secretary-General, within a certain financial limit, to grant—on the basis of such justification as he deems appropriate—compensation for the costs incurred because of responsibilities for contacts and representation which follow from such assignments as he gives to various officials.

13. In practice this would mean that we would establish a kind of fund at the disposal of the Secretary-General to be used in accordance with special criteria in order to cover such expenditure in the interest of the United Nations as would otherwise have been covered by the special allowances—and as the representative of the United States wished to cover from the representation fund.

14. In some cases payment for compensation would be nil or would obviously amount only to a very modest sum. In other cases the compensation might amount to \$6,000. In still other cases, and I wish you to observe that—I am quite willing to explain the point later if you wish me to—it would with this system be permissible to let it exceed even \$6,000.

15. The suggested arrangement would mean a switch from a regulation governing personal emoluments to an authorization for the Secretary-General to act in what he considers to be the interest of the United Nations within an over-all financial ceiling. As justification would be required, the proposal covers the point raised by the representative of France when he suggested a kind of voluntary voucher system, while at the same time it comes close in principle to the technical approach of the representative of the United States.

16. I have given considerable thought to the question of where the ceiling should be put. The estimates I have made have gone into detail and have confirmed my first indication that the sum needed in order to give the Secretary-General a safe margin for action should be put at \$60,000. The Advisory Committee has suggested a ceiling of \$35,000. This is—and I have already said so—completely insufficient.

17. The representatives of France, Argentina and Egypt have mentioned a ceiling of \$50,000. That might have been sufficient in 1955 if the Organization had not certain moral commitments which I consider that the Organization should not shirk. And it might be sufficient in later years when the various transitional problems are things of the past, if at that time we had not to count with the merging of the technical assistance operations with the other operations of the Secretariat, a merger which will make it necessary to fit additional officials in under the authorization.

18. If it had not been for the anticipated development in the technical assistance field, I could have accepted the idea of introducing \$50,000 as a ceiling, asking for an additional temporary arrangement to cover the difference of \$10,000 which arises because of transitional difficulties. However, for the reasons I have indicated, that would in my view not now represent a responsible budget policy.

19. Some representatives, I fear, may feel disappointed because of the fact that I have not offered any compromise as concerns the financial side of the proposed arrangement. I do not feel that such disappointment is justified. I will not in this context remind you again of the fact that the proposal which we are discussing—where the difference between the three delegations to which I referred especially and me is a difference of \$10,000—forms part of a general plan where, after all, savings have to be counted in millions. I think that is irrelevant; the level of emoluments should be established on its own merits. But it does meet the point which may lie close to some, that it may be all right to settle this in the way I have proposed if the cost can be compensated by savings in other places. The savings have come first; this follows.

20. However, I do not feel, for more solid reasons, that disappointment is justified. I said in my initial statement that I had made my proposals without margins, and I must today repeat that my first estimate stands. The help I have been able to offer is in another direction. As you have seen, my new proposals mean that the taint of having individual emoluments for private use, which the special allowances seem to have retained in the minds of many, has been removed. The proposal goes more than half way towards the fund arrangement. The proposed solution differs from the fund arrangement in one respect: the Secretary-General would not have to operate with payments out of a fund for verified costs, but would be able to anticipate and judge on a discretionary basis about general needs. From my point of view, this difference is essential. The guarantee for a sound use of the money lies in the request for some kind of justification. Some kind of justification—I would like to add—combined with the confidence I hope that you will find it possible to have in the sound judgment of the Secretary-General.

21. New texts in accordance with these proposals will be distributed in the course of the day. I hope that they will bring us closer to a solution in keeping with the real needs of this Organization. I would be grateful if the representatives would study the proposals in the light of the interest we all share in the success of efforts to maintain or raise the standards of the Secretariat and to be strictly fair both to old servants of this Organization and as concerns the salary relationship we establish between those old servants and men newly recruited.

DOCUMENT A/C.5/L.292/Rev.1

Revised proposal of the United States of America

[Original text : English]
[28 October 1954]

A. To amend the staff regulations of the United Nations¹⁶ as follows :

1. Delete paragraph 1 of annex I.

2. In present paragraph 2 of annex I delete the words "a Principal Director" and substitute "an Under-Secretary or official of an equivalent rank"; also substitute a period for the comma after the words "the Secretary-General's discretion" and delete the words "provided that the incumbent of the post of Executive Assistant to the Secretary-General at the time the present

annex is adopted may receive a representation allowance up to and not exceeding \$US5,500".

3. In present paragraph 3 of annex I delete the last sentence, which reads :

"In addition, the Secretary-General is authorized at his discretion to grant in special cases a representation allowance up to an amount of \$US1,500."

4. Renumber the paragraphs of annex I accordingly.

B. To increase the appropriation for section 23, Hospitality, from \$20,000 to \$40,000.

DOCUMENT A/2884

Report of the Fifth Committee

[Original text : English]
[16 December 1954]

1. In the light of reports submitted by the Secretary-General and by the Advisory Committee on Administrative and Budgetary Questions, the Fifth Committee devoted a series of meetings, commencing with its 435th meeting on 11 October 1954, to consideration of item 53 of the agenda of the ninth session of the General Assembly, entitled "Organization of the Secretariat".

2. Since, in accordance with the General Assembly's earlier instructions (resolution 784 (VIII) of 9 December 1953), the Secretary-General's budget estimates for 1955 had been prepared within the broad framework of his reorganization proposals, and both items were therefore closely connected, the Committee decided to deal with them simultaneously in the course of the general debate which, in keeping with past practice, preceded the first reading of the budget estimates for 1955.

3. In the course of these meetings consideration was also given to the manner in which annex I of the staff regulations of the United Nations, relating to salaries and allowances, would need to be revised in consequence of the proposed change in the central organization of the Secretariat at its top level. For the sake of clarity and convenience the present report is therefore submitted in two parts, part I dealing with the Fifth Committee's deliberations and conclusions as they concern general questions of Secretariat organization, and part II with the specific issue of the salaries and allowances of Under-Secretaries and officials of equivalent rank.

PART I

Organization

4. At its eighth session, following consideration of the Secretary-General's report on the organization of the Secretariat,¹⁷ the General Assembly authorized the Secretary-General to proceed, to the extent possible, along

the lines he had proposed and to prepare the 1955 budget estimates within the broad framework of such proposals, taking account of the observations and suggestions of the Advisory Committee and of the views expressed in the Fifth Committee at its 427th and 428th meetings (resolution 784 (VIII) of 9 December 1953).

5. As a basis for its further consideration of matters relating to the organization of the Secretariat, the Fifth Committee had before it, in addition to the budget estimates for the financial year 1955¹⁸ and the observations thereon of the Advisory Committee on Administrative and Budgetary Questions,¹⁹ a special report by the Secretary-General (A/2731), outlining the main features of his reorganization plan as developed since the eighth session, and the sixth report of the Advisory Committee to the ninth session of the General Assembly (A/2745), containing the Advisory Committee's observations and comments on the Secretary-General's proposals.

Proposals of the Secretary-General

6. In his report to the ninth session, the Secretary-General stated that for the purpose of assisting him in the further elaboration of reorganization plans pursuant to resolution 784 (VIII), he had appointed, early in 1954, a Survey Group of six senior Secretariat officials to undertake a thorough review of the Headquarters establishment. The review had as its primary aim a reassessment, in consultation with the other organs concerned, of the role which the Secretariat could most constructively play in furthering the objectives of the Charter and, in this context, a reappraisal of the nature and scope of the activities it could most usefully undertake. In the opinion of the Secretary-General, the conclusions reached by the Survey Group, whose report had been made available to delegations and to members of the Advisory Committee, represented a constructive achievement which would lead directly towards the improvement in the organization and structure of the Secretariat that many Members had long felt should be brought about.

¹⁶ See resolution 590 (VI) adopted on 2 February 1952 by the General Assembly.

¹⁷ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 48, A/2554.

¹⁸ *Ibid.*, Ninth Session, Supplement No. 5, A/2647.

¹⁹ *Ibid.*, Supplement No. 7, A/2688.

7. In his introductory remarks at the 435th meeting of the Fifth Committee, the Secretary-General explained that, in the report submitted for the General Assembly's formal consideration, he had attempted to focus attention on those particular aspects of the reorganization upon which it seemed desirable and appropriate for the Assembly to express itself. The report accordingly sought to direct attention to the conclusions reached regarding the principal units of the Secretariat at Headquarters, to the arrangements proposed with respect to the top level of officials, and to the anticipated long-term financial implications of the reorganization proposals as a whole. Attention was also called to the fact that, as an outcome of the work of the Survey Group, the Secretary-General had been able to furnish to the Economic and Social Council, at its eighteenth session, a special report on the work of the Secretariat in those particular fields of immediate concern to the Council; in consequence, the Council had adopted resolution 557 (XVIII) endorsing the approach reflected in that report and laying open the way for appropriate action to be taken on and in implementation of the Secretary-General's proposals.

8. It was pointed out, also, that the review so far carried out had been limited to departments at Headquarters and that it was the Secretary-General's intention early in 1955 to bring under similar detailed review the Technical Assistance Administration, the United Nations Children's Fund, and those United Nations offices and activities external to Headquarters, including in particular the European Office at Geneva, the secretariats of the regional economic commissions, and the information centres. The decision of the General Assembly at its eighth session had enabled the Secretary-General to carry out certain of the organizational changes contemplated in his earlier report which fell within his administrative jurisdiction. As regards the more basic structural and staffing proposals on which action remained to be taken, the report of the Secretary-General called attention to the fact that these constituted departures from the provisions of resolution 13 (I) establishing the principal units of the Secretariat and authorizing the appointment of certain top-level officials. Should the General Assembly therefore approve, at its ninth session, the reorganization plan as incorporated in the budget estimates for 1955, it would thereby be modifying those parts of resolution 13 (I) which were inconsistent with such proposals. The Fifth Committee was informed by the Secretary-General that the views expressed in the Committee as well as the observations offered by the Advisory Committee on Administrative and Budgetary Questions would be taken fully into account in the further implementation of these proposals.

Observations of the Advisory Committee on Administrative and Budgetary Questions

9. The Advisory Committee, in its sixth report, stated that it had not attempted, in the limited time at its disposal, an exhaustive study of the Survey Group's conclusions, since this would have involved detailed testimony on many of the intricate and technical matters which the Group had examined. It considered moreover that, under the division of responsibilities between the General Assembly and the Secretary-General, matters of detailed organization which did not involve programme and budgetary issues or issues of administrative policy or of concern to public opinion should be left to the discretion of the Secretary-General. The Committee, while of the opinion that from a budgetary point of view, the Secretary-General's proposals represented a most welcome reversal of the previous upward trend in annual appropriations, noted that the anticipated savings in staff costs covering more particularly the years 1956 and 1957

were necessarily of a purely tentative character and that it would therefore be prudent, for the reasons stated in the Secretary-General's report, not to regard the conclusions on which the estimated savings were based in too rigid a manner either as regards detailed organization or possible target establishment.

10. While endorsing in general the Secretary-General's approach as reflected in his report reservations were expressed by the Advisory Committee on certain policy aspects of the reorganization plan. These related specifically to:

(i) The advisability of including in the Survey Group a few persons outside the Secretariat possessing a diverse experience in organization and methods of administration.

(ii) The desirability of some acceleration in adjustment to target manning tables—not on financial grounds alone, but with a view to avoiding the depressing effect on staff morale that would result from the carrying out of projected staff reductions over a prolonged period—on the understanding that the Committee would recommend the necessary supplementary provision for payment of such special indemnities as might be required.

(iii) The possibility that the number of posts proposed to be continued at the top supervisory level might offset some of the benefits otherwise resulting from the reorganization and thus prejudice the good name of the United Nations.

(iv) The justification for assimilating the status of Deputy to the Under-Secretaries to that of the highest level on the grounds that when, exceptionally, such a post was warranted, the responsibilities of the incumbent must necessarily be narrower than, and subordinate to, the officer in charge of the department.

(v) The need for taking fully into account, in connexion with the proposed transfer to Geneva of certain units of the present Departments of Economic Affairs and Social Affairs, of the considerations set forth in paragraphs 27 to 30 of its sixth report.

11. The Advisory Committee further recommended that the second stage of the Survey Group's review should cover such points, among others, as the system of co-ordination at present in force among the overseas offices (including the Technical Assistance Administration and the United Nations Children's Fund) and between those offices and Headquarters departments; the extent to which common services could be developed at each centre; procedures for ensuring a clear division of responsibility in joint projects, and for establishing a closer contact between technical assistance experts and the Secretariats of the regional economic commissions; and the possible consolidation and regrouping of information centres.

General comments

12. On the basis of the two reports referred to above, the Fifth Committee commenced discussion of the item "Organization of the Secretariat" at its 435th meeting, following statements by the Secretary-General (A/C.5/580) and the Chairman of the Advisory Committee (A/C.5/581). Forty-one delegations took part in the debate that followed. In the course of the debate, general appreciation was expressed of the thoroughness with which the Secretary-General had undertaken his appraisal of the functions and staffing needs of the Secretariat as a first essential step in the further development of detailed organizational proposals. Appreciative reference was similarly made to the valuable assistance that had been rendered by the Advisory Committee in bringing to the fore those major issues of policy arising out of the reorganization proposals upon which the General

Assembly might most profitably concentrate its attention. A majority of delegations, while having certain reservations on some points of detail, indicated their full approval of the main features of the plan as outlined in the report of the Secretary-General and reflected in the 1955 budget estimates. There was widespread agreement with the view that budgetary savings should be looked upon as by-products of the reorganization process rather than as an end in themselves, and that the Secretary-General had adopted a sound approach in seeking first to redefine the Secretariat's role and the nature and scope of the tasks which, in conformity with the decisions of the United Nations organs concerned, it could most advantageously carry out.

13. The Secretary-General and the Advisory Committee were urged by some delegations to exercise, in the implementation of reorganization proposals, particular moderation and caution in contemplating further reductions which might be detrimental to the substantive work of the Department of Economic and Social Affairs or which might detract from the importance of the Organization's activities in the economic and social fields. In this connexion, those delegations wholeheartedly endorsed the Secretary-General's observations that to achieve budgetary savings greater than those indicated would require a more drastic approach by the General Assembly than was envisaged by him and would call for a change in the current level of substantive programmes—a course which he did not recommend. On the other hand, it was the feeling of some delegations that the proposals put forward, though admittedly designed to increase efficiency and to reduce expenditures, nevertheless fell short of what might reasonably have been expected, as they failed to provide for a sufficiently thoroughgoing revision of the entire Secretariat structure with a view to making it a much simpler, more flexible and less costly organ. Moreover, the staff reductions proposed appeared to affect mainly the lower salary levels and those posts which had been vacant for extensive periods.

14. Other delegations, while voicing general satisfaction with the results achieved so far, stressed their interest in having the 1956 budget estimates reflect the reductions in expenditure which they felt would undoubtedly result from the extended review. The hope was expressed that, during 1955, as was the case with Headquarters expenditure during 1954, the Secretary-General would find it possible to effect such resultant savings without waiting for General Assembly approval of his detailed proposals for reorganization of overseas offices and activities.

15. Believing that the organizational arrangements proposed might impair the smooth working of the Organization through an over-centralization of responsibility, a number of delegations, though appreciating the willingness and capacity of the Secretary-General successfully to carry out the duties of his office, indicated their concern lest these duties be over-extended. There was a danger that the Secretary-General might become weighed down by administrative and other tasks, leaving him insufficient time to devote to his all-important political functions. In this connexion, however, the Committee received assurances from the Secretary-General that experience under the new plan of organization had already been such as to demonstrate that pressure would tend to be eased by the establishment of well-defined and clear-cut lines of authority.

16. Several delegations stressed the fact that the Secretary-General's reorganization plan was not presented as a final blueprint but was subject to modifications in the light of experience. No organization dealing with the constantly changing problems of international relations could hope to reach an ultimate state of per-

fection. Flexibility and adaptability to rapidly changing needs were therefore of the utmost importance; and a wide degree of latitude, consistent with his responsibilities and authority as chief administrative officer of the Organization, should thus be left to the Secretary-General in the matter of detailed structural and staffing arrangements.

Composition of the Survey Group

17. There was considerable support for the suggestion made in paragraph 6 of the report of the Advisory Committee (A/2745) that for the purpose of the extended survey relating specifically to United Nations offices away from Headquarters "the Secretary-General may perhaps wish to consider the advisability of including in the Survey Group a few persons outside the Secretariat of the United Nations possessing wide experience of organization and methods of administration". Delegations endorsing this suggestion were of the opinion that the inclusion of such outside *expertise* would ensure a fresh and objective viewpoint. A few delegations, however, while recognizing the validity of this argument, shared the misgivings expressed by the Secretary-General that the association with the survey at this late stage of outside experts might tend only to complicate and delay the successful completion of an operation which had so far proceeded smoothly and with generally satisfactory results. In view, however, of the sentiments expressed, the Committee was assured that the Secretary-General would give earnest consideration to the Advisory Committee's suggestion. While he was not able to give any firm commitment at this time, he would be prepared to make such arrangements for enlarging the Survey Group, having regard to the scope and nature of the further review to be undertaken, as would in his judgment strengthen the operation by lending additional authority and weight to the conclusions reached. He felt, nevertheless, that the arrangements which had prevailed hitherto had proved fully adequate and he therefore requested that he be permitted to proceed according to the needs of the situation.

Structural changes

18. Members of the Committee expressed general concurrence with the structural changes to which effect had had already been given by the Secretary-General in accordance with the reorganizational proposals outlined to the General Assembly at its eighth session. These included, in particular, the allocation of the functions previously carried out by the Department of Conference and General Services between a Department of Conference Services, on the one hand, and an Office of General Services, on the other, together with the decision to bring under the Secretary-General's personal and immediate direction the personnel, financial and legal responsibilities of the Secretariat. In this connexion, a number of delegations reiterated the reservations they had expressed at the eighth session that the transformation of these units of the Secretariat into staff offices of the Secretary-General might result in placing upon him an excessively heavy burden. There was, however, general satisfaction with the Secretary-General's assurance that such changes were of an experimental nature and would be subject to review after some two years' experience.

19. The proposed merger of the former Departments of Economic Affairs and Social Affairs into a single unified department was warmly supported and appreciative reference was made to those organizational and programme adjustments which were designed to ensure

within the economic and social field "closer integration of economic and social activities, stronger policy direction, greater coherence in internal programming and more logical grouping of functions and responsibilities, the simplification of lines of authority and staff economy". In this connexion, it was urged by a number of delegations that the staff and resources of the new unified department should be increasingly directed towards the promotion of the economic and social development of the under-developed countries.

20. While some disappointment was expressed that it had not been found possible to provide for a fuller measure of integration of the Technical Assistance Administration (TAA) with a consolidated Department of Economic and Social Affairs, the reasons which had prompted the Secretary-General to recommend that the former be maintained for the time being as a separate entity were generally appreciated. It was hoped that this would be a strictly temporary arrangement, and note was taken of the fact that under the proposed plan of organization the unified Department of Economic and Social Affairs would, in the meantime, undertake full responsibility for such substantive and advisory functions as TAA might require in support of particular economic and social projects. The Committee was assured that with this development the essential backstopping for technical assistance operations would be provided without risk of duplicating functions.

21. While a few delegations indicated that they had serious reservations as to the desirability of transferring the Narcotic Drugs Division to Geneva, the practical advantages which would result from close collaboration with the secretariat of the Permanent Central Opium Board and the Drug Supervisory Body, as well as with the World Health Organization, were generally recognized. The proposed transfer was supported also on the grounds that it would make for a fuller and more effective use of the facilities and resources of the Organization's European Office. At the same time, the Secretary-General was requested to take careful account, in connexion with any such move, of the considerations set forth in paragraphs 27 to 29 of the Advisory Committee's report (A/2745). With regard to the further proposal that a major part of the work of the Transport and Communications Division should likewise be transferred to Geneva, there was general agreement that further study was called for in the light of the Advisory Committee's observations, and that in any event no definite action should be taken pending a careful review of the situation at Geneva, as well as at Headquarters, in the course of 1955.

Top echelon of the Secretariat

22. Discussion in the Fifth Committee of the organization of the Secretariat at its top level was concentrated, for the most part, on the specific question of the number and status of Deputy Under-Secretaries. The Secretary-General's proposal as outlined in his report (A/2731) called for the establishment of a single supervisory level comprising Under-Secretaries, Heads of Offices and Deputy Under-Secretaries, in place of the present two echelons of Assistant Secretaries-General and Principal Directors. Under the proposal as originally formulated, provision would be made for a total of sixteen posts, including four Deputy Under-Secretaries, at the new top level, as contrasted with the nineteen posts authorized for 1954 at the two present levels of Assistant Secretary-General and Principal Director. It was envisaged that the Deputy Under-Secretary would, by a suitable division of administrative responsibilities, be "not subordinate to, but co-ordinate with" the Under-Secretary in his Department.

23. The Advisory Committee, in commenting on the Secretary-General's proposals (A/2745), indicated its concern "about the long-term effect of the continuation in the Secretariat of so large a proportion of posts carrying the highest rank", a situation which it felt might prejudice the good name of the Organization. The Committee also found it "difficult to see the justification for assimilating the status of Deputies to the Under-Secretaries to that of the highest level". It considered, on the contrary, that the scope of responsibility exercised by a Deputy Under-Secretary must necessarily be narrower than that assumed by the officer in charge of the department and that by the same token his status should be subordinate. While not, therefore, favouring the creation of a new echelon between the departmental head and the divisional director, it did "not oppose the establishment, during a provisional period of adjustment, of a maximum of two posts of Deputy Under-Secretary".

24. The creation of a single echelon to replace the two present levels of Assistant Secretary-General and Principal Director was approved in principle by most delegations. Although, compared with the existing complement of Assistant Secretaries-General and Principal Directors, there would be an over-all saving of some three posts, the fact that the number of officers forming the level immediately under the Secretary-General and formally reporting to him would be increased from nine to sixteen occasioned some concern. The importance was stressed of avoiding not only any appearance of extravagance, but also of any arrangement which would so engulf the Secretary-General in technical problems of management as to diminish his opportunity of exercising the broad type of leadership which Members expected of him.

25. On the other hand, it was recognized that the Secretary-General's proposals had the advantage—of particular value during the period of adjustment—not only of making possible a wider range of direct contact between the Secretary-General and his senior officers, but also, and more especially, of developing among the senior staff a greater flexibility in dealing with the tasks devolving upon the Secretariat.

26. Many delegations also shared the Advisory Committee's view that the status of Deputy Under-Secretaries must clearly be subordinate to that of Under-Secretaries. Such delegations expressed serious misgivings regarding the administrative soundness of having Deputy Under-Secretaries with the same status as Under-Secretaries. In their view, only a strictly vertical structure could give rise to clear lines of responsibility which could be explained to, and understood by, people within and outside the Organization and readily upheld before interested parliamentary bodies.

27. Other delegations, while recognizing the theoretical validity of these arguments, thought that there was no rigid practice in such matters. The real point was whether a suitable division of competence and responsibility and satisfactory working relationships could be established. It was recalled, in this connexion, that a similar system of deputies with the same status as departmental heads has worked successfully in some national administrations.

28. On the practical side, it was also pointed out that it was easy to apply orthodox administrative methods and practices to the setting up of a new administrative organization. However, the Secretary-General was, in the present situation, faced with the problem of reshaping an existing organizational structure which made some administrative compromises unavoidable. Some delegations also expressed the view that decisions such as

these fell largely within the administrative authority of the Secretary-General and that the General Assembly should allow sufficient time for the arrangements proposed to be given a fair trial.

29. In the course of its deliberations, the Committee heard a number of important statements by the Secretary-General in further explanation of his proposals and in justification of the specific Deputy posts for which provision was requested. Emphasizing that seven Under-Secretaries and five Heads of Offices were the absolute minimum requirement for the top supervisory level of the Secretariat if the various operations of the United Nations were to be properly handled, he pointed out that the workload of the three departments to which he had suggested that Deputy Under-Secretaries should be appointed had already taken shape and that, even with a revision of the work assigned to those departments, he could not take such revolutionary steps as would fundamentally change the pattern of such work. Of the four Deputy posts he had originally asked for, two were in the Department of Economic and Social Affairs, one in the Department of Public Information and one in the Department of Conference Services. He considered essential the post of Deputy Under-Secretary in the Department of Economic and Social Affairs in charge of relations between the United Nations and the specialized agencies and other international organizations, a task which was now performed on a full-time basis by a Principal Director in the Executive Office of the Secretary-General. He would not, however, for the time being, press for a second post of Deputy Under-Secretary in the Department of Economic and Social Affairs, although experience might later prove it to be necessary if the Under-Secretary were not to be over-burdened and if too great a policy-formulating responsibility in that field were not to fall upon the Secretary-General himself. As regards the Deputy post in the Department of Public Information, the Secretary-General suggested that it be approved on a tentative basis and the situation reviewed after two years. He also asked for authority, on a tentative basis, to keep the Deputy's post in Conference Services; he would not, however, fill the post if, after further study and consideration of the situation together with the Under-Secretary in charge, he found that there was no need for it, and on the further understanding that before any such action was taken he would in any case consult with the Advisory Committee (A/C.5/591).

30. As regards the status of Deputy Under-Secretaries, the Secretary-General emphasized the need for teamwork between the Under-Secretary and his Deputy in the division of their tasks, but pointed out that the former would necessarily have final responsibility for the manner in which the work was divided. This distinction between the Under-Secretary and his Deputy would also be reflected in the emoluments which they would receive (see part II of the present report). The Secretary-General further emphasized that his conviction that equal status should be accorded to both Under-Secretaries and their Deputies was not of a doctrinaire nature but a result of a very thorough study of the problems which faced the United Nations and its Secretary-General. In particular, he considered that such a status would enable the Deputies to exercise more effective authority over the staff of the departments concerned, and furthermore would enable them to co-operate in the right way with their senior colleagues at the same level. Moreover, placing the Deputy Under-Secretaries at a D-2 level, as had been suggested, would not resolve the difficulties to which representatives had referred, since essentially the same problem would remain by virtue of the fact that Deputy Under-Secretaries and D-2 Directors at a bureau or divisional level would then have the same status.

Pace of reorganization

31. Reference was made by most delegations taking part in the debate to the pace at which the reorganization should proceed and the personnel policy to be followed in its implementation. The Committee was informed that the Secretary-General's proposals, if fully implemented, would result in a reduction in the number of posts at Headquarters (exclusive of TAA) from 2,865, for which provision was made in 1954, to 2,581, a reduction of 284 posts at a saving amounting approximately to \$2 million gross. The Secretary-General had suggested that, in the case of the overwhelming majority of staff members affected, the necessary adjustments could be effected gradually as a result of formal turnover, on which basis it was anticipated that target establishments would be fully achieved in the course of 1957.

32. The Advisory Committee, in its sixth report, had suggested that "some acceleration in the proposed policy may merit consideration, not on financial grounds alone, but also as a stimulus to increased efficiency, since the Committee feels some concern lest the carrying out of the projected reductions over a prolonged period should have a depressing effect on staff morale and on the efficiency of the Organization as a whole".

33. In his initial statement before the Fifth Committee, the Secretary-General recalled the assurances he had given to the staff that he would rely, to the fullest extent possible, on normal turnover in reaching the targets established by the Survey Group. He expressed the opinion that any departure from this policy would unquestionably result in repercussions affecting the efficiency and morale of the staff throughout the Secretariat which would far outweigh any advantages to be gained from a speedier adjustment. In the light of progress already made, however, he felt it would be possible so to organize recruitment and placement policies as to ensure that the 1956 budget estimates would, to all intents and purposes, reflect the target manning tables subject, of course, to such changes in programme and other developments as could not, at this time, be foreseen. He further suggested that in the event of there remaining at the end of 1955 a small number of special and exceptional cases which, for one reason or another, should offer little, if any, prospect of satisfactory alternative placement, he would be ready to discuss with the Advisory Committee possible arrangements whereby definitive action might be speeded up in the interests both of the Organization and of the individuals concerned consistent with the personnel policy so far followed and with existing Staff Rules and Regulations.

34. It was the opinion of some delegations that the two—or three—year period of readjustment envisaged by the Secretary-General should be considerably shortened with a view to completing the reorganization by the beginning of 1956. Other delegations, while sharing the Advisory Committee's view that some acceleration of the reorganization process might merit consideration, primarily as a stimulus to efficiency and for the purpose of avoiding any depressing effect on staff morale, nevertheless felt it important that any large-scale terminations should be avoided. Still others, while agreeing in general with the Secretary-General's policy of relying largely on staff turnover, considered that staff who were clearly redundant should be released without delay.

35. The majority of delegations, however, expressed satisfaction with the assurance given by the Secretary-General that every effort would be made to achieve the targets laid down at an earlier date than was originally envisaged. In this connexion, it was suggested that the Secretary-General should undertake to complete sub-

stantially the reorganization prior to the opening of the eleventh session of the General Assembly in September 1956.

36. Numerous delegations referred, in the course of the debate, to the observations made by the Secretary-General in his report that the procedures envisaged for implementation of the reorganization plan would need to be supported by carefully planned policies for recruitment and promotion which, while moving in the direction of geographical equilibrium, would recognize the need to protect as fully as possible the career service of the staff as a whole. The view was widely expressed that, while maintenance of the highest standards of efficiency, competence and integrity necessarily constituted a paramount consideration in the employment of staff, this consideration was not inconsistent with a more satisfactory geographical distribution, especially in the higher levels of the Secretariat. Particular attention was called to the inadequate representation enjoyed by the relatively less developed countries of Asia, Latin America and the Middle East with respect to the Principal Officer and Director levels. Though it was not suggested that standards of efficiency should be in any way lowered, no undue difficulty should be experienced in finding from the areas in question a number of adequately qualified, trained, responsible, devoted and impartial personnel. The Secretary-General was accordingly urged to take appropriate steps to correct the existing disequilibrium.

37. It was stressed in this connexion that, while the underlying purpose of the various reforms contemplated was to increase the Secretariat's effectiveness, its quality depended in the last analysis on that of the individuals who comprised it. The reorganization made it even more necessary that staff members should possess the qualities stipulated by the Charter, but this was fully compatible with the need of ensuring a fair and balanced distribution of posts among nationals of the different Member States.

38. Replying to the comments made, the Secretary-General acknowledged the fact that the present situation, particularly as it applied to posts in the higher levels, was far from satisfactory, and assured the Committee of his anxiety and resolve to remove, step by step, the imbalance that existed in the geographical distribution of internationally recruited posts. He pointed out, however, that throughout all phases of the reorganization period recruitment would necessarily be at a minimum and, consequently, unless existing staff members of long standing and proven merit were to be debarred from placement and promotion opportunities, there would be little possibility of effecting significant improvement within the immediate future. He would undertake to move as quickly and as vigorously as practicable in the direction of a planned recruitment operation, in the carrying out of which he would look to the assistance and co-operation of the Governments of Members and of their permanent delegations in furnishing information as to names and availability of suitable candidates. The process, however, would be a time-consuming one and no early spectacular results should be anticipated.

39. In connexion with recruitment policy, the opinion was expressed that it would be unwise to consider for appointment to the Secretariat persons who by virtue of the official positions they had occupied had played a prominent part in inter-State controversies. The importance was emphasized of an international civil servant not only being impartial and free from bias, but equally of his enjoying that reputation. It was therefore urged that the Secretary-General should exercise great caution in such matters.

40. In this connexion, the Committee was informed by the Secretary-General that recruitment in these circum-

stances would be undertaken only as an exceptional measure. He fully supported the principle that had been enunciated, but would not wish to see it so rigidly applied as to preclude the possibility of acquiring, in exceptional circumstances, the services of an eminently qualified person where there could be no question as to his character, independence of mind and true international approach.

Utilization of outside agencies for research and other activities

41. Reference was made in the course of the discussion to two other points: the "farming" out of certain research work to universities and other research centres and the use of voluntary organizations for the conduct of specific United Nations activities. With regard to some misgivings expressed in the Committee on the first point, the Committee was assured by the Secretary-General that appropriate steps would be taken to ensure the objectivity of all research work done by or on behalf of the Organization. On the second point the Secretary-General emphasized that, while voluntary organizations could play an important role in furthering the aims of the Organization, they could not, of course, speak for or in any way commit the United Nations, and that all care was taken to safeguard the boundaries. In this connexion, the Secretary-General drew attention to his proposals concerning the guided tour service.²⁰

Action of the Committee

42. During the discussion of the item in the Committee, Argentina submitted a draft resolution (A/C.5/L.282) which, however, was subsequently withdrawn in favour of a revised draft (A/C.5/L.282/Rev.1), jointly sponsored by Argentina, India, Lebanon and Yugoslavia.

43. A proposal by the representative of France to add the words "in 1955" after the words "detailed review" in the third paragraph of the preamble was accepted by the sponsors of the draft resolution, as was a suggestion by the Chairman of the Advisory Committee that the reference to "subsidiary bodies" in the same paragraph of the preamble might be changed to a reference to the secretariats of these bodies.

44. Following consideration at the Committee's 459th and 460th meetings, the joint draft resolution, as amended, was unanimously approved. The Fifth Committee therefore recommends to the General Assembly the adoption of draft resolution I contained in part III of the present report.

45. At its 460th meeting, following approval of the draft resolution, the Fifth Committee noted the necessity for amending the Staff Regulations in order to substitute the word "Under-Secretaries" for the words "Assistant Secretaries-General" in regulation 1.10 and for the words "Assistant Secretaries-General, Principal Directors" in regulation 4.5 (a) (see draft resolution II).

PART II

Salaries and allowances of Under-Secretaries or officials of an equivalent rank

46. At a series of meetings beginning with the 445th meeting and ending with the 449th meeting, the Fifth Committee considered the question of salaries and allowances of Under-Secretaries or officials of an equivalent

²⁰ See *Official Records of the General Assembly, Ninth Session, Annexes*, agenda item 38, document A/2886, paras. 19-29.

rank. The Committee had before it a memorandum on the subject by the Secretary-General (A/C.5/583) and the ninth report of the Advisory Committee on Administrative and Budgetary Questions (A/2765).

47. The Secretary-General had proposed that paragraphs 1 and 2 of annex I to the staff regulations should be deleted and replaced by the following text:

“An Under-Secretary or an official of equivalent rank shall receive as basic remuneration a salary of \$US18,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied), together with an allowance of \$US3,500. The Secretary-General may grant, in special cases and on an annual basis, an additional allowance up to an amount of \$US6,000. The allowance for Under-Secretaries or for officials of equivalent rank shall be deemed to include all representation (including hospitality) as well as education and children's allowances. If otherwise eligible, such officials shall receive the other allowances and benefits which are available to staff members generally.”

48. With regard to the current arrangements whereby certain officials received total emoluments in accordance with existing regulations which would differ from the new proposals, the Secretary-General had further proposed that, as a transitional measure, the *status quo* should be maintained as a minimum in all respects, including the level of pensionable remuneration.

49. The Advisory Committee, in its report (A/2765), compared the existing scale of emoluments to Assistant Secretaries-General (\$22,000 to \$25,000) and Principal Directors (\$13,000 to \$16,000) with those proposed by the Secretary-General for the top echelon under the organization plan (\$16,000 to \$22,000). The Committee concurred in the proposed uniform salary rate for the top supervisory level of \$18,000 (gross). It likewise agreed, though with some hesitation, that these posts should all carry a basic allowance of \$3,500 covering representation as well as education and children's allowances. However, with regard to the additional allowance proposed by the Secretary-General, the Advisory Committee considered as sufficient a maximum amount of \$4,000. It further considered that, on the basis of fifteen posts, the total expenditure in respect of this additional allowance should be subjected to an over-all limit of \$35,000.

50. The Advisory Committee also expressed the view that, upon expiry of the present term of appointment and in the event of the grant of an extension of appointment or of a new appointment, conditions of service based on the revised regulations should apply in all respects including the level of pensionable remuneration; it could not, therefore, support the Secretary-General's proposal for a differing transitional arrangement.

51. The Committee began discussion of this question at its 445th meeting, with statements by the Secretary-General (A/C.5/594) and by the Chairman of the Advisory Committee (A/C.5/595).

52. At the same meeting, a proposal was submitted by the United States of America (A/C.5/L.292/Rev.1), under which the salaries and representation allowances of Under-Secretaries and officials of equivalent rank would be established at the rates currently authorized for Principal Directors in accordance with paragraph 2 of annex I to the staff regulations, i.e., a gross salary ranging from \$17,000 to \$18,000, a cost-of-living allowance of \$750 gross and a representation allowance varying from \$1,000 to \$3,500, at the Secretary-General's discretion. If

eligible, they would also receive the other allowances and benefits available to staff members generally, but no additional allowance. This proposal provided concurrently for an increase in the funds available to the Secretary-General for hospitality purposes from the present level of \$20,000 to \$40,000; the additional \$20,000 would be available to reimburse expenses for hospitality extended by the top-ranking and second-level officials at the direction of the Secretary-General, on the basis of reports made to him of the persons entertained and the actual expenditure incurred.

53. At the 446th meeting of the Committee, Argentina and France offered certain alternative proposals, each designed to provide a total of \$50,000 for additional payments for representation or hospitality purposes, as against the total of \$35,000 recommended by the Advisory Committee and the \$60,000 proposed by the Secretary-General.

54. Members of the Committee recognized that the question before them was one which required thorough discussion and that it would be unfortunate if the Committee were to take a hasty decision or a decision supported by only a slight majority of its members.

65. The discussion proceeded, therefore, with the following main aims: to review the factors which should appropriately influence the level of remuneration for the top positions in the Secretariat; to reach a decision on the total emoluments to be paid, covering both salary and allowances; to decide whether the payment of any allowances, if authorized, should be regulated through the presentation of vouchers by those officials receiving such payments; and to consider the matter of transitional arrangements to which reference is made in paragraphs 48 and 50 above.

General review

56. Some delegations considered that the level of remuneration currently paid to the top officials in the Secretariat was excessive. They were not prepared to accept the concept that the principal consideration in attracting a competent person to a top-level post in the Secretariat was the salary paid.

57. They expressed their satisfaction at the abandonment of the annual salary level of \$23,000 (gross) currently authorized for Assistant Secretaries-General in favour of a top salary level of \$18,000 gross, which they considered proper since the responsibilities of the top supervisory level under the reorganization plan would be largely administrative. They considered, however, that the recommendation for representation allowances made by the Secretary-General, and to a lesser extent by the Advisory Committee, would, if approved, dissipate most of the advantages resulting from the salary adjustment.

58. They believed, therefore, that the Committee should decide what salary and emoluments were required to provide officials with a decent living standard under prevailing circumstances, and to this end the Committee should receive further information regarding the basis on which the proposed scales had been fixed so that it could the more readily judge whether the proposed level of remuneration was too high. They proposed this because, in their opinion, the payment of excessive salaries to the highest officials in the Secretariat would have an unfavourable effect on the subordinate staff as well as on public opinion.

59. Delegations holding these views were of the opinion that the proposal of the United States of America (paragraph 52) would provide a relatively simple and just solution.

60. The view was also expressed by some delegations that it was important as a matter of principle that any increase in the total remuneration of an individual staff member, or appropriate to an individual post, should be directly related to a corresponding increase in responsibility, since any action which was tantamount to increasing the rate for the job in any given instance was likely to have unfortunate repercussions throughout the Secretariat and in all the specialized agencies or other international organizations. They found it hard to agree that the top level of officials under the new plan would have responsibilities and duties equal to those of the existing Assistant Secretaries-General, and considered further that the difference in responsibility between an Under-Secretary and his Deputy would be more appropriately reflected by variations in basic salary than by differentiations in allowances. In general, however, they felt that the Secretary-General's proposals, if modified as suggested by the Advisory Committee, were reasonable and should prove acceptable to the Committee.

61. A number of other delegations thought it would be unfortunate if the Fifth Committee refused the Secretary-General, who had undertaken to make the Secretariat an efficient and well organized body, the appropriations he considered necessary to recruit persons of undoubted ability to the top level posts. They considered in consequence that the most important aspect before the Committee was not so much one of remuneration as of recruitment. In this respect one could not readily overlook the fact that, contrary to the situation which existed in a number of countries where persons at some financial sacrifice entered the public service for a limited period at a relatively low salary but returned thereafter to highly lucrative employment without difficulty, officials of the Secretariat in many instances as a direct result of their service with the Organization lost a good deal of their contacts in their own countries and hence were not in a comparable position.

62. They considered that the Secretary-General should be trusted to act with wisdom and judgment in promoting the best interests of the United Nations and that the Committee should reach no conclusion which would be prejudicial to his tasks, the more so since Member States had always held that the Secretariat should be small in number, highly qualified and adequately paid. They further pointed out that the reorganization plan had not been hastily improvised; the Secretary-General had spent two years at the head of the Secretariat and the Fifth Committee should be prepared to give considerable weight to his opinions.

63. Specifically, they noted the clarification given by the Secretary-General at the 446th meeting, that it was proper to distinguish between policy making responsibilities as such, i.e., the formulation of the principles to be followed, and responsibilities concerned with the application of these principles. At San Francisco it had been supposed that the Secretary-General would delegate to his Assistant Secretaries-General certain political responsibilities, but in practice there had been no delegation of powers except in the executive sphere. Since under the new scheme an Under-Secretary would have no greater political responsibilities but would have more extensive administrative responsibility, they did not readily believe it could be held that Under-Secretaries would have less responsibility and that they should receive reduced emoluments.

64. Many delegations, expressing all or some of the above views, were inclined to support outright the Secretary-General's proposals. Others gave their support to them on the understanding that they would be applied with flexibility. They did not consider that the question was one of correcting a mistake which was said to have

been made in 1946, but rather one of adapting the salary scale to the requirements of the new organization of the Secretariat. Others supported the Secretary-General's proposals on the grounds that the Fifth Committee should adhere to the decision reached by the General Assembly in 1946 which had been further confirmed by the Assembly's action in 1950 when it reviewed the report of the Expert Committee on Salaries, Allowances and Leave Systems of the United Nations.

65. Disappointment was expressed by some delegations that on a question as delicate as the one under discussion the Advisory Committee and the Secretary-General had not found it possible to reach agreement. However, they noted with satisfaction that both the Advisory Committee and the Secretary-General felt that considerations relating to the efficient functioning of the Secretariat should take precedence over the desire to achieve economies. As at a strict budgetary level there appeared to be no insuperable differences between the Advisory Committee and the Secretary-General, they thought it should not prove too difficult to find a reasonable compromise and that the proposals made by Argentina and France (paragraph 53) should be carefully studied in this connexion.

66. With the intention that the Committee should find common ground between the Secretary-General's point of view and that expressed by a number of Member States, the representative of the United States suggested, at the 446th meeting of the Committee, that it would be advisable for the Committee to ask the Advisory Committee, or a sub-committee of the Fifth Committee, to prepare a report comparing the salaries which United Nations delegations paid to their second and third echelon officials. Commenting on this suggestion, a number of delegations considered that it would be better to confine the discussion to the specific proposals before the Committee and not to complicate it by requesting the Advisory Committee to compile information that delegations might not be willing to supply and which they considered, for the reasons stated at the 446th meeting, would in any case constitute an irrelevant basis for comparison.

67. In view of the attitude expressed by delegations on the question, the delegation of the United States, at the 447th meeting of the Committee, withdrew its suggestion, but stated its readiness to provide full information in respect to the United States delegation and hoped that other delegations would do likewise since the information would be useful to the Committee.

Level of base salary and basic allowance

68. The Committee noted that the Secretary-General and the Advisory Committee agreed on the level of the base salary (\$18,000 gross) and of the basic allowance (\$3,500), making a total of \$16,000 net, although with regard to the level of basic allowance the Advisory Committee had admitted to "some hesitation" in recommending that level of allowance for all officials in the top echelon. Many delegations stated that they would support this particular proposal, although some would not have objected to differentiation of officials within that category. The attitude of the majority of delegations towards this question, as expressed during the Committee's discussion, was favourable towards the establishment of a level of base salary of \$12,500 net, and a basic allowance of \$3,500, having regard to the provision in the proposed draft regulation that this allowance should be deemed to include education and children's allowances.

Additional allowance

69. It was on the question of the amount of an allowance additional to that noted in paragraph 68 above

that the most divergent views were expressed. There was agreement that it would be appropriate to reimburse in some form those expenditures for hospitality or of a representational nature which the top officials of the Secretariat incurred by reason of the duties placed upon them by the Secretary-General. The point for consideration was whether a general fund should be established for this purpose, as was implicit in the draft proposal put forward by the United States and noted in paragraph 52 above, or whether representation payments should be identified with the individuals concerned, as was implicit in the proposals both of the Secretary-General and of the Advisory Committee.

70. Apart from this consideration, however, most of the delegations taking part in the discussion were agreed that a ceiling should be placed on the total amount expended under this heading. Differing views were expressed as to whether there should also be a ceiling on the payment made to any one official. Related to this matter was the question of the extent to which any payment made should be regulated by the presentation of vouchers or some other medium of justification.

71. It was suggested that, although the basic remuneration of certain top level positions would be lower, the net income of those officials concerned would not be reduced if the additional allowance were to be made as proposed by the Secretary-General. It was considered that the proposed allowance was too generous in view of the fact that the duties of the officials concerned would be primarily administrative rather than political.

72. Some representatives considered that the proposal of the United States delegation would be reasonable for a new organization, but that it was not appropriate to an organization in which a salary pattern had already been established. In consequence, they held that the Advisory Committee, in proposing a maximum additional allowance in the amount of \$4,000, had recommended a fair compromise.

73. Other delegations considered that the Secretary-General's proposal for the emoluments of Under-Secretaries, which resulted in savings in the budget as compared with the existing situation, were appropriate, taking into account the varying duties attached to the positions in question. While they considered that the Advisory Committee had taken a reasonable position, they gave weight to the Secretary-General's undertaking that the allowance should be an exceptional payment subject to review each year, and, in the circumstances, having regard to the different duties and responsibilities of the recipients of the allowance, they could see no valid reason to reduce it to \$4,000.

74. The point was also raised that the Committee should note that the rise in prices between 1946 and 1953 had led to a decrease in the purchasing power of the dollar, which according to economic experts was approximately 35 per cent; some delegations held the view that the total emoluments fixed in 1946 were rather low and that the Committee should not disregard the decline in purchasing power which had occurred since. In reply to this point, it was stated that, if that consideration had to be taken into account at all, it should apply to the remuneration of all members of the Secretariat.

Ceiling

75. The principle recommended by the Advisory Committee that a ceiling should be placed upon the total expenditures made in respect of the additional allowance was strongly supported. A number of delegations, how-

ever, held that this ceiling should be \$50,000, i.e., a sum below that proposed by the Secretary-General, but above that recommended by the Advisory Committee. Delegations supporting this view were of the opinion that such an arrangement would effect an economy as compared with previous years and, at the same time, would allow the Secretary-General the necessary degree of flexibility in the administration of the funds, since he himself had proposed that not all of the top-ranking officials should receive the maximum payments indicated in his original plan.

76. While giving their support to the concept of a ceiling for the total expenditure, to be administered at the discretion of the Secretary-General, several delegations none the less stressed the desirability of a distinction being made between the total emoluments received by an Under-Secretary and a Deputy Under-Secretary in order to mark the fact that the final responsibility would rest with the former. They considered that the placing of a limit on the total expenditures to be incurred would enable the Secretary-General to resist pressure for payment of a maximum allowance which might otherwise be exerted on him. Provided that evidence in some form was subsequently produced by officials to facilitate an annual review and to justify the expenditure, they could the more readily support the proposal for the establishment of a fund to be administered at the discretion of the Secretary-General without insisting also upon a ceiling on payments to any one individual.

Presentation of vouchers

77. The Committee noted the suggestion of the Advisory Committee that the Secretary-General might find it administratively desirable to authorize the additional allowance on a voucher basis. In this connexion, a number of delegations gave their unqualified support to the principle which lay behind the proposal of the United States (paragraph 52) that normal accounting safeguards should be instituted to govern expenditure for representation purposes. They considered that it was only fitting that expenditures incurred for representation purposes should be subject to audit and that sound accounting principles required that the additional allowance should be payable only upon receipt of evidence that expenditure of the type this allowance was designed to cover had in fact been incurred. In consequence, they commended the suggestion of the Advisory Committee to the Secretary-General's consideration. They recognized that, while such a system might present some administrative difficulty, it would lead to an administrative improvement compared with the existing practice of paying a representation allowance without regard to actual expenditure. They did not believe that the establishment of a practice which was supported by widespread tradition could be regarded in any way as affecting the dignity of the officials concerned.

78. Some delegations, while not in a position to support in full the United States proposal since they believed the Secretary-General should have a discretionary power in fixing the amount of the additional allowance, nonetheless considered that this particular element in it should be supported.

79. Other delegations, in response to a suggestion made by the delegation of France, considered that an alternative method might be not to compel top-ranking officials to file vouchers for their exact expenses, but to give them the option of so doing. On the basis of vouchers thus presented, the Secretary-General would be in a better position to stabilize the amount of expen-

diture for such allowances and would have available sufficient information to decide each year the amount of the allowance to be paid to each of his principal assistants.

80. The practical difficulties involved in the presentation of vouchers were noted by several delegations, which considered in consequence that it would be preferable to rely on the Secretary-General to see that allowances were granted only for good reasons, bearing in mind the fact that, though fixed at a given sum, the allowances might nonetheless contain an element varying with the family circumstances of the individual.

81. Doubt was expressed by some delegations as to the usefulness of the voucher system, which would constitute no certain guarantee against unjustified expenditure. Those holding this view felt that the Secretary-General should be granted some latitude in establishing methods of reimbursement and of checking representation expenditures. They thought, however, that there was great merit in the suggestion made by the delegation of France.

82. Several delegations thought that payment of the allowance on a voucher basis would be inconsistent with the dignity of high-ranking officials and with the trust which the General Assembly had in them. The Assembly should, therefore, leave it to the Secretary-General to fix the level of the allowance paid as he thought fit.

Transitional measures

83. In paragraphs 5 and 6 of his memorandum (A/C.5/583), the Secretary-General referred to a problem arising from the fact that certain officials at present received, in accordance with existing regulations, total emoluments which would differ with those he had proposed for the new top echelon. The Secretary-General considered that, as a transitional measure, the *status quo* of any such official who continued in the service of the United Nations should be maintained in all respects, that is to say, that an official of the category under reference who held an appointment for a term expiring 31 December 1954 should continue, in the event of his being granted an extension of appointment or a new appointment at the top supervisory level, to receive the emoluments of his present appointment, notwithstanding that these might be in excess of the emoluments which, under the revised conditions, would attach to his office.

84. It was, however, the view of the Advisory Committee that upon expiry of the present term of appointment and in the event of a grant of an extension of an appointment or of a new appointment, conditions of service based on the revised regulations should apply in all respects. Accordingly, the Advisory Committee stated its opinion that it was not prepared to concur in the proposed transitional measures. That Committee recognized, however, that as long as a contract remained in force, the conditions of the contract must be respected, but held that when it expired it would be normal to apply the new conditions to all.

85. The view of the Advisory Committee was shared by a number of delegations. They considered that the new terms of appointment for top-level officials should become effective on 1 January 1955 and that salaries and emoluments paid should conform to the new schedule. This would be fair to the Secretariat as a whole, and no exceptions should be made. They did not consider that any question of demotion was involved; a person would be merely occupying a new post which had not previously existed, his former post having been abolished when the new administrative structure came into effect on 1 January 1955. Delegations holding this view expressed the opinion that they would not support any decision that might impair acquired rights, but noted that both the

Secretary-General and the Chairman of the Advisory Committee had stated that in the present case no such rights were at stake.

86. A number of other delegations emphasized strongly their opinion that reorganization should not impair acquired rights. They considered that, while the Advisory Committee was no doubt right in its attitude according to the principles of administrative law, there were other considerations which should not be overlooked and that it was not fitting to expose officials of long service to new uncertainties. They stated that the General Assembly by its actions in the past had, as a rule, maintained the principle that the existing salary ceiling of an official should not be reduced during the period of his employment.

87. The majority of delegations, however, did not feel that the Organization had any legal or moral commitments towards persons whose contracts ended on 31 December 1954 and, in consequence, saw no reason why the new conditions should not, as recommended by the Advisory Committee, take effect as soon as possible.

Emoluments of Directors

88. The Committee supported the views expressed by the Secretary-General in paragraph 6 of his memorandum (A/C.5/583) that no change should be made at this stage either in the existing salary range for Directors or in the provision in the staff regulations empowering the Secretary-General in special cases to grant directors a representation allowance up to \$1,500. It was noted that the Advisory Committee had also concurred in this view and that the continued payment of the allowance would be subject to an annual review by the Secretary-General similar to that proposed for the allowances of the Under-Secretaries and officials of equivalent rank.

89. In the light of the discussion the Secretary-General stated (A/C.5/596) at the 448th meeting of the Fifth Committee that he had given serious consideration to the observations which had been made on his original proposals for a level of emoluments for top-ranking officials in line with his present standards. He had, in consequence, undertaken a revision of these proposals which he introduced at that meeting (A/C.5/583/Add.1).

90. Under the Secretary-General's revised proposals, paragraphs 1 and 2 of annex I of the staff regulations would be replaced by the following text:

Annex I, paragraph 1 :

"An Under-Secretary or an official of equivalent rank shall receive as basic remuneration a salary of \$US18,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied), together with an allowance of \$US3,500.

"Under-Secretaries or officials of equivalent rank shall not be entitled to education and children's allowances but shall, if otherwise eligible, receive other allowances and benefits which are available to staff members generally."

Annex I, paragraph 2 :

"The Secretary-General is authorized to make payments to Under-Secretaries and officials of equivalent rank at Headquarters to compensate for such special costs in the interest of the Organization as arise in the performance of duties assigned to them by the Secretary-General, on the basis of such justification as he deems appropriate. Such compensation shall not exceed a total of \$60,000 for all officials concerned."

91. The Committee endorsed a suggestion of the Philippines that the Advisory Committee should be requested to comment upon this new text (A/C.5/583/Add.1).

92. At its 449th meeting, the Committee had before it the thirteenth report of the Advisory Committee (A/2781), in which that Committee compared the principal points in the Secretary-General's original proposal (A/C.5/583) and his revised proposal (A/C.5/583/Add.1). It was the view of the Advisory Committee that the revised proposal of the Secretary-General offered the advantage of having the expenditure necessarily incurred in the interest of the Organization divorced from the concept of emoluments with which it had been associated, albeit indirectly, in the earlier proposal, and of containing strengthened provisions for the justification for payments.

93. The Advisory Committee also stated the reasons why it considered it preferable not to specify in the pertinent regulation the amount of the total annual authorization in respect of such expenditures incurred by top officials, but to leave the necessary provision to be made through the inclusion of an appropriate lump sum in the budget estimates each year.

94. While concurring in the proposed revision to paragraph 1 of annex I of the staff regulations, the Advisory Committee suggested that paragraph 2 should read :

“Paragraph 2 :

“The Secretary-General is authorized, on the basis of appropriate justification and/or reporting, to make additional payments to Under-Secretaries and officials of equivalent rank at Headquarters to compensate for such special costs as may be reasonably incurred, in the interest of the Organization, in the performance of duties assigned to them by the Secretary-General. The maximum total amount of such payments is to be determined in the annual budget by the General Assembly.”

95. The Secretary-General noted that the Advisory Committee had raised the ceiling on the global sum required for additional allowance payments to \$40,000 thus reducing the difference from \$25,000 to \$20,000 in respect of his proposal. He pointed out that the Advisory Committee suggested the maintenance of a \$4,000 limit in payment to any one individual, whereas he maintained that in special cases an amount of \$6,000 would be justified, although he stated that in the interest of flexibility and in order to avoid misunderstanding no specific limit should be prescribed. The Secretary-General stated his concern that the total amount payable should be made subject to an annual decision of the General Assembly, since this opened the possibility for renewed debates on this question annually and would also leave him in a difficult situation regarding recruitment, which had been the consideration underlying all his proposals. He had, in consequence, some reservations against the final sentence in the text of paragraph 2 of the annex as proposed by the Advisory Committee.

96. The Secretary-General stated that the differences between himself and the Advisory Committee were the result of honest convictions honestly held. In the case of the Secretary-General, those convictions related to the administrative needs of the Organization. In the case of the Advisory Committee the basic considerations appeared to be primarily of a financial nature. A decision reached primarily on financial considerations would unavoidably render the Secretary-General's task more difficult and might jeopardize the success of his recruitment efforts at a time when his main concern was to arrange the administration of the Organization in such a way as to allow him to devote more attention to political matters.

97. Many delegations expressed appreciation of the Secretary-General's action in submitting a revised proposal designed to meet the views which had been expressed during the Committee's earlier meetings. They considered that the abandonment of the proposed additional allowance for top-ranking officials was a substantive improvement, and welcomed the assurances given by the Secretary-General that he would exercise close control over the expenditure of funds authorized for representation purposes.

98. As a result of the new proposal, the United States delegation withdrew its proposal for a sliding scale of salaries and allowances which it had made at the Committee's 446th meeting.

99. Australia and the United Kingdom submitted for the Committee's consideration a draft resolution (A/C.5/L.293) in the terms set out in annex I of the thirteenth report of the Advisory Committee (A/2781).

100. The Secretary-General, replying to several questions which were raised in the discussion, confirmed that he could accept the last sentence of the Advisory Committee's amendment to annex I, paragraph 2, on the understanding that it was not the Fifth Committee's intention to reopen the question of allowances each year, since in his recruitment policy he must be able to anticipate a certain measure of stability with regard to available funds. That, of course, did not imply any commitments or moral obligation on the part of future sessions of the General Assembly.

101. In reply to further questions the Secretary-General stated that, if the Fifth Committee accepted the transitional measures he had proposed, a sum of \$60,000 would in his view be needed to meet the total cost for top-ranking staff. If, however, the Fifth Committee accepted the recommendation of the Advisory Committee that there should be no transitional measures, he considered that the sum of \$50,000 would be adequate to cover the total cost of additional payments.

102. The Chairman of the Advisory Committee, referring to paragraph 5 (b) of that Committee's thirteenth report (A/2781), stated that, in the opinion of the Advisory Committee, it would be desirable for additional payments to be made under paragraph 2 of annex I of the staff regulations to be limited to a maximum of \$4,000 per annum for any one official, but he confirmed that that statement was a suggestion only and was not presented to the Fifth Committee as a formal recommendation for action.

103. In the light of its consideration of this question the Fifth Committee voted separately on paragraphs 1 and 2 of the joint Australian-United Kingdom proposal (A/C.5/L.293) :

Paragraph 1 was adopted unanimously ;
Paragraph 2 was adopted unanimously.

104. The Committee, by 35 votes to 15, with no abstentions, concurred in the recommendation of the Advisory Committee (A/2765) that the transitional measures proposed in paragraphs 5 and 6 of the Secretary-General's original memorandum (A/C.5/583) should not be approved.

105. The proposal made by Argentina and France at the 446th meeting that a total appropriation of \$50,000 should be recommended to cover additional payments to top-ranking officials was adopted by the Fifth Committee by 31 votes to 15, with 2 abstentions. A provision in this amount was subsequently included under a new section—section 23a—of the 1955 budget and was adopted by the Committee during the second reading of the estimates at its 483rd meeting.

PART III

Recommendations of the Fifth Committee

106. In the light of its decisions, as mentioned in paragraphs 44, 45 and 103 of the present report, the Fifth Committee recommends for adoption by the General Assembly the two draft resolutions attached. Draft resolution I reproduces the text contained in A/C.5/L.282/Rev.1 as amended, while draft resolution II incorporates

the amendments to the staff regulations which follow from the decisions covered by this report.

DRAFT RESOLUTION I

[Text adopted without change by the General Assembly. See A/RESOLUTION/293 below.]

DRAFT RESOLUTION II

[Text adopted without change by the General Assembly. See A/RESOLUTION/294 below.]

DOCUMENT A/RESOLUTION/293

[Resolution 886 (IX)]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

ORGANIZATION OF THE SECRETARIAT

The General Assembly,

Considering its resolution 784 (VIII) of 9 December 1953 in which it recommended that the Secretary-General should proceed along the lines of his report to the eighth session on the organization of the Secretariat contained in document A/2554,²¹

Having examined the report of the Secretary-General to the ninth session on the organization of the Secretariat (A/2731) and the comments contained in the report of the Advisory Committee on Administrative and Budgetary Questions (A/2745),

Taking note of the Secretary-General's intention to bring under detailed review in 1955 those United Nations offices and activities external to Headquarters, as well as the secretariats of the subsidiary bodies of the United Nations,

Considering the Secretary-General's statements during the discussion of the item in the Fifth Committee of the General Assembly,

1. Notes with appreciation the Secretary-General's report on the reorganization of the Secretariat and further notes his statements in the Fifth Committee and the general approval by the Economic and Social Council of the proposals made by the Secretary-General in document E/2598 ;

2. Approves generally the measures adopted by the Secretary-General and invites him, in proceeding with the implementation of his proposals, to take into account the comments contained in the report of the Advisory Committee on Administrative and Budgetary Questions and the observations and suggestions made in the Fifth Committee of the General Assembly with reference to the various aspects of reorganization ;

3. Requests the Secretary-General to report progress to the General Assembly at its tenth session.

DOCUMENT A/RESOLUTION/294

[Resolution 887 (IX)]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

AMENDMENTS TO THE STAFF REGULATIONS OF THE UNITED NATIONS

(Regulations 1.10 and 4.5 (a), and annex I, paragraphs 1 and 2)

The General Assembly

Adopts, as amendments to the staff regulations of the United Nations, the texts annexed to the present resolution. These amendments shall become effective from 1 January 1955.

ANNEX

Staff regulation 1.10 (amended text)

The oath or declaration shall be made orally by the Secretary-General and by Under-Secretaries and officials of equivalent rank at a public meeting of the General Assembly and by all members of the Secretariat before the Secretary-General or his authorized deputy.

Staff regulation 4.5 (a) (amended text)

Appointments of Under-Secretaries and officials of equivalent rank shall normally be for a period of five years,

subject to prolongation or renewal. Other staff members shall be granted either permanent or temporary appointments under such terms and conditions consistent with these regulations as the Secretary-General may prescribe.

Annex I to the staff regulations, paragraph 1 (amended text)

An Under-Secretary or an official of equivalent rank shall receive as basic remuneration a salary of \$US18,000 (subject to the Staff Assessment Plan at the rates laid down in General Assembly resolution 239 (III) of 18 November 1948 and to such changes as may be directed from time to time by the General Assembly, and to salary differentials wherever applied), together with an allowance of \$US3,500.

Under-Secretaries or officials of equivalent rank shall not be entitled to education and children's allowances but shall, if otherwise eligible, receive other allowances and benefits which are available to staff members generally.

Annex I to the staff regulations, paragraph 2 (amended text)

The Secretary-General is authorized, on the basis of appropriate justification and/or reporting, to make additional payments to Under-Secretaries and officials of equivalent rank at Headquarters to compensate for such special costs as may be reasonably incurred, in the interest of the Organization, in the performance of duties assigned to them by the Secretary-General. The maximum total amount of such payments is to be determined in the annual budget by the General Assembly.

²¹ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 48, A/2554.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 515th plenary meeting, on 17 December 1954, the General Assembly adopted draft resolutions I and II submitted by the Fifth Committee (A/2884). For the final texts, see A/RESOLUTION/293 and A/RESOLUTION/294, above.

CHECK LIST OF DOCUMENTS

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/2512 and Corr.1	Report of the Sixth Committee		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 54</i>
A/2554	Report of the Secretary-General		<i>Ibid.</i> , agenda item 48
A/2647	Budget estimates for the financial year 1955 and information annex		<i>Ibid.</i> , Ninth Session, Supplement No. 5
A/2647/Add.1	Information annex II to the budget estimates for the financial year 1955		<i>Ibid.</i> , Supplement No. 5A
A/2663	Annual report of the Secretary-General on the work of the Organization 1 July 1953-30 June 1954		<i>Ibid.</i> , Supplement No. 1
A/2688	Second report of the Advisory Committee on Administrative and Budgetary Questions		<i>Ibid.</i> , Supplement No. 7
A/2731	Report of the Secretary-General	1	
A/2745	Sixth report of the Advisory Committee on Administrative and Budgetary Questions	15	
A/2765	Ninth report of the Advisory Committee on Administrative and Budgetary Questions	20	
A/2766	Tenth report of the Advisory Committee on Administrative and Budgetary Questions: holding of the 1955 session of the International Law Commission at Geneva		<i>Ibid.</i> , Annexes, agenda item 38
A/2781	Thirteenth report of the Advisory Committee on Administrative and Budgetary Questions: salaries and allowances of Under-Secretaries or officials of an equivalent rank	23	
A/2884	Report of the Fifth Committee	44	
A/2886	Report of the Fifth Committee		<i>Ibid.</i>
A/C.5/577	Statement of 1954 budget expenses to 31 August 1954 and of anticipated total requirements for 1954: report of the Secretary-General		<i>Ibid.</i>
A/C.5/580	Statement made by the Secretary-General at the 435th meeting of the Fifth Committee on 11 October 1954	24	
A/C.5/581	Statement made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions at the 435th meeting of the Fifth Committee on 11 October 1954	29	
A/C.5/583	Salaries and allowances of Under-Secretaries or officials of an equivalent rank: memorandum by the Secretary-General	32	
A/C.5/583/Add.1	Salaries and allowances of Under-Secretaries or officials of an equivalent rank: note by the Secretary-General	33	
A/C.5/584 and Corr.2	Use of income derived from the Staff Assessment Plan: report of the Secretary-General		<i>Ibid.</i>
A/C.5/591	Statement made by the Secretary-General at the 443rd meeting of the Fifth Committee on 22 October 1954	34	
A/C.5/594	Salaries and allowances of Under-Secretaries or officials of an equivalent rank: statement made by the Secretary-General at the 445th meeting of the Fifth Committee on 27 October 1954	38	
A/C.5/595	Salaries and allowances of Under-Secretaries or officials of an equivalent rank: statement made by the Chairman of the Advisory Committee on Administrative and Budgetary Questions at the 445th meeting of the Fifth Committee on 27 October 1954	40	
A/C.5/596	Salaries and allowances of Under-Secretaries or officials of an equivalent rank: statement made by the Secretary-General at the 448th meeting of the Fifth Committee on 1 November 1954	42	
A/C.5/600	Report of the Secretary-General		<i>Ibid.</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/C.5/L.282	Argentina: draft resolution		Replaced by A/C.5/L.282/Rev.1
A/C.5/L.282/Rev.1	Argentina, India, Lebanon and Yugoslavia: draft resolution		Same text as A/RESOLUTION/293
A/C.5/L.292	Proposal of the United States of America		Replaced by A/C.5/L.292/Rev.1
A/C.5/L.292/Rev.1	Revised proposal of the United States of America	44	
A/C.5/L.293	Salaries and allowances of Under-Secretaries or officials of an equivalent rank: proposal by Australia and the United Kingdom of Great Britain and Northern Ireland		See A/RESOLUTION/294
A/C.5/L.325	Draft report of the Fifth Committee		Same text as A/2884
A/RESOLUTION/293	Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954	55	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 886 (IX)
A/RESOLUTION/294	Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954	55	<i>Ibid.</i> , resolution 887 (IX)
E/2598	Review of the Organization and work of the Secretariat in the economic and social field: report of the Secretary-General		<i>Official Records of the Economic and Social Council, Eighteenth Session, Annexes</i> , agenda item 29
E/2607 and Corr.1	Sixteenth report of the Administrative Committee on Co-ordination		<i>Ibid.</i> , agenda items 8 (b) and 26 (a)



Agenda item 54: Personnel policy of the United Nations

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A/2862	Report of the Fifth Committee	6
A/RESOLUTION/262	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	8
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DOCUMENT A/2777

Report of the Secretary-General

[Original text : English]
[28 October 1954]

1. In my report on personnel policy considered by the General Assembly at its eighth session,¹ I suggested that in view of the proposed widening of the responsibilities of the Secretary-General in a sphere which could not appropriately and to its full extent be subject to review by a tribunal confined to strictly legal criteria, consideration should be given to the desirability and possibility of supplementary forms of control adapted to the specific nature of the decisions to be reviewed.

2. It was pointed out in the report that, in the constitutional and legal traditions of a great number of countries, the form of control normally exerted upon the chief executive (where strictly legal criteria were inapplicable) was what might be called a parliamentary one, and that in the United Nations the closest analogy to such parliamentary control would be an arrangement by which the General Assembly would have opportunities of discussing the principles applied by the Secretary-General in his implementation and interpretation of staff rules and regulations, including in particular the proposed new grounds for termination, in so far as these were not of a nature which put them under the control of the Administrative Tribunal. I stated that I would consider

such a review of principles by the General Assembly as a step in the right direction in the development of a balanced and sound constitutional and legal system in the United Nations administration.

3. Subject to the reservation that any such review should be strictly confined to principles and should not lead the Assembly into an examination of individual cases, the Secretary-General's proposal, as endorsed by the Advisory Committee on Administrative and Budgetary Questions in its twenty-first report to the eighth session,² received a wide measure of support. It was accordingly decided, by resolution 782 C (VIII) adopted on 9 December 1953, that the General Assembly should undertake, at its tenth session in 1955, on the basis of a report to be submitted by the Secretary-General and of the comments thereon of the Advisory Committee, including their recommendations as to such further action as might be required of the General Assembly, a review both of the principles and standards progressively developed and applied by the Secretary-General in his implementation of the staff regulations and of the staff regulations themselves. Underlying this decision was the assumption that by 1955 sufficient experience should have been gained to make possible a spelling out of such principles and standards in greater detail.

¹ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 51, A/2533, paras. 37 to 39.

² *Ibid.*, A/2555, paras. 11 and 13.

4. The fact was stressed, both in my report and in the course of statements before the Fifth Committee, that the whole problem and the policy of the Secretary-General with respect thereto would need to be considered in the light of a pending report by the International Civil Service Advisory Board on standards of conduct in the international civil service. In order, therefore, that the recommendations of the Board might be made known to the General Assembly and with a view to seeking clarification of certain existing regulations prior to the more comprehensive review to be undertaken in 1955, I deemed it desirable to include the question of personnel policy as a specific item in the agenda of the ninth session. This has also afforded me an opportunity of reporting briefly on certain other matters having a bearing upon personnel policy, about which Members may wish to be informed at this time.

5. In referring, last year, to the report then in preparation by the International Civil Service Advisory Board, I stated that my task of defining more clearly the standards of conduct expected of staff members would be eased by the formulations achieved by the Board (A/2533, para. 49). It is still too early to submit any concrete proposals in this respect, but the matter is under study in the context of the Board's report, and I expect to be able to present my views to the General Assembly at its next session. In the meantime, while I consider it essential that the standards on which the Secretary-General intends to base his decisions should be clearly stated, fully understood and freely accepted, both by the staff and by the General Assembly, it is equally necessary to guard against the danger of attempting to go too far in the direction of translating the standards, principles and procedures that are evolved into detailed texts. This is also the point of view of the Special Advisory Board, which was established in accordance with the decision of the General Assembly at its eighth session (see paras. 15 to 20 below).

6. Pending submission of the fuller report requested under the terms of resolution 782 C (VIII), the attention of the General Assembly is called to the following developments that have occurred during the past nine months in the field of personnel administration.

STAFF RULES

7. As required by staff regulation 12.2, the Secretary-General has reported to the General Assembly (A/C.5/L.275) the staff rules and the amendments thereto which he has promulgated during 1954.

REPORT OF THE INTERNATIONAL CIVIL SERVICE ADVISORY BOARD

8. During 1954, the International Civil Service Advisory Board completed its report entitled "Standards of Conduct in the International Civil Service". The report has been distributed to all Members as well as to all members of the Secretariat. The Secretary-General is confident that it will assist materially in the development of high standards of conduct in the Secretariat.

PROPOSED AMENDMENTS TO THE STAFF REGULATIONS

9. The Secretary-General proposes that two amendments should be made to the staff regulations during the ninth session. These are additional to the textual amendments in staff regulations 1.10 and 4.5 (a) referred to in

my report on organization of the Secretariat (A/2731, para. 30). One concerns annex I of the staff regulations relating to salaries and allowances. Amendment of the annex is made necessary by the abolition of posts of Assistant Secretary-General and Principal Director, and the substitution therefor of a single supervisory level comprising Under-Secretaries and officials of an equivalent rank. The Secretary-General's proposals in this connexion have been presented in a separate paper (A/C.5/583, para. 8).

10. The other proposed amendment concerns staff regulation 1.6, which reads as follows:

"No member of the Secretariat shall accept any honour, decoration, favour, gift or fee from any Government or from any other source external to the Organization during the period of his employment, except for war service."

Experience has proved that this regulation in its present form is unsatisfactory and in many instances unworkable. The regulation, strictly interpreted, would prohibit, for instance, acceptance by staff members of honours and decorations for services performed prior to their appointment to the Secretariat; acceptance of reimbursement for actual travel costs incurred in participating in an outside activity connected with the interest of the United Nations and authorized by the Secretary-General, but outside the official programme of the Organization and therefore not paid for by the Organization; or acceptance of any remuneration for a casual outside activity or part-time occupation which in no way harms the Organization's interests.

11. The Secretary-General proposes that staff regulation 1.6 should be revised so that its provisions will be consistent with those of staff regulation 1.4. This proposal is also in accordance with principles developed in the report of the International Civil Service Advisory Board and in unanimous recommendations made by the executive heads of the specialized agencies. The amendment involves a change from outright prohibition of all acceptance to prohibition of any acceptance which is incompatible with the staff member's status.

12. The Secretary-General accordingly proposes that staff regulation 1.6 be amended to read as follows:

"No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government or from any other source external to the Organization, if such acceptance is incompatible with his status as an international civil servant."

13. In line with the principle reflected in the present regulation, the Secretary-General would give the new regulation a restrictive interpretation, permitting only what, on a common sense basis, should not be excluded.

STAFF MEMBERS IN PERMANENT RESIDENCE STATUS

14. The report of the Fifth Committee to the eighth session³ referred to the possibility that the geographical distribution of the staff might be adversely affected if a considerable number of internationally recruited staff members decided to retain permanent residence status in the country of their duty station although that country was not the country of their nationality. The Secretary-General is able to report that the number of internationally recruited staff members in permanent residence status at Headquarters has so diminished that it does not significantly affect the geographical balance of the staff.

³ *Ibid.*, A/2615, para. 70.

SPECIAL ADVISORY BOARD

15. Following upon the adoption of resolution 782 A (VIII), the Secretary-General, on 15 March 1954, issued staff rule 109.1 (i) establishing the composition of the Special Advisory Board (A/C.5/L.275).

16. Pursuant to the provisions of this staff rule and on the nomination of the President of the International Court of Justice, the Secretary-General appointed Mr. Georges Kaeckenbeeck Chairman of the Special Advisory Board. He also appointed, in accordance with the provisions of the same staff rule and in agreement with the Staff Council, four officials of the Secretariat to serve as members and four to serve as alternate members of the Board.

17. The Special Advisory Board has held one session from 8 June to 21 July 1954. Following consideration by the Board of the procedures which it would follow and consultations by the Secretary-General with the Board and with representatives of the staff, the Secretary-General on 1 July 1954, in a letter to the Chairman of the Staff Committee, explained the interpretation which he gave to the functions of the Special Advisory Board. The Chairman and members of the Board were in agreement with his interpretation. The Secretary-General stated that it was his intention that the Board should conduct the first examination of a matter and advise him before he considered what action should be taken. When allegations were received concerning a staff member, the Administration, prior to referring the matter to the Board, would make a purely formal examination to see if the allegations emanated from a responsible source, did not involve mistaken identity and, *prima facie*, were of a serious nature warranting consideration by the Board. If these conditions appeared to be met, the Secretary-General would refer the matter to the Board without in any way taking a position or becoming a party to the proceedings.

18. The Secretary-General further stated that the Board would have as its function to make the first examination of the matter in order to advise him whether or not sub-paragraph (i) and/or sub-paragraph (ii) of staff regulation 9.1 (a) would apply. The Board was not a tribunal and would not decide upon, or even recommend, termination. It would not be precluded from suggesting in the light of exceptional circumstances that, in the exercise of his discretion, the Secretary-General should refrain from acting on the basis of the sub-paragraph which it might find to be applicable. The decision concerning what action should be taken would have to be made by the Secretary-General in the exercise of his responsibility under the staff regulations after he had received from the Board the interpretation of the relevant regulation. At that stage he would consider himself free to decide whether termination under that regulation—if applicable—was necessary, or whether measures other than termination might be instituted if the circumstances justified such a course.

19. The Secretary-General believed that it was in the interest of all concerned that the Board should not act as a court to decide an issue between the Administration and the staff member, but should make the first examination of the matter and advise the Secretary-General prior to his own consideration of the case. The Secretary-General also pointed out that it was of course understood that, in the interest of the staff member, proceedings of the Board, and even the fact that a matter had been referred to the Board, would be confidential.

20. During its first session two cases were referred to the Special Advisory Board and were considered and

reported on by it. As pointed out, in the interest of the staff members concerned, the proceedings remain confidential. The Secretary-General will include in the report to the tenth session requested by General Assembly resolution 782 C (VIII) a review of the principles and standards developed in the work of the Board.

DISCONTINUANCE OF THE SECRETARY-GENERAL'S ADVISORY PANEL

21. Following the amendment of the staff regulations at the eighth session of the General Assembly and the establishment of the Special Advisory Board, it became apparent that the Secretary-General's Advisory Panel mentioned in his report to the seventh session,⁴ and the appointment of which was announced on 16 January 1953, would have no function to perform. Consequently, the Advisory Panel was discontinued.

INTERPRETATION OF ANNEX IV, PARAGRAPH 2 OF THE STAFF REGULATIONS

22. A question has arisen concerning the interpretation of annex IV, paragraph 2, of the staff regulations which deals with the education grant.⁵ According to this provision, entitlement to the education grant is recognized when the staff member, among other conditions, "is employed by the United Nations in a country other than his own country".

23. At the European Office of the United Nations it is possible for a staff member who is a French national to reside in his own country (France) while working in a country other than his own (Switzerland). In considering eligibility for the education grant the question therefore arises whether the phrase referred to above means "resident", because of his appointment with the United Nations, in a country other than his own, or whether it merely means "working", but not necessarily resident, in a country other than his own.

24. The Secretary-General is of the opinion that when considered in the context of annex IV, paragraph 2, as a whole, the former interpretation must be correct. If the second interpretation were adopted, it would render illogical other provisions of the paragraph, particularly sub-paragraph (c). The records of the General Assembly relating to the adoption of paragraph 2 of annex IV strongly support the Secretary-General's opinion. They would appear to establish conclusively that it was the intention of the General Assembly that the education grant should be paid only in the case of expatriation, in order to put the staff member in the same position as if he were residing in his own country.

25. It is also apparent from the records that the General Assembly had in mind the normal situation such as that which exists with respect to the United Nations Headquarters, and not an extraordinary geographical situation such as that which exists at the European Office in Geneva. However, a general study of the question of educational facilities is currently being undertaken by the International Civil Service Advisory Board, and the particular problems which arise with respect to the European Office are being called to the attention of the Board. Pending the conclusion of the study, the Secretary-General does not believe it is desirable to propose any amendment to annex IV, paragraph 2.

⁴ *Ibid.*, *Seventh Session, Annexes*, agenda item 75, A/2364, paras. 104 and 105.

⁵ See appendix to the present report.

26. In the meantime, for his guidance in the application of the present regulations, the Secretary-General would appreciate confirmation from the Assembly at its present session with respect to his interpretation of annex IV, paragraph 2.

APPENDIX

EDUCATION GRANT

Staff regulations. Annex IV, paragraph 2

Each full-time member of the staff, with the exception of those specifically excluded by resolution of the General Assembly, entitled to receive a children's allowance under paragraph 1 above, who is employed by the United Nations in a country other than his own country, as specified in his letter of appointment, shall be entitled to the following education grant:

(a) The sum of \$US200 per annum for each child, in respect of whom a children's allowance is payable, in full-time attendance at a school or a university in his home country; provided that where a child attended such an educational institution for a period of less than two thirds of any one scholastic year, the grant shall be reduced to such proportion of \$US200 as the period so attended bears to a full scholastic year;

(b) Once in each scholastic year the travelling expenses of the outward and return journey of such a child by a route approved by the Secretary-General;

(c) Should staff members elect to send their children to special national schools in the area where they are serving, including international schools organized for children of United Nations staff members, rather than to schools in their home countries, the United Nations will pay for each child otherwise eligible for the education grant, a grant equal to the difference between the cost of education at the special

school which he attends and the cost at a comparable school attended by children of persons normally resident in the area, provided that the grant shall not exceed \$200 per year. This grant shall be payable only when there is a valid reason for the child not to attend school in the home country; for instance, in the case of children under thirteen years of age or when the health of the child is such that return to the home country is not feasible;

(d) If both parents are members of the staff of United Nations only one grant will be paid in respect of each of their children.

Staff rules. Staff rule 103.20 (Education grant)

(a) Staff members shall be responsible for notifying the Secretary-General, in writing, of claims for education grant and shall be required to support them by documentary evidence satisfactory to the Secretary-General.

(b) Transportation expenses of the outward journey, from the staff member's official duty station, and of the return journey, from the school or university in his own country, shall be payable only after the child has attended the school or university for at least two thirds of the scholastic year. Expenses for the outward journey may be advanced, however, at the time travel begins, upon certification by the staff member that attendance for the required period is intended. Provided the parent is a staff member at the time the return journey commences, advance payment of the expenses of that journey may also be made. Such expenses shall not include any allowances for subsistence.

(c) In order that unreasonable frequency of journeys may be avoided, due regard shall be had, in authorizing travel for education purposes, to travel recently undertaken or likely soon to be undertaken, under other provisions of these rules, by a staff member and his dependants.

(d) Members of the Field Service and staff members recruited specifically for service with a mission shall not be eligible for education grant benefits under paragraph 2 of annex IV to the staff regulations.

DOCUMENT A/2788

Fifteenth report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[17 November 1954]

1. At its 447th meeting on 29 October 1954, the Fifth Committee requested the Advisory Committee on Administrative and Budgetary Questions to consider and report on the following two items in the Secretary-General's report on the personnel policy of the United Nations (A/2777):

(a) Proposed amendment of staff regulation 1.6 (A/2777, paras. 10 to 13); and

(b) Interpretation of annex IV, paragraph 2, of the staff regulations (A/2777, paras. 22 to 26 and appendix).

PROPOSED AMENDMENT OF STAFF REGULATION 1.6

2. The text of the existing regulation, which reproduces without substantive change the provisional regulation adopted in 1946⁶, is set out below, together with the revision proposed by the Secretary-General:

⁶ See regulation 9 in annex II to resolution 13 (I) adopted on 13 February 1946 by the General Assembly: "No member of the staff shall accept any honour, decoration, favour, gift or fee from any Government or from any other source external to the Organization during the period of his appointment, except for war services."

Existing regulation 1.6

No member of the Secretariat shall accept any honour, decoration, favour, gift or fee from any Government or from any other source external to the Organization during the period of his employment, except for war service.

Revised regulation 1.6 proposed by the Secretary-General

No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government or from any other source external to the Organization, if such acceptance is incompatible with his status as an international civil servant.

3. The General Assembly discussed this question at some length during its sixth session (1951-1952)⁷, when it considered, though without adopting, a text identical with that which the Secretary-General now proposes. At that time the Advisory Committee, in recommending the alternative text which was finally adopted by the Assembly, offered the following comment⁸:

"The text proposed⁸ by the Secretary-General appears to be somewhat too wide, and the Committee

⁷ See *Official Records of the General Assembly, Sixth Session, Fifth Committee*, 330th and 332nd to 334th meetings.

⁸ *Ibid. Annexes*, agenda item 45, A/1855, appendix, page 4.

therefore recommends the retention of the wording of provisional regulation 9, with the substitution of 'member of the Secretariat' for 'staff member' in the first line. The Committee presumes that only in very exceptional cases will the Secretary-General concur in any derogation from the provision, for example, where it is proposed to confer an honorary degree upon a member of the Secretariat or to award a decoration in recognition of services rendered prior to a member's appointment to the Secretariat."

4. In the opinion of the Advisory Committee, there are two alternative methods of regulating this matter: either (a) to lay down a general principle which by covering a multitude of differing cases may prove at times unduly restrictive; or (b) to give a full and detailed definition of the circumstances in which deviations from a general rule may be authorized. This latter procedure, apart from being extremely cumbersome, is open to the objection that the staff regulations of the United Nations, as stated in the preamble to those regulations, "represent the broad principles of personnel policy for the staffing and administration of the Secretariat", and that it is for the Secretary-General to "provide and enforce such Staff Rules consistent with these principles as he considers necessary".

5. The text proposed by the Secretary-General (A/2777, para. 12) falls within the former category (alternative (a) above); it formulates a general principle consistent in form and purpose with the staff regulations. As regards the substance of the proposal, the main point of difference, by comparison with the existing regulation, is the inclusion of a qualifying clause, "if such acceptance is incompatible with his status as an international civil servant". The Secretary-General indicates that he would give this new regulation "a restrictive interpretation, permitting only what, on a common sense basis, should not be excluded" (A/2777, para. 13).

6. The Secretary-General cited (A/2777, para. 10) three examples to show why the regulation in its present form was unsatisfactory or even unworkable. The first example covered services (other than war service) rendered prior to appointment to the Secretariat. It is the opinion of the Advisory Committee that, while a strict interpretation may be desirable even in such cases so that the award shall not be identified, however erroneously, with the services currently performed by the individual concerned in the capacity of international civil servant, there may be grounds for some relaxation of the rigid principle which the Committee wishes generally to uphold. To this end, the Committee submits a suitable recommendation in paragraph 8 below. The second of the examples cited by the Secretary-General concerned the reimbursement of travel costs arising from participation by a staff member in an outside activity with the Secretary-General's concurrence. The Advisory Committee finds nothing in the existing provision which would preclude the recovery of amounts actually disbursed for travel and hotel expenses and which, as such, cannot be classified as "favour, gift or fee." The third example dealt with remuneration for a casual outside activity or part-time occupation "which in no way harms the Organization's interests". The former category of "casual outside activity" is understood to cover trivial cases—with which the law in any event does not concern itself—but, as regards the broader category of part-time occupations, the question arises whether, apart from the type of occupation, the volume of part-time work may not impair the health or efficiency of the staff member. Staff regulation 1.2, which provides that "the whole time of staff members shall be at the

disposal of the Secretary-General", and further that "the Secretary-General shall establish a normal working week" appears relevant to this consideration.

7. The Secretary-General's present proposal is linked to the provisions of staff regulation 1.4 concerning the status of a staff member as an international civil servant (A/2777, para. 11). The Advisory Committee agrees that, should a modification of the existing text be desired, a qualifying clause embodying the fundamental principle of that regulation would constitute a reasonable safeguard. Nevertheless two related considerations have weighed heavily with the Committee: (a) that, within the spirit of regulation 1.4, a member of the Secretariat is called upon to work not in his own name but anonymously, under authority delegated by the Secretary-General; and (b) that in an international secretariat no single project can be attributed in its entirety to an individual member. At each successive stage of a project the staff member concerned will need to rely on a collective effort in which a variety of staff and services must have a part. It is therefore for consideration whether a member of the Secretariat, as distinct from the Organization, may legitimately be the recipient even of an honour in respect of work performed in such circumstances.

8. For these reasons the Advisory Committee considers that, despite the rigidity of its provisions, there is advantage in maintaining staff regulation 1.6 in its present form. The Committee, however, recommends that the General Assembly should specifically authorize the Secretary-General, in applying the regulation, to be guided by the interpretative comment previously offered by the Advisory Committee (see para. 3 above), according to which the Secretary-General would concur in any derogation from its provisions only in very exceptional cases. Such cases might include, among others, the conferment of an honorary degree or the award of a decoration for services rendered prior to appointment to the Secretariat. But in each case it would rest with the Secretary-General to determine whether, in the light of particular circumstances, an exception should be authorized.

INTERPRETATION OF ANNEX IV, PARAGRAPH 2, OF THE STAFF REGULATIONS

9. On this matter the Advisory Committee agrees with the opinion of the Secretary-General (A/2777, paras. 22 to 26), which it regards as incontrovertible.

10. The intention of the General Assembly in authorizing the education grant is established beyond the possibility of doubt in the Official Records⁹, to enable the children of staff members, despite the expatriation of their parents, to be brought up in a national environment in which national characteristics can be preserved intact. For that specific purpose the regulation contains in paragraph (b) a provision relating to travel expenses, and in the permissive paragraph (c) restrictive conditions concerning age or state of health. Furthermore, the latter paragraph makes explicit reference to "return" to the home country, thereby confirming that the grant is intended solely for the assistance of a staff member employed and resident in a country other than his own country. The inadvertent omission from the text of the

⁹ See in particular *Official Records of the General Assembly, First Session, Fifth Committee*, 8th meeting; *Ibid.*, *Second Session, Fifth Committee*, 76th meeting.

regulation (A/2777, appendix, para. 1) of the words "and resident" after the words "employed by the United Nations" cannot justify—save in the narrowest legal sense—the payment of the grant to a staff member residing in his own country. Inasmuch as a contrary interpretation would deprive the regulation of purpose

and meaning, the Advisory Committee considers that, even in the absence of the formal confirmation requested by the Secretary-General (A/2777, para. 26), a claim for payment of the education grant could not with propriety be submitted by a staff member residing in his own country.

DOCUMENT A/2862

Report of the Fifth Committee

[Original text: English]
[11 December 1954]

1. In accordance with the allocation of agenda items as decided by the General Assembly at its 478th meeting on 25 September 1954, the Fifth Committee considered, at its 469th to 472nd meetings, the report of the Secretary-General on personnel policy of the United Nations (A/2777). In addition to this report, the Committee had before it a report of the Advisory Committee on Administrative and Budgetary Questions (A/2788) which dealt with the two major points contained in the Secretary-General's report. These were the proposed revision of staff regulation 1.6, dealing with the acceptance by staff members of honours, decorations, favours, gifts and fees, and the interpretation to be placed on paragraph 2 of annex IV of the staff regulations, concerning entitlement to the education grant.

2. In his report, the Secretary-General also noted that the International Civil Service Advisory Board had presented a report entitled "Standards of Conduct in the International Civil Service", copies of which had been circulated to all Member States as well as to all members of the Secretariat. The Secretary-General recalled that he had looked forward to the completion of this report when he had proposed an amendment to staff regulation 9.1(a) at the eighth session.¹⁰ The Secretary-General also reported, in response to a comment by the Fifth Committee during the eighth session,¹¹ that the number of internationally recruited staff members at Headquarters in permanent residence status in the country of their duty station had so diminished that it did not significantly affect the geographical balance of the staff. Finally, the Secretary-General reported on the work of the Special Advisory Board established by staff rule 109.1 (i) of 15 March 1954.

3. In its report, the Advisory Committee stated the reasons why that Committee considered that, despite the rigidity of its provisions, there was advantage in maintaining staff regulation 1.6 in its present form. It recommended, however, that the General Assembly should specifically authorize the Secretary-General, in applying the regulation, to be guided by the interpretative comment previously offered by the Advisory Committee during the discussion which took place at the sixth session of the General Assembly¹² according to which the Secretary-General would concur only in very exceptional cases in any derogation from the provisions of regulation 1.6.

4. A number of delegations expressed satisfaction with the existing regulation 1.6, holding that the strict provisions of this regulation were appropriate to the conditions of service in the United Nations Secretariat. It was observed that a similar provision had proved adequate for the secretariats of a number of international

organizations, including the League of Nations, for a considerable period of years. Furthermore, it was held that, if any derogation from principle were to be permitted, the ensuing burden which would be placed upon the Secretary-General would be considerable.

5. A number of other delegations, however, expressed the view that if any exceptions to the principle of absolute prohibition were in fact permissible, their existence and extent should be defined in the regulation itself.

6. Delegations taking part in the discussion were divided into (i) those who supported the maintenance of a restrictive text in absolute terms, with no exceptions to be permitted in its application; (ii) those who supported the maintenance of a restrictive text with an authorization to the Secretary-General to be guided in its application by the interpretation recommended by the Advisory Committee; and (iii) those who favoured the text proposed by the Secretary-General permitting him to approve acceptance by the staff on an exceptional basis and when such acceptance was compatible with the staff member's status as an international civil servant. Delegations supporting this last view were unanimously of the opinion that a regulation of this type should be restrictively administered.

7. The representative of the United Kingdom proposed that the text submitted by the Secretary-General be amended to read "incompatible with the terms of regulation 1.2 of the staff regulations and with the individual's...". The Secretary-General accepted this oral amendment.

8. The delegation of New Zealand believed that exceptions to regulation 1.6 should be allowed only with the prior express approval of the Secretary-General. In the absence of such a provision, a staff member might accept an honour or favour, believing it to be compatible with his status, although the Secretary-General might think otherwise. Accordingly, New Zealand proposed a new text (A/C.5/L.308) for staff regulation 1.6.¹³

9. In commenting on the text proposed by New Zealand, the representative of Argentina observed that it would be advisable to adopt separate provisions concerning honours, decorations, favours, gifts and remuneration accorded by a Government and those accorded by some other source external to the Organization. In the first

¹³ The text proposed by New Zealand (A/C.5/L.308) was as follows:

"No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government or from any other source external to the Organization without first obtaining the approval of the Secretary-General. Approval shall be granted only where such acceptance is not incompatible with the terms of regulation 1.2 of the staff regulations and with the individual's status as an international civil servant."

¹⁰ See *Official Records of the General Assembly, Eighth Session, Annexes*, agenda item 51, A/2533, para. 40.

¹¹ *Ibid.*, A/2615, para. 70.

¹² *Ibid.*, *Sixth Session, Fifth Committee*, 330th and 332nd to 334th meetings.

case, he considered that the prohibition should be absolute; in the second case, acceptance should be made subject to the Secretary-General's consent. The representative of New Zealand and the Secretary-General both accepted the amendment proposed by Argentina.

10. After an exchange of views as to the operation of the provisions of the revised text, the interpretation of the Secretary-General was stated to be that the Secretary-General could grant his approval only if two conditions were satisfied: (a) that the case was exceptional; and (b) that acceptance was not incompatible with the terms of regulation 1.2 nor with the individual's status as an international civil servant.

11. The revised text proposed by Argentina and New Zealand for regulation 1.6 of the staff regulations (A/C.5/L.314) was approved at the 472nd meeting by 22 votes to 15, with 6 abstentions. The text approved reads as follows:

"Staff regulation 1.6

"No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government excepting for war service; nor shall a staff member accept any honour, decoration, favour, gift or remuneration from any source external to the Organization, without first obtaining the approval of the Secretary-General. Approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the terms of regulation 1.2 of the staff regulations and with the individual's status as an international civil servant."

12. The second main point raised in the Secretary-General's report was a request for confirmation by the General Assembly of the Secretary-General's interpretation of a phrase in annex IV, paragraph 2, of the staff regulations, dealing with the education grant. According to this provision, entitlement to the education grant is recognized when the staff member, among other conditions, "is employed by the United Nations in a country other than his own country". At the European Office of the United Nations it is possible for a staff member who is a French national to reside in his own country (France) while working in a country other than his own (Switzerland). The Secretary-General understood that such a staff member should not be considered eligible for the grant. In agreeing with the Secretary-General's view, the Advisory Committee observed (A/2788, para. 10) that even without the formal confirmation by the General Assembly which was requested by the Secretary-General, a claim for payment of the education grant could not with propriety be submitted by a staff member residing in his own country.

13. A number of delegations commented on this matter. It having become clear that the view expressed by the Secretary-General and supported by the Advisory Committee was also held by the Fifth Committee, it was agreed that the views of the Fifth Committee would be so recorded in the present report.

14. The representative of Chile drew the attention of the Committee to paragraph 2 of annex IV of the staff regulations, concerning the education of staff members' children, and to the reference in paragraph 10 of the Advisory Committee's report to the General Assembly's intention in authorizing the education grant. With a view to increasing the facilities available to staff members for providing the elements of their national education for their children within the country where they were stationed, Chile submitted a draft resolution (A/C.5/L.303). By its terms the General Assembly would (1) request the Secretary-General to recommend that the International Civil Service Advisory Board should con-

sider appropriate measures for providing children of staff members with special facilities for the study of their mother tongue in cases where they were obliged to attend local schools in which the instruction was given in a language other than the mother tongue; and (2) recommend that, in preparing his report on the staff regulations for submission to the tenth session of the General Assembly, the Secretary-General should give special consideration to measures which would enable more staff members than at present to obtain the education grant.

15. The representative of the Netherlands noted that the last of these provisions implied that the General Assembly would accept the premise that the present provisions of the staff regulations were inadequate in this respect. In his view a more appropriate formulation would be that the question of whether special consideration should be given to such measures should be studied. The sponsor accepted the amendment of the Netherlands and also agreed to revise further, in the light of the discussion, the text of the draft resolution by omitting the third and fourth paragraphs of the preamble¹⁴. The revised draft resolution of Chile (A/C.5/L.303/Rev.1) was approved by the Fifth Committee by 38 votes to none, with 5 abstentions.

16. During the discussion a number of delegations referred to the other important matters contained in the Secretary-General's report on personnel policy. In this connexion they noted that, as the Secretary-General would submit a comprehensive report to the General Assembly at its tenth session, the present report was more in the nature of an interim statement. Satisfaction was expressed in the Committee with the general principles laid down in the report of the International Civil Service Advisory Board on standards of conduct in the international civil service, and many delegations commended the Board for its work on this matter. One delegation stated that, in view of the clarification of paragraph 21 of the Board's report made by the Secretary-General following publication, it would have no difficulty in accepting the report as a whole.

17. The Committee noted also the Secretary-General's comments on the constitution and functioning of the recently created Special Advisory Board. During the discussion the representative of the Secretary-General, at the request of delegations, gave additional information to the Committee in clarification of several questions which had been raised in this respect.

18. One delegation, referring to the comments in the Secretary-General's report on the effect of the presence of officials holding permanent residence visas on the geographical distribution of the staff, briefly recalled the views expressed by that delegation at the eighth session and reiterated its opinion that there was no connexion between the two questions and was glad to note that in the light of the facts to which the Secretary-General had drawn attention in his report there appeared to be no need to reopen this question.

Recommendations of the Fifth Committee

[*Texts adopted without change by the General Assembly. See documents A/RESOLUTION/262, and A/RESOLUTION/263, below.*]

¹⁴ The following paragraphs from the Chilean draft resolution (A/C.5/L.303) were omitted from the revised draft resolution (A/C.5/L.303/Rev.1):

"Considering that the mother-tongue is the basic national characteristic which should be preserved,

"Considering that the existing provisions concerning the education grant have been applied restrictively, with the consequence that only a small number of staff members have been able to benefit by them."

DOCUMENT A/RESOLUTION/262[*Resolution 882 (IX)*]**Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954**PERSONNEL POLICY OF THE UNITED NATIONS : AMENDMENT TO THE STAFF REGULATIONS
OF THE UNITED NATIONS*The General Assembly*

Adopts as an amendment to the staff regulations of the United Nations the text annexed to the present resolution. This amendment shall become effective on 1 January 1955.

ANNEX

Staff regulation 1.6 (amended text)

No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government excepting for war service ; nor shall a staff member accept any honour, decoration, favour, gift or remuneration from any source external to the Organization, without first obtaining the approval of the Secretary-General. Approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the terms of regulation 1.2 of the staff regulations and with the individual's status as an international civil servant.

DOCUMENT A/RESOLUTION/263[*Resolution 883 (IX)*]**Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954**PERSONNEL POLICY OF THE UNITED NATIONS : QUESTION OF
EDUCATIONAL FACILITIES FOR THE CHILDREN OF STAFF MEMBERS*The General Assembly,*

Having examined the report (A/2777) of the Secretary-General on personnel policy, paragraphs 22 to 26 of which deal with problems relating to the education grant established under the staff regulations, and the fifteenth report (A/2788) of the Advisory Committee on Administrative and Budgetary Questions to the ninth session of the General Assembly,

Considering that the education grant was established with the purpose of enabling the children of staff members, despite the fact that their parents were expatriated, to benefit from the influence of their national characteristics in their education,

1. *Notes with satisfaction* the Secretary-General's statement that the question of educational facilities is being studied by the International Civil Service Advisory Board ;

2. *Requests* the International Civil Service Advisory Board to consider appropriate measures for providing children of staff members with special facilities for the study of their mother tongue in cases where they are obliged to attend local schools in which the instruction is given in a language other than the mother tongue ;

3. *Recommends* the Secretary-General, in preparing his report on the staff regulations for submission to the General Assembly at its tenth session, to give special consideration to the question whether measures should be taken to make a larger number of staff members than at present eligible for the benefit of the education grant.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted draft resolutions I and II submitted by the Fifth Committee (A/2682). For the final texts, see documents A/RESOLUTION/262 and A/RESOLUTION/263, respectively, above.

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A/2862	Report of the Fifth Committee	6	
A/C.5/580	Statement made by the Secretary-General at the 435th meeting of the Fifth Committee on 11 October 1954		<i>Official Records of General Assembly, Ninth Session, Annexes, agenda item 53</i>
A/C.5/L.303 and Corr.1	Chile : draft resolution		See A/2862, footnote 14
A/C.5/L.303/Rev.1	Chile : revised draft resolution		Same text as A/RESOLUTION/263
A/C.5/L.308	Revised text proposed by New Zealand for staff regulation 1.6		See A/2862, footnote 13
A/C.5/L.314	Revised text proposed by Argentina and New Zealand for staff regulation 1.6		Same text as A/RESOLUTION/262
A/C.5/L.320	Draft report of the Fifth Committee		Same text as A/2862
A/RESOLUTION/262	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	8	See also Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 882 (IX)
A/RESOLUTION/263	Resolution adopted by the General Assembly at its 512th plenary meeting on 14 December 1954	8	Ibid., resolution 883 (IX)



Agenda item 55: Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly

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DOCUMENT A/2681

Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen: request for the inclusion of a supplementary item in the agenda of the ninth session

[Original text: English]
[28 July 1954]

We have the honour to request you to include the following item in the provisional agenda of the ninth session of the General Assembly:

“Translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly.”

(Signed)

A. H. GHALEB
*Acting Permanent Representative
of Egypt to the United Nations*

A. KHALIDY
*Permanent Representative of
Iraq to the United Nations*

Edward A. RIZK
*Chargé d’Affaires,
Permanent Delegation of Lebanon
to the United Nations*

Ahmed A. JABBAR
*Acting Permanent Representative,
Permanent Delegation of Saudi Arabia
to the United Nations*

Rafik ASHA
*Permanent Representative of
Syria to the United Nations*

A. ZABARAH
A/c Representative of Yemen

New York
26 July 1954

EXPLANATORY MEMORANDUM

Rule 59 of the rules of procedure of the General Assembly states that:

“Documents of the General Assembly, its Committees and Sub-Committees shall, if the General Assembly so

decides, be published in any languages other than the official languages.”

The Arabic language is spoken in a wide area in the Near and Middle East. It has been, and continues to be, the vehicle of a culture which has spread from the central plains of Asia to the shores of the Atlantic.

The populations which use Arabic are among those which are particularly interested in the work of the United Nations, be it in the political, in the economic and social, or in the trusteeship fields. Their awareness to the problems of their area and their contributions towards their solution would be greatly enhanced if they had at their disposal, in a language that they could understand, the main documents and publications of the United Nations pertaining to those subjects.

It seems also that it would be in the interest of the United Nations itself if the Organization were making available to those people the results of its work in these fields.

As a beginning, it seems that among documents or publications of the United Nations, those which review the work of the Organization as a whole and embody its

final decisions, such as the reports of the Secretary-General, the annual reports of the three Councils to the General Assembly, the resolutions of the major organs, should be the first to be published in Arabic.

Further, any report dealing with either specific or general problems in the area where Arabic is spoken should also be circulated in this language. This would apply, *inter alia*, to the annual report on economic conditions in the Middle East presented to the Economic and Social Council as a supplement to the *World Economic Survey*, to reports of technical assistance missions in the region and, in particular, the annual report of the Director General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

If a limit has to be fixed, for budgetary or other reasons, to the amount of translation work which would have to be incurred in order to give effect to the reasonable—and very understandable—wishes of the Governments which sponsor this request, it would seem that the examples quoted above would not exceed three to four thousand pages a year, a modest request when compared to the total volume of the documentation of the Organization.

DOCUMENT A/2761

Seventh report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[20 October 1954]

1. The Secretary-General has submitted, in accordance with rule 154 of the rules of procedure of the General Assembly, a statement (A/C.5/579) of the financial implications of the six-Power proposal that certain of the official documents of the General Assembly should be translated into Arabic (A/2681).

2. The legal position is clear. Part VIII (Languages) of the rules of procedure of the General Assembly, which is based on General Assembly resolution 2 (I) of 1 February 1946, as amended by resolution 262 (III) of 11 December 1948¹, provides in rule 59 that “Documents of the General Assembly, its committees and sub-committees shall, if the General Assembly so decides, be published in any languages other than the official languages”.

3. The comments and recommendations in the present report fall into two parts, of which the first is directed to a question of policy, namely whether the proposal is in principle desirable, and the second part to a contingent question of detail, how best to carry out the objectives in view.

4. In their explanatory memorandum (A/2681) the sponsoring Governments describe their wishes as “reasonable and very understandable”. They rightly point out that “the populations which use Arabic are among those which are particularly interested in the work of the United Nations ... Their awareness to the problems of their area and their contributions towards their solution would be greatly enhanced if they had at their disposal, in a language that they could understand, the main documents and publications of the United Nations pertaining to those subjects”.

5. The project under consideration is therefore put forward not only because of the advantage which Arabic-speaking representatives or their Governments may derive from the proposal, but mainly in the interest of the population of the regions concerned, as well as the interest of the Organization itself, in securing the publication of a selected list of United Nations documents in Arabic.

6. In the opinion of the Advisory Committee, the question for decision is whether these considerations justify an addition to the number of languages in which documents of the General Assembly shall be published. Financially and administratively it is a question of great importance, for the reason that the proposal would, if adopted, set a precedent which could be invoked with equal validity by numerous other Members of the Organization in the territories of which the national languages in use are not among the five official languages.

7. At the time of the original decision concerning the languages of the United Nations, full consideration was given to the difficulties confronting so many of the Member States. But the General Assembly, while conscious of those difficulties, could not escape the conclusion that, from a practical standpoint, they were virtually insuperable, and that absolute equality of treatment in this matter would call for an exorbitant expenditure of money and the engagement of translating and other staffs of unmanageable proportions. These are considerations of even greater force at the present time when the General Assembly is seeking ways and means of achieving a concentration of effort and resources and, in the particular field of documentation, is expressly relying, under the terms of General Assembly resolution 789 (VIII) of 9 December 1953, on the co-operation of Member States for the necessary measures of restriction.

8. In so far as non-official circles are concerned, these do receive a considerable amount of information concern-

¹ General Assembly resolution 262 (III) provided for amendments of the rules of procedure consequent upon the adoption of Spanish as a working language of the General Assembly.

ing the United Nations in the form of a daily radio programme in Arabic and the distribution, through the Cairo Information Centre, of Arabic versions of special feature material, in addition to general and special press releases, basic booklets and leaflets.

9. For the reasons developed in the foregoing paragraphs, the Advisory Committee does not find itself in a position to recommend to the General Assembly a decision favouring the proposal (A/2681).

10. As regards the question of detail, the Advisory Committee suggests that, in the event of the adoption of the proposal, consideration might be given to the follow-

ing arrangements for the work of translation into Arabic : In this new field of work neither revisers nor translators are available in the Secretariat, and such staff could be recruited to Conference Services only after the normal process of language examination. Therefore, since the selection and testing of candidates and the establishment of appropriate quality standards require time and careful study, it seems prudent in the initial phase not to enter into a firm commitment with respect to the full amount of translation envisaged in the proposal. Further, it is suggested that, for that phase, only a nucleus of staff should be engaged, and that with their assistance the question of entering into a contractual arrangement for the work of translation should be examined.

DOCUMENT A/C.5/579

Statement of financial implications submitted by the Secretary-General in accordance with rule 154 of the rules of procedure of the General Assembly

[Original text : English]
[8 October 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Secretary-General herewith submits financial estimates for implementing the proposal that certain official documents of the General Assembly should be translated into Arabic (document A/2681).

2. The explanatory memorandum submitted by the sponsors of this proposal states :

“If a limit has to be fixed, for budgetary or other reasons, to the amount of translation work which would have to be incurred in order to give effect to the reasonable—and very understandable—wishes of the Governments which sponsor this request, it would seem that the examples quoted above would not exceed three to four thousand pages a year ...”.

The examples quoted in the request indicate that the volume of translation workload will not exceed 4,000 mimeographed pages of English text. The estimates herein presented are based upon 4,000 pages of translation, to be spread over a twelve-month period, and further assume that the quality of the final Arabic text should be in keeping with the established standards for United Nations documentation.

3. The publication of the documents in Arabic involves not only the translation of the material but also the reproduction of the documents in that language.

4. The following is a statement of the costs if the translation is done by staff employed at the United Nations Headquarters :

	Dollars (US)
Salaries of Professional staff (2 revisers, one at First Officer and one at Second Officer level; and 4 translators at Associate Officer level)	42 500
Salaries of General Service staff (4 secretaries at the Intermediate level)	13 000
Common staff costs	13 000
	68 500
Less: Income from staff assessment	8 500
	60,000
 Add for first year :	
Travel on recruitment	7,500
Books and equipment	1 500
	9 000
	69 000

Printing (to be done in the Middle East) *	
500 copies	11,000
First year costs	80,000
Annual cost in subsequent years: \$72,600, increasing by \$1,600 annually due to increments.	

These estimates do not include any provision for space, telephones, office furniture and other similar general services, as such facilities can be furnished within the over-all establishment at Headquarters.

5. The Secretary-General has considered the possibility of getting the translation done in the Middle East on a contractual basis through a reliable agency. However, even if such arrangements could be made, there would have to be a small permanent staff to revise the translations and to ensure that the final documents were in keeping with the standards of the United Nations documentation. Taking this into account, and if appropriate arrangements could be made, it might be possible to reduce the annual estimates given in paragraph 4 above by about \$25,000. It should be noted, however, that the use of contractual arrangements involves the assumption, which can be tested only by actual experience, that it would be possible to secure the services of proven experts in Arabic and English or French so that translations of a high quality might be obtained. Every attempt will of course be made to employ locally the best available translators, but it must be realized that it may take time to bring the Arabic translations up to the United Nations standards in other languages. If experience should prove that extensive revision of translation done by contract were necessary, the permanent staff of revisers would have to be increased.

6. The estimated revenue from the sale of publications may be put at \$300 a year. This estimate is based on the sale of publications in other languages and may need revision in the light of experience.

* The reproduction of these documents internally at Headquarters would reduce this amount to approximately \$8,000. Printing in the Middle East assumes that there is no particular pressure of time on the publication of the documents

DOCUMENT A/2815

Report of the Fifth Committee

[Original text : English]
[30 November 1954]

1. Following instructions given by the General Assembly at its 478th plenary meeting on 24 September 1954, the Fifth Committee considered, at its 465th and 466th meetings, the question of the translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly.

2. Rule 59 states that :

“Documents of the General Assembly, its committees and sub-committees shall, if the General Assembly so decides, be published in any languages other than the official languages.”

3. In a report to the Committee (A/C.5/579), the Secretary-General, in accordance with rule 154 of the rules of procedure, submitted financial estimates based upon a translation workload of 4,000 pages of translation (mimeographed pages of English text) to be spread over a twelve-month period. Assuming that the translation would be carried out by staff members at the United Nations Headquarters, the Secretary-General had indicated that the total annual cost would be approximately \$73,000; the cost during the first year, allowing for recruitment expenses and for purchase of the necessary equipment and books, was estimated at \$80,000. The Secretary-General's report also considered the possibility of having the translation done on a contractual basis, with a possible economy in the total annual cost.

4. The Advisory Committee on Administrative and Budgetary Questions presented its conclusions on the matter in its seventh report to the ninth session of the General Assembly (A/2761). On the question of policy, namely, whether the proposal was in principle desirable, the Advisory Committee, in the first part of its report, gave the reasons why it did not find itself in a position to recommend a decision favouring the proposal. On the question of how best to carry out the objectives of the proposal, in the event of its adoption, the Advisory Committee, in the second part of its report, stated the reasons which had led to its recommendation that it would seem prudent in the initial phase not to enter into a firm commitment with respect to the full amount of translation envisaged in the proposal. The Advisory Committee further suggested that, for the initial phase only, a nucleus of staff should be engaged, and that with their assistance the question of entering into a contractual arrangement for the work of translation should be examined.

5. When considering this item, the Fifth Committee had before it a joint draft resolution (A/C.5/L.294), sponsored by twenty-four Powers. Under this draft resolution the General Assembly would decide that, pursuant to rule 59 of the rules of procedure, documents of the General Assembly, its committees and sub-committees, should be published in the Arabic language together with any other report of the other organs of the United Nations dealing with either specific or general problems of interest to the areas where Arabic is spoken, provided that the volume of publication to be published within any twelve-month period should not exceed a total of 4,000 pages of English text. The draft resolution would further authorize the Secretary-General to include in the budget estimates of the United Nations the neces-

sary provision to carry out the translation in conformity with the established practices for United Nations documentation.

6. The majority of the delegations taking part in the discussion stressed the desirability of translating certain official documents into the Arabic language and gave their whole-hearted support to the proposal. Many delegations traced the contribution which the Arabic language had made to many spheres of Western civilization, especially in the fields of philosophy, poetry and science.

7. The fact was emphasized that the numerous and widespread populations speaking Arabic were among those particularly interested in the work of the United Nations in the political, economic and social fields and in matters concerning Non-Self-Governing Territories. It was thought that knowledge of such problems, and the contribution of Arabic-speaking populations towards their solution, would be aided if those populations had at their disposal, in a language they could understand, the main documents of the United Nations pertaining to the subjects in question.

8. It was also recalled that a number of matters of direct concern to Arab States were under discussion in the General Assembly. It was, therefore, considered that the United Nations had an interest in making available information on these matters in the Arabic language.

9. The delegations supporting the proposal were of the opinion that the issue which was raised in the joint draft resolution, when viewed with the above-noted considerations in mind, was clearly one which should not be judged from a strict budgetary standpoint alone. Even from that point of view, however, they considered it a modest and reasonable one. Moreover, they did not consider the adoption of the proposal as establishing a precedent for other languages, especially as no similar situation existed with regard to any other language common to six Member States.

10. These delegations were unable to share the view recorded in paragraph 8 of the Advisory Committee's report. While they recognized the value of the information materials produced by the Department of Public Information and the Cairo Information Centre, they considered that the urgent need was for the translation of official documents, a matter which was not within the province of the Department of Public Information. Examples of what was envisaged were the reports of the Secretary-General, the annual reports of the three Councils to the General Assembly, the resolutions of the major organs, the annual report on economic conditions in the Middle East, the reports of the technical assistance missions in the region, and the annual report of the Director-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

11. The sponsors of the proposal did not favour the suggestion that the translation should be carried out on a contractual basis. The only efficient method was to have the work done in the Secretariat by persons familiar with the special questions dealt with in the documents and who had access to the United Nations Library.

12. Some delegations, while prepared to support the proposal to implement rule 59 of the rules of procedure for the purposes envisaged in the draft resolution, felt nonetheless that the Advisory Committee had acted with propriety in putting emphasis upon considerations of a practical and financial nature. They urged in consequence that the proposal, if adopted, should be put into effect in as economical a manner as possible and that the possibility of having documents translated outside the Secretariat under a contractual arrangement, as suggested by the Advisory Committee, should be carefully examined.

13. Several delegations, while joining in paying tribute to the contribution made by the Arabic language, considered that the Advisory Committee had advanced cogent arguments which they could not overlook. While they would not in the circumstances oppose a draft resolution which commanded such widespread support, they could not vote for it. The view was also expressed that the recognition by the General Assembly of yet another language through the application of rule 59 of its rules of procedure might introduce an element of division which might prove to be contrary to the real interest of the United Nations. Approval of the joint draft resolution would not only entail a precedent which it would be difficult to ignore in the future but would lead to a production of documentation in an additional

language at a time when the Organization still carried forward year by year a backlog of documentation in some of the official languages.

14. At the 466th meeting of the Fifth Committee, the joint draft resolution sponsored by the twenty-four Powers was approved by a roll-call vote of 42 to 2, with 8 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Belgium, Brazil, Burma, Canada, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, France, Greece, Guatemala, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Pakistan, Panama, Philippines, Saudi Arabia, Syria, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Norway, Sweden.

Abstaining: Australia, Byelorussian Soviet Socialist Republic, Czechoslovakia, Israel, Poland, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See document A/RESOLUTION/240 below.]

DOCUMENT A/RESOLUTION/240

[Resolution 878 (IX)]

Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954

TRANSLATION OF SOME OFFICIAL DOCUMENTS OF THE GENERAL ASSEMBLY INTO THE ARABIC LANGUAGE IN ACCORDANCE WITH RULE 59 OF THE RULES OF PROCEDURE OF THE GENERAL ASSEMBLY

The General Assembly,

Having considered the question of translation of some official documents of the General Assembly into the Arabic language in accordance with rule 59 of the rules of procedure of the General Assembly,

1. *Decides* that, pursuant to rule 59 of the rules of procedure of the General Assembly, documents of the Assembly, its committees and sub-committees shall be published in the Arabic language, together with any other report of the other organs of the United Nations dealing with either specific or general problems of interest to the areas where Arabic is spoken, provided that the volume of publications issued within any twelve-month period shall not exceed a total of 4,000 pages of English text;

2. *Authorizes* the Secretary-General to include in the budget estimates of the United Nations the necessary provision to give effect to this decision and to ensure that the translation of the texts into Arabic shall conform with the established practices for United Nations documentation.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2815). For the final text, see document A/RESOLUTION/240 above.

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A/RESOLUTION/240	Resolution adopted by the General Assembly at its 504th plenary meeting on 4 December 1954	5	See also <i>Official Records</i> of the General Assembly, Ninth Session, Supplement No. 21, resolution 878 (IX)



Agenda item 56—The Morocco question

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DOCUMENT A/2682

Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria, Thailand and Yemen : request for the inclusion of a supplementary item in the provisional agenda of the ninth session

[Original text : English]
[29 July 1954]

LETTER DATED 28 JULY 1954 FROM THE REPRESENTATIVES OF AFGHANISTAN, BURMA, EGYPT, INDIA, INDONESIA, IRAN, IRAQ, LEBANON, PAKISTAN, THE PHILIPPINES, SAUDI ARABIA, SYRIA, THAILAND AND YEMEN TO THE SECRETARY-GENERAL

On instructions from our respective Governments, we have the honour to request that the following item be included in the provisional agenda of the ninth session of the United Nations General Assembly : "The Morocco question".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is enclosed.

(Signed)

A. Hamid AZIZ
Representative of Afghanistan

J. BARRINGTON
Representative of Burma

A. H. GHALEB
Representative of Egypt

A. KHALIDY
Representative of Iraq

Rajeshwar DAYAL
Representative of India

R. SUMARJO
Representative of Indonesia

A. G. ARDALAN
Representative of Iran

Ahmed Abdul JABBAR
Acting representative of
Saudi Arabia

Edward A. RIZK
Representative of Lebanon

Ahmed S. BOKHARI
Representative of Pakistan

Felixberto M. SERRANO
Representative of
the Philippines

Rafik ASHA
Representative of Syria

Thanat KHOMAN
Representative of Thailand

A. ZABARAH
Acting chargé d'affaires of
Yemen

Explanatory memorandum

1. The General Assembly at its seventh session considered the situation in Morocco arising out of the policies of the French Government and, on 19 December 1952, adopted resolution 612 (VII), the operative part of which read as follows :

"1. Expresses the confidence that, in pursuance of its proclaimed policies, the Government of France will

endeavour to further the fundamental liberties of the people of Morocco, in conformity with the Purposes and Principles of the Charter ;

"2. *Expresses the hope* that the parties will continue negotiations on an urgent basis towards developing the free political institutions of the people of Morocco, with due regard to legitimate rights and interests under the established forms and practices of the law of nations ;

"3. *Appeals* to the parties to conduct their relations in an atmosphere of goodwill, mutual confidence and respect and to settle their disputes in accordance with the spirit of the Charter, thus refraining from any acts or measures likely to aggravate the present tension."

2. In the following months, however, the situation, far from showing any improvement, deteriorated further. In August 1953, fifteen Member States of the United Nations therefore drew the Security Council's attention to it as, in their view, it constituted a threat to international peace and security. In September 1953, the Council did not include the question in its agenda, and it failed to adopt a proposal that the thirteen Member States which were not members of the Council should be invited to appoint two spokesmen to appear before that body and make a brief statement on the question.¹

3. During its eighth session, the General Assembly again considered the Moroccan question, and, at its 455th meeting, on 3 November 1953, it failed to adopt the draft resolution submitted by the First Committee (A/2526, para. 11), the operative part of which read as follows :

"*Renews its appeal* for the reduction of tension in Morocco and urges that the right of the people of Morocco to free democratic political institutions be ensured."

Some of the delegations which opposed the draft resolution maintained that the provisions of resolution 612 (VII) still held good and needed no reaffirmation in the eighth session of the Assembly, and that they would prefer to await the result of the negotiations recommended in it.

4. It is a matter of great concern that, in spite of the Assembly's recommendations, the Government of France has not taken any effective steps to further the fundamental liberties and to develop the free political institutions of the people of Morocco. In fact, the policies that have been pursued have only helped to worsen the situation in Morocco, as the following account would show.

5. The deposition of His Majesty, Sultan Mohammed Ben Youssef, on 20 August 1953, was a serious step carrying with it both internal and international consequences which cannot yet be fully measured. This was not followed by substantial constitutional reforms which might partially have eased the situation.

6. The deposition of His Majesty the Sultan, which was supposed to remove the obstacles to Morocco's political development and to the solution of past difficulties, only added to these difficulties by subjecting the patriotic feelings of the Moroccans towards their country and their king to a severe strain. The deposition of the Sultan now clearly appears to have been an unwise act, for it has injured the feelings of the Moroccan people, who have not recognized Ben Arafa as his true successor.

7. In response to the unanimous petition of the people of the Spanish zone of Morocco, the Government of Spain has also declined to recognize the authority of the French-imposed Sultan Ben Arafa and has formally declared its break with the French-occupied zone on that account.

8. French policies of repression and violence, mass arrests, and the mounting figures of political prisoners and exiles in the face of strong Nationalist resistance, have created a situation referred to by *The Times* (London) as a state of anarchy.

9. After removing the Sultan and suppressing all public and private liberty, French authorities have attacked an innocent population and have subjected it to the most cruel hardships. Moroccans have been imprisoned and exiled by the thousand. All large cities are under military occupation and each city ward is cut off from the rest of the world for a period of about three weeks to allow free scope for atrocities. Morocco has been transformed into a concentration camp, and the inhabitants are subjected to indescribable tortures. The French Press, for example, *Le Monde* of 6 May 1954, admits that the Moroccans have been exposed to all sorts of terror and that prisoners are terribly ill-treated.

10. This situation constitutes a flagrant contradiction of the principles of the Charter and the Universal Declaration of Human Rights, and is a constant threat to peace. It is therefore our earnest hope that the General Assembly at its ninth session will again find it fit to consider the question of Morocco in the interest of international peace and security and the speedy realization of the right of self-determination by the people of Morocco.

DOCUMENT A/C.1/L.122²

and

DOCUMENT A/C.1/L.122/Corr.1

**Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen :
draft resolution**

[Original text : English]
[10 December 1954]

The General Assembly,

Having considered the question of Morocco,

Reaffirming its resolution 612 (VII) of 19 December 1952,

Noting that this resolution has not so far been implemented,

¹ See *Official Records of the Security Council, eighth year, 624th meeting.*

² The text of draft resolution A/C.1/L.122, dated 9 December 1954, which is not printed in this fascicule, is identical with the present text, but Egypt and Indonesia were not included among the sponsors of the original text.

Believing that further delay in the settlement of this question may impair the friendly relations which should exist between nations,

1. *Recommends* that an atmosphere conducive to peaceful settlement of the question be created in Morocco ;

2. *Recommends further* that negotiations take place between the true representatives of the Moroccan people and the Government of France for the realization of the legitimate aspirations of the Moroccan people in conformity with the purposes and principles of the Charter.

DOCUMENT A/C.1/L.123

**Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen :
draft resolution**

[Original text : English]
[13 December 1954]

The General Assembly,

Having examined the Moroccan question,

Noting that many delegations have declared that negotiations between France and Morocco will be initiated regarding this question,

Decides to postpone the consideration of the item to the forthcoming session.

DOCUMENT A/2876

Report of the First Committee

[Original text : English]
[15 December 1954]

1. By a letter dated 28 July 1954 (A/2682), the permanent representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen requested that the question of Morocco should be included in the provisional agenda of the ninth session of the General Assembly.

2. At its 478th meeting, on 25 September 1954, the General Assembly included the question in the agenda of the ninth session and referred it to the First Committee for consideration and report.

3. The First Committee considered the question at its 745th to 748th meetings inclusive, held from 9 to 13 December 1954.

4. At the 745th meeting, on 9 December, Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Saudi Arabia, Syria, Pakistan and Yemen submitted a joint draft resolution (A/C.1/L.122/Corr.1), which provided that the General Assembly, reaffirming its resolution 612 (VII) of 19 December 1952, noting that that resolution had not so far been implemented, and believing that further delay in the settlement of the question of Morocco might impair the friendly relations which should exist between nations, should recommend, first, that an atmosphere conducive to peaceful settlement be created in Morocco, and, secondly, that negotiations take place between the true representatives of the Moroccan people and the Government of France for the realization of the legitimate aspirations of the Moroccan people in conformity with the purposes and principles of the Charter.

5. At the 748th meeting, on 13 December, the twelve Powers withdrew the joint draft resolution submitted at the 745th meeting, and submitted a new joint draft resolution (A/C.1/L.123), which provided that the General Assembly, noting that many delegations had declared that negotiations between France and Morocco would be initiated regarding the Moroccan question, should decide

to postpone the consideration of the item to the forthcoming session.

6. At the same meeting, the authors of the new joint draft resolution orally revised the operative part to provide that the General Assembly :

“Decides to postpone for the time being further consideration of the item.”

7. At the same meeting, the sponsors of the new joint draft resolution accepted an oral amendment by the representative of El Salvador to replace the word “many”, in the second paragraph of the preamble, by the word “some”.

8. At the same meeting, the representative of the Dominican Republic submitted an oral amendment to replace the second paragraph of the preamble of the draft resolution by a paragraph expressing the confidence of the United Nations in the recently confirmed intentions of the French Government to initiate negotiations between France and Morocco regarding this question.

9. At the same meeting, the amendment submitted by the Dominican Republic was rejected by 26 votes to 19, with 11 abstentions.

The Committee thereafter adopted the twelve-Power draft resolution (A/C.1/L.123), as amended, by 39 votes to 15, with 4 abstentions. The vote was taken by roll-call, as follows :

In favour : Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Cuba, Czechoslovakia, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Iceland, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against : Australia, Belgium, Costa Rica, Denmark, Dominican Republic, Ecuador, Israel, Luxembourg,

Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Canada, Haiti, Honduras, Turkey.

Recommendation of the First Committee

10. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

THE MOROCCO QUESTION

The General Assembly,

Having examined the Moroccan question,

Noting that some delegations have declared that negotiations between France and Morocco will be initiated regarding this question,

Decides to postpone for the time being further consideration of the item.

DOCUMENT A/RESOLUTION/290

[*Resolution 812 (IX)*]

Resolution adopted by the General Assembly at its 514th plenary meeting on 17 December 1954

THE MOROCCO QUESTION

The General Assembly,

Having examined the Moroccan question,

Noting that some delegations declared that negotiations between France and Morocco would be initiated regarding this question,

Expressing confidence that a satisfactory solution will be achieved,

Decides to postpone for the time being further consideration of this item.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the First Committee (A/2876, para. 10), with the amendment submitted orally at that meeting by the Dominican Republic. For the final text, see document A/RESOLUTION/290, above.

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A/2526	Report of the First Committee [eighth session]		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 57.</i>
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A/C.1/763	Draft resolution adopted by the First Committee at its 748th meeting		See A/2876, para. 10.
A/C.1/L.122 and A/C.1/L.122/Corr.1	Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen: draft resolution . . .	2	
A/C.1/L.123	Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen: draft resolution . . .	3	
A/RESOLUTION/290	Resolution adopted by the General Assembly at its 514th plenary meeting on 17 December 1954	4	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 812 (IX)</i>



Agenda item 57. The Tunisia question

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DOCUMENT A/2683

Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria, Thailand and Yemen: request for the inclusion of a supplementary item in the provisional agenda of the ninth session

[Original text: English]
[29 July 1954]

LETTER DATED 28 JULY 1954 FROM THE REPRESENTATIVES OF AFGHANISTAN, BURMA, EGYPT, INDIA, INDONESIA, IRAN, IRAQ, LEBANON, PAKISTAN, PHILIPPINES, SAUDI ARABIA, SYRIA, THAILAND AND YEMEN TO THE SECRETARY-GENERAL

included in the provisional agenda of the ninth session of the United Nations General Assembly: "The Tunisia question".

On instructions from our respective Governments, we have the honour to request that the following item be

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is enclosed.

(Signed)

A. Hamid AZIZ
Representative of Afghanistan

R. SUMARJO
Representative of Indonesia

Ahmed S. BOKHARI
Representative of Pakistan

Rafik ASHA
Representative of Syria

J. BARRINGTON
Representative of Burma

A. G. ARDALAN
Representative of Iran

Felixberto M. SERRANO
Representative of
the Philippines

Thanat KHOMAN
Representative of Thailand

A. H. GHALEB
Representative of Egypt

A. KHALIDY
Representative of Iraq

Ahmed Abdul JABBAR
Acting representative of
Saudi Arabia

A. ZABARAH
Acting chargé d'affaires of
Yemen

Rajeshwar DAYAL
Representative of India

Edward A. RIZK
Representative of Lebanon

EXPLANATORY MEMORANDUM

1. During its seventh session, the General Assembly of the United Nations considered the Tunisian question and, on 17 December 1952, adopted resolution 611 (VII), one of the paragraphs of which read as follows :

" [The General Assembly] Expresses the hope that the parties will continue negotiations on an urgent basis with a view to bringing about self-government for Tunisians in the light of the relevant provisions of the Charter of the United Nations."

2. During its eighth session, the General Assembly considered the Tunisian question again. On 11 November 1953, it failed to adopt the draft resolution submitted by the First Committee (A/2530, para. 7), recommending "that all necessary steps be taken to ensure the realization by the people of Tunisia of their right to full sovereignty and independence". Some of the delegations which opposed its adoption maintained that resolution 611 (VII) was still valid and should be considered a sufficient basis for a just solution of the Franco-Tunisian dispute. Others felt that conversations between Tunisia and France were already in progress with the avowed object of "satisfying the legitimate aspirations of the Tunisian people and furthering the development of Tunisian institutions within the framework of Tunisian sovereignty". Referring to those "bilateral negotiations", the United States representative, for example, expressed the hope that they would prove successful without United Nations intervention.

3. It is, however, a matter for great regret that the French Government took no effective measures to implement the clear recommendations of the General Assembly. On the contrary, it imposed certain so-called "reforms" incompatible with the aspirations of the Tunisian people ; it also took repressive measures which seriously worsened the already acute situation.

4. On 4 March 1954, decrees were promulgated setting up a new cabinet and determining the composition and functions of the executive branch and the Tunisian Assembly. Special legislation was enacted establishing a representative body—the "Representative delegation of the French in Tunisia"—and decrees were published modifying the composition and functions of the *conseils de caïdat* (local assemblies).

5. The new Cabinet of Mr. Mzali included two more Tunisian Ministers than that of his predecessor, thus giving the Tunisian members a majority on the Council. But the vital departments, such as finance, public works, and education, continued in the hands of the French officials with absolute powers in their respective departments. Moreover, the police, army and foreign affairs remained exclusively under French control, while policy in fields like foreign trade, customs and economic development, was exercised in a manner most favourable to France's own interests.

6. The reforms provided for a Tunisian assembly composed of forty-five members elected not by direct and universal suffrage but by male Tunisians in two stages. At the same time, a duplicate assembly, called the "representative delegation of the French in Tunisia", was established by decree of the Resident-General. Elected for nine years, by direct and universal suffrage, by the French residing in Tunisia, this delegation had the same functions as the Tunisian assembly. In other words, there were two assemblies with identical legislative functions, one partially based on the will of the Tunisian people, and the other representing the will of the French. Thus the "reforms" of the representative system flagrantly infringed on Tunisian national sovereignty.

7. While the reforms of 20 December 1952 had already ensured French participation in the municipal councils, the *conseils de caïdat* consisted exclusively of Tunisians. The new law of 4 March 1954 increased the French hold over the municipal councils, deleted the clause reserving the chairmanship to Tunisians, and decreed that the City of Tunis (which had had a Tunisian mayor long before the protectorate) should henceforth have a French mayor. Furthermore, the members of the "representative delegation of the French in Tunisia" were also made members of the *conseils de caïdat* in their district of origin.

8. Those "reforms" were preceded by careful studies exclusively carried out by the French experts, while the qualified representatives of the Tunisian people were not called upon to consider them or to express an opinion on the principles underlying them. The Tunisian public was kept completely ignorant about the substance of those reforms. Discreet but effective pressure exercised on the Bey forced him subsequently to a consent which, in any case, cannot be accepted as a substitute for the general wishes of the nation. Thus, those "reforms" were the result of no real negotiations with the qualified representatives of Tunisia.

9. Far from relaxing the atmosphere, the so-called reforms of 4 March 1954 produced a wave of general protestations and demonstrations. The French authorities pursued repressive policies without abatement. "Security" measures were extended to the whole territory and assumed the proportions of a veritable military campaign. Armed forces in Tunisia were mobilized, reserve forces recalled, reinforcements from other colonies brought in, forty-eight combat groups formed, and arms and grenades distributed to the French colonists. Addressing the troops, General Boyer de La Tour du Moulin, commander of the newly arrived troops, said : "I hope that each one of you will bring me back the head of a rebel." Despite many appeals addressed to the French Government, inhuman methods were widely used by the political police and *gendarmérie* in dealing with political prisoners in order to extort confessions, abusive sentences were pronounced by French military courts and, above all, summary executions of accused persons were carried out with increasing frequency. Among those tortured can be named one, Mohammed Jilani Ben Rabah, who died on 5 May 1954.

10. Since the eighth session of the General Assembly, no fewer than 33 persons were sentenced to death, and varying terms of imprisonment were given more than 200 Tunisians on political grounds. More than 1,000 political prisoners are still serving long-term hard labour sentences of from five to twenty years.

11. From March to May 1954, 10 Tunisians were executed. These sentences and executions have no other purpose than to intimidate and break the morale of the Tunisian people. On the other hand, terrorist acts committed against Tunisian Nationalist leaders go unpunished (the murders of Farhat Hached and Hedi Chaker, for example).

12. Repressive measures against patriots taking refuge in the countryside have included the use of French armoured units equipped with mortars which, since March 1954, have caused many deaths.

13. In 16 actions in little over one month, in June-July 1954, more than 2 Tunisians, on average, were killed per day. Those figures, however, are only a part of the picture of the atrocities taking place in Tunisia. During the election period alone, 60 Tunisians were sentenced to death or hard labour by military tribunals. Twenty-five others were later condemned to death, and some 2,000

await trial or sentence. The reports indicate the intense suffering of the Tunisian people and the atmosphere of insecurity in which they live.

14. In sum, the policy of forcible integration and the denationalization of the Tunisian State pursued by the French Government had led to a state of general insur-

rection and violence. This situation is undoubtedly a threat to world peace. In view of these circumstances, the Tunisian question is again brought to the attention of the General Assembly so that the Assembly may consider steps necessary for its peaceful settlement and the speedy realization of the right to self-determination of the Tunisian people.

DOCUMENT A/C.1/L.128

Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria, Thailand, Yemen : draft resolution

[Original text : English]
[16 December 1954]

The General Assembly,
Having considered the Tunisian question,
Noting that the parties concerned have entered into negotiations and that these negotiations are still in progress,
Appealing to the parties to deal with the problem in a spirit of mutual understanding,
Expressing the hope that the said negotiations will bring about a satisfactory solution in conformity with the principles of the Charter,
Decides to postpone for the time being the further consideration of this item.

DOCUMENT A/C.1/L.128/Rev.1

Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria, Thailand, Yemen : revised draft resolution

[Original text : English]
[16 December 1954]

The General Assembly,
Having considered the Tunisian question,
Noting with satisfaction that the parties concerned have entered into negotiations and that these negotiations are still in progress,
Expressing the hope that the said negotiations will bring about a satisfactory solution,
Decides to postpone for the time being the further consideration of this item.

DOCUMENT A/2887

Report of the First Committee

[Original text : English]
[16 December 1954]

1. By a letter dated 28 July 1954 (A/2683), the representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen requested the inclusion in the provisional agenda of the ninth session of the General Assembly of the item, "The Tunisia question". The request was accompanied by an explanatory memorandum.

2. At its 478th meeting, on 25 September 1954, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda and, at the same meeting, referred it to the First Committee for consideration and report.

3. The First Committee considered the question at its 753rd and 754th meetings, on 16 December 1954.

4. At the 753rd meeting, the representative of Syria introduced a joint draft resolution (A/C.1/L.128) sponsored by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen. Under the terms

of the joint draft resolution, the General Assembly, having considered the Tunisian question, noting that the parties concerned had entered into negotiations and that those negotiations were still in progress, appealing to the parties to deal with the problem in a spirit of mutual understanding, and expressing the hope that the said negotiations would bring about a satisfactory solution in conformity with the principles of the Charter, would decide to postpone for the time being the further consideration of the item.

5. In the course of the general debate, at the 753rd meeting, amendments to the text of the joint draft resolution were submitted orally by the representatives of Mexico, El Salvador, Bolivia, Israel, Ecuador, the Dominican Republic and Costa Rica.

6. At the 754th meeting, the representative of Syria, on behalf of the co-sponsors of the joint draft resolution, introduced a revised draft (A/C.1/L.128/Rev.1) which took into account certain suggestions made verbally at the preceding meeting by various delegations.

7. Under the terms of the revised joint draft resolution, the General Assembly, having considered the Tunisian question, noting with satisfaction that the parties concerned had entered into negotiations and that those negotiations were still in progress, and expressing the hope that the said negotiations would bring about a satisfactory solution, would decide to postpone for the time being the further consideration of the item.

8. The representative of Costa Rica suggested orally that the third paragraph of the preamble should be modified by replacing the word "hope" by the word "confidence". It should read:

"Expressing confidence that the said negotiations will bring about a satisfactory solution."

The amendment, which was supported by the representative of Colombia, was accepted on behalf of the co-sponsors by the representative of Syria and was incorporated in the text.

9. The joint draft resolution (A/C.1/L.128/Rev.1), as amended, was approved by roll-call vote by 54 votes to none, with 3 abstentions, as follows:

In favour: Afghanistan, Argentina, Belgium, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Abstentions: Australia, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Recommendation of the First Committee

10. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/291 below.]

DOCUMENT A/RESOLUTION/291

[Resolution 813 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954

THE TUNISIA QUESTION

The General Assembly,

Having considered the Tunisian question,

Noting with satisfaction that the parties concerned have entered into negotiations and that these negotiations are still in progress,

Expressing confidence that the said negotiations will bring about a satisfactory solution,

Decides to postpone for the time being further consideration of this item.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the First Committee. For the final text, see document A/RESOLUTION/291 above.

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A/2530	Report of the First Committee [eighth session]		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 56.</i>
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A/C.1/736	Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria and Yemen: draft resolution		<i>Ibid, Seventh Session, Annexes, agenda item 60.</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/C.1/765	Draft resolution adopted by the First Committee at its 754th meeting		See A/2887, para. 10.
A/C.1/L.64	Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria and Yemen: draft resolution		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 56.</i>
A/C.1/L.65	Draft resolution adopted by the First Committee at its 647th meeting		<i>Ibid.</i> , document A/2530, para. 7.
A/C.1/L.128	Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria, Thailand and Yemen: draft resolution	3	
A/C.1/L.128/Rev.1	Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria, Thailand and Yemen: revised draft resolution	3	
A/RESOLUTION/291	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954	4	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 813 (IX)</i>



Agenda item 58: Draft international covenants on human rights

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DOCUMENT A/2714

Note by the Secretary-General

[Original text : English]
[31 August 1954]

1. By resolution 543 (VI) of 5 February 1952, the General Assembly requested the Economic and Social Council to ask the Commission on Human Rights to draft two covenants on human rights, to be submitted simultaneously for the consideration of the General Assembly at its seventh session, one to contain civil and political rights and the other to contain economic, social and

cultural rights, in order that the General Assembly might approve the two covenants simultaneously and open them at the same time for signature. The resolution was adopted as a result of reconsideration by the General Assembly of its resolution 421 E (V) of 4 December 1950, in which it had called upon the Economic and Social Council "to request the Commission on Human Rights,

in accordance with the spirit of the Universal Declaration, to include in the draft covenant [on human rights] a clear expression of economic, social and cultural rights in a manner which relates them to the civil and political freedoms proclaimed by the draft covenant”.

2. General Assembly resolution 543 (VI) was transmitted, on 24 March 1952, to the Commission on Human Rights by resolution 415 (S-1) of the Economic and Social Council: in its resolution the Council also requested the Commission to complete and submit to it at its fourteenth session two draft international covenants on human rights along the lines indicated by the Assembly so that the Council might be able to transmit them simultaneously to the Assembly at the seventh session, together with its recommendations.

3. The Commission on Human Rights has since devoted its eighth,¹ ninth² and tenth³ sessions, held respectively in 1952, 1953 and 1954, to the preparation of the covenants. It submitted the texts of the two draft covenants to the Economic and Social Council at its eighteenth session in 1954. The report of the tenth session of the Commission included a brief historical account of the various stages in the drafting of the covenants (E/2573, paragraphs 24 to 32).

4. At its eighteenth session the Council on 29 July 1954 adopted resolution 545 B I (XVIII) concerning the draft covenants.

[For the text see Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 1.]

5. The texts of the draft covenants are set forth in annex I to the report of the tenth session of the Commission (E/2573), and the other parts of the report relating to the draft covenants are chapter III and annexes II and III. The records of the proceedings of the Council at its eighteenth session are contained in documents E/AC.7/SR.286 to 289 and E/SR.820.

6. In paragraph 2 of Council resolution 545 B I (XVIII) the General Assembly's attention is drawn to the suggestions about procedure for adoption of the covenants contained in paragraph 39 of the Commission's report (E/2573).

[For the text see Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 7.]

7. In accordance with paragraph 3 of Council resolution 545 B I (XVIII) the Secretary-General, on 11 August 1954, addressed a *note verbale* to the Governments of States Members and non-members of the United Nations bringing to their attention the texts of the draft International Covenants and the relevant parts of the report of the tenth session of the Commission on Human Rights. The Secretary-General will circulate any comments which may be received in due course.

8. As regards the question of reservations to the covenants, the Council adopted resolution 545 B II (XVIII).

9. The proposals and amendments on the problem of reservations are set forth in annex II of the report of the tenth session of the Commission (E/2573) and the pertinent summary records of the discussion on the question in the Commission are contained in documents E/CN.4/SR.441 to 449.

10. At its eighteenth session, the Council also adopted on 12 July 1954 resolution 547 G (XVIII) concerning a recommendation made by the Commission on the Status of Women relating to article 22 of the draft Covenant on Civil and Political Rights.

11. The Commission's recommendation was contained in a draft resolution⁴ which the Commission submitted to the Council for adoption. Instead of the draft resolution proposed by the Commission, the Council adopted resolution 547 G (XVIII).

DOCUMENT A/C.3/574

Comments of Governments under Council resolution 545 B I (XVIII)

[Original text: English]
[18 October 1954]

Under resolution 545 B I (XVIII) adopted by the Economic and Social Council on 29 July 1954 the Secretary-General transmitted the draft international covenants on human rights and the parts of the report of the tenth session of the Commission on Human Rights (E/2573) concerning them to Governments of Member and non-member States. He has now the honour to transmit to the General Assembly the comment of the Government of the United Kingdom of Great Britain and Northern Ireland.

¹ See *Official Records of the Economic and Social Council, Fourteenth Session, Supplement No. 4* (document E/2256).

² *Ibid.*, *Sixteenth Session, Supplement No. 8* (E/2447).

³ *Ibid.*, *Eighteenth Session, Supplement No. 7* (E/2573).

⁴ *Ibid.*, *Supplement No. 6*, para. 62.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Note verbale dated 24 September 1954 from the Delegation of the United Kingdom of Great Britain and Northern Ireland to the United Nations, addressed to the Secretary-General

Her Majesty's Government have nothing to add at this stage to their comments in E/CN.4/694/Add.2 of January 20 [1954] and Corrigendum, except to say, as regards article 49 added to the draft covenant on civil and political rights at the tenth session of the Human Rights Commission, that Her Majesty's Government consider that a reporting procedure has no place in this covenant, and that the effect of this article can only be to detract from the immediacy of the obligations under this covenant and to introduce an element of progressiveness into its implementation which is inconsistent with the conception that the obligations under this covenant should be binding on all States which ratify it.

DOCUMENT A/C.3/L.410
Costa Rica : draft resolution

[Original text : Spanish]
[8 November 1954]

The General Assembly,

Considering that it has discussed the draft international covenants on human rights in a general debate at its ninth session,

Considering that it is desirable to give Governments time for making a fuller study of the draft covenants with a view to formulating, if they so desire, further observations, amendments or additions with regard thereto,

Considering that it is important and urgent to give peoples specific instruments to safeguard the rights of the human person,

Considering that it is desirable for each Government to be informed in good time of the views of other Governments concerning the provisions to be included in the draft international covenants on human rights so that it

might be able to revise its own attitude with regard to those provisions,

1. *Invites* Governments to communicate to the Secretary-General, within six months after the end of the present session, any observations, amendments or additions with regard to the draft international covenants on human rights which they consider desirable ;

2. *Requests* the Secretary-General to prepare a compilation of all the observations that have been made during the ninth session and that may be made by Governments during the succeeding six months ; and to circulate the document to Governments in good time to enable them to study it before the tenth session ;

3. *Decides* that the initial meetings of the Third Committee at the tenth session shall be devoted to a detailed discussion of the draft international covenants on human rights.

DOCUMENT A/C.3/L.410/Rev.1 and Corr.2⁵
Costa Rica : revised draft resolution

[Original text : Spanish]
[9 November 1954]

The General Assembly,

Considering that it has discussed the draft international covenants on human rights at its ninth session,

Considering that it is desirable to give Governments time for making a fuller study of the draft covenants with a view to formulating, if they so desire, further observations, amendments or additions with regard thereto,

Considering that it is important and urgent to give peoples specific instruments to safeguard the rights of the human person,

Considering that it is desirable for each Government to be informed in good time of the views of other Governments concerning the provisions to be included in the draft international covenants on human rights so that it might be able to revise its own attitude with regard to those provisions,

1. *Invites* Governments to communicate to the Secretary-General, within six months after the end of the present session, any observations, amendments or additions with regard to the draft international covenants on human rights which they consider desirable ;

2. *Requests* the Secretary-General to prepare a compilation of all the observations that have been made during the ninth session and that may be made by Governments during the succeeding six months ; and to circulate the document to Governments in good time to enable them to study it before the tenth session ;

3. *Resolves* that, at the meetings of the Third Committee during the tenth session, first preference¹ should be given to the discussion of the draft international covenants on human rights, article by article, with a view to their adoption at that session if possible.

DOCUMENT A/C.3/L.410/Rev.2
Costa Rica : revised draft resolution

[Original text : Spanish]
[10 November 1954]

The General Assembly,

Considering that it has discussed the draft international covenants on human rights at its ninth session,

Considering that it is desirable to give Governments, the specialized agencies and non-governmental organi-

zations time for making a full study of the draft covenants with a view to submitting, if they so desire, further observations, amendments or additions with regard thereto,

Considering that it is important and urgent to give peoples specific instruments to safeguard the rights of the human person,

Considering that it is desirable for each Government to be informed in good time of the views of other Governments, the specialized agencies and non-governmental

⁵ In the corrigendum given in A/C.3/L.410/Rev.1/Corr.2, the word "priority", which had appeared in the mimeographed form of A/C.3/L.410/Rev.1, was replaced by the words "first preference".

organizations concerning the provisions to be included in the draft international covenants on human rights so that it might be able to revise its own attitude with regard to those provisions, if it so desires,

Considering that it is desirable that public opinion should be able to express itself fully and freely on the draft covenants on human rights,

1. *Invites*

(a) Governments to communicate to the Secretary-General, within six months after the end of the present session, any observations, amendments or additions with regard to the draft international covenants on human rights which they consider desirable ;

(b) The specialized agencies and non-governmental organizations to encourage public debate on the provisions of the draft international covenants on human rights in

all possible spheres and in all countries ; and to communicate to the Secretary-General, within six months after the end of the present session, any observations they may wish to make with regard to the draft international covenants in the light of the public debate ;

2. *Requests* the Secretary-General to prepare a compilation of all the observations that have been made during the ninth session and that may be made by Governments, specialized agencies and non-governmental organizations during the succeeding six months, and to circulate the document to Governments in good time to enable them to study it before the tenth session ;

3. *Resolves* that, at the meetings of the Third Committee during the tenth session, first preference should be given to the discussion of the draft international covenants on human rights, article by article, with a view to their adoption at that session if possible.

DOCUMENT A/C.3/L.410/Rev.3

Costa Rica : revised draft resolution

[Original text : Spanish]
[11 November 1954]

The General Assembly,

Taking note of the draft international covenants on human rights prepared by the Commission on Human Rights and transmitted by the Economic and Social Council (E/2573, annexes I, II, and III) ;

Considering that it is desirable to give Governments, the specialized agencies and non-governmental organizations time for making a full study of the draft covenants and for submitting, if they so desire, amendments or additions thereto, or further observations thereon ;

Considering that it is important that international covenants on human rights which will effectively safeguard the rights of the human person should be adopted, as soon as possible ;

Considering that it is desirable for each Government to be informed in good time of the views of other Governments, the specialized agencies and non-governmental organizations concerning the provisions to be included in the draft international covenants on human rights so that it may take due account of these views in determining its own attitude ;

Considering that it is desirable that public opinion should be able to express itself fully and freely on the draft covenants on human rights,

1. *Invites*

(a) Governments to communicate to the Secretary-General, within six months after the end of the present

session, any amendments or additions to the draft international covenants on human rights or any observations thereon ;

(b) The specialized agencies to communicate to the Secretary-General, within six months after the end of the present session, any observations they may wish to make with regard to the draft international covenants ; and

(c) The non-governmental organizations concerned with the promotion of human rights, including such organizations in the Non-Self-Governing and Trust Territories, to stimulate public interest in the draft international covenants on human rights by all possible means ;

2. *Requests* the Secretary-General to prepare a compilation of all the observations made before or during the ninth session and of all the amendments, additions and observations which may be communicated by Governments and the specialized agencies during the succeeding six months ; and to circulate the document to Governments in good time to enable them to study it before the tenth session ;

3. *Recommends* that the meetings of the Third Committee during the tenth session should begin with and give first preference to the discussion of the draft international covenants on human rights, article by article in an agreed order (including any new articles), with a view to their adoption at the earliest possible date.

DOCUMENT A/C.3/L.410/Rev.3/Corr.1

Costa Rica : revised draft resolution—Corrigendum

[Original text : Spanish]
[12 November 1954]

Preamble

After the first paragraph insert the following paragraph :

“*Considering* that, at its ninth session, it examined these draft international covenants on human rights,”

Second paragraph : after “Governments” insert : “of States Members and non-members of the United Nations”.

Operative part

Paragraph 1 (c) : replace “such organizations in”, by “those of”.

DOCUMENT A/C.3/L.411**Afghanistan : amendments to draft resolution A/C.3/L.410**

[Original text : English]
[9 November 1954]

1. First paragraph of preamble : delete the words "in a general debate".
2. Operative paragraph 3 : delete the word "initial".
3. Operative paragraph 3 : add the words "article by article" at the end of this paragraph.

DOCUMENT A/C.3/L.415**Lebanon : amendment to draft resolution A/C.3/L.410/Rev.1 and Corr.2**

[Original text : French]
[10 November 1954]

Replace paragraph 3 of the operative part by the following text :

"3. *Decides* that the Third Committee shall begin its work at the tenth session with a detailed examination of the draft international covenants on human rights, with a view to adopting them at that session, if possible".

DOCUMENT A/C.3/L.416**India : amendment to draft resolution A/C.3/L.410/Rev.2**

[Original text : English]
[10 November 1954]

Replace paragraph 3 of the operative part by the following text :

"3. *Decides* that the meetings of the Third Committee at the tenth session shall mainly be devoted to the discussion of the draft international covenants on human rights article by article, with a view to their adoption at the earliest possible date."

DOCUMENT A/C.3/L.417**United Kingdom of Great Britain and Northern Ireland : amendments to draft resolution A/C.3/L.410/Rev.2**

[Original text : English]
[10 November 1954]

Preamble

1. Second paragraph : replace the words "further observations, amendments or additions with regard thereto," by the words "amendments or additions thereto, or further observations thereon".

2. Third paragraph : replace by the following text :
"Considering that it is important that international covenants on human rights which will effectively safeguard the rights of the human person shall be adopted, as soon as possible,".

3. Fourth paragraph : replace the words "so that it might be able to revise its own attitude with regard to

those provisions," by the words "so that it may take due account of these views in determining its own attitude,".

Operative part

4. Paragraph 1(a) : replace the words "any observations, amendments or additions with regard to the draft international covenants on human rights" by the words "any amendments or additions to the draft international covenants on human rights or any observation thereon".

5. Paragraph 2 : replace the words "and that may be made" by the words "and all the amendments, additions or observations that may be communicated".

DOCUMENT A/C.3/L.420**Uruguay : amendment to draft resolution A/C.3/L.410/Rev.3**

[Original text : Spanish]
[11 November 1954]

Replace the text of operative paragraph 2 by the following :

“2. *Decides* to appoint a sub-committee of the Third Committee which shall prepare, in conjunction with the Secretary-General, a compilation of all the observations that have been made during the ninth session and that may be made by Governments, the specialized agencies and non-governmental organizations during the succeeding six months, and which shall circulate the document to Governments in good time to enable them to study it before the tenth session. The sub-committee shall submit its report, together with the relevant material, to the tenth session of the General Assembly.”

DOCUMENT A/C.3/L.424**Uruguay : amendment to the draft covenant on civil and political rights (E/2573, annex I)**

[Original text : Spanish]
[13 November 1954]

In order to ensure more effectively the actual fulfilment of the obligations assumed under the covenant, and to solve the problem of the submission and examination of complaints of violations of those obligations, and of the procedure to be followed in dealing with such complaints, the provisions set forth in document E/2573, annex III (Proposal for the establishment of an Office of the United Nations High Commissioner (Attorney-General) for Human Rights), shall be inserted in part IV of the covenant (E/2573, annex I), the headings article 1, article 2 etc. being replaced by A, B etc.

DOCUMENT A/C.3/L.425**Guatemala : amendment to draft resolution A/C.3/L.410/Rev.4**

[Original text : Spanish]
[15 November 1954]

Replace paragraph 3 of the operative part by the following text :

“3. *Recommends* that at its tenth session the Third Committee give priority and preference to the discussion, article by article, of the draft international covenants on human rights with a view to their adoption at the earliest possible date. The discussion shall also cover any new articles which may have been proposed.”

DOCUMENT A/C.3/L.426**India : amendment to draft resolution A/C.3/L.410/Rev.4**

[Original text : English]
[15 November 1954]

Second paragraph of preamble : Replace the word “examined” by the word “discussed”.

DOCUMENT A/C.3/L.429**Egypt and Lebanon: amendments to draft resolution A/C.3/L.410/Rev.4⁶**

[Original text: French]
[15 November 1954]

Replace paragraph 3 of the operative part by the following:

“*Reaffirms* that it is important that these draft covenants should be adopted in their final form as soon as possible.”

2. Delete paragraph 1(c) of the operative part.

3. Insert the following new paragraph between paragraphs 2 and 3 of the operative part:

“*Requests* the Secretary-General to give the draft international covenants on human rights the widest possible publicity through all the media of information available to him, and within the limits of his budget.”

DOCUMENT A/C.3/L.430 and Corr.1⁷**Greece: amendment to draft resolution A/C.3/L.410/Rev.4**

[Original text: French]
[15 November 1954]

Replace the third paragraph of the preamble by the following text:

“*Reaffirming* that it is important that the peoples should be provided with precisely formulated⁷ instruments for the protection of the rights of human beings.”

DOCUMENT A/C.3/L.431**Afghanistan: amendments to draft resolution A/C.3/L.410/Rev.4**

[Original text: English]
[16 November 1954]

1. Second paragraph of the preamble: replace the word “these” by the word “the”.

2. Operative paragraph 1(c): at the end of this paragraph add the words “in their respective countries”.

DOCUMENT A/2808 and Corr.1**Report of the Third Committee**

[Original text: English]
[29 November 1954]

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⁶ At the 584th meeting of the Third Committee (para. 14) the representative of Lebanon called attention to errors in the text of these amendments. In point 1, the amendment should apply to the third paragraph of the preamble, and the word “*Reaffirms*” should read “*Reaffirming*”. Points 2 and 3 should be combined and transposed, the new text being designed to replace the text of paragraph 1(c), but to be inserted between paragraphs 2 and 3 of the operative part.

⁷ In the provisional form of document A/C.3/L.430 the words “precisely formulated” had read “unequivocal”.

I. INTRODUCTION

1. The General Assembly, on 10 December 1948, adopted and proclaimed the Universal Declaration of Human Rights (resolution 217 A (III)) and, in resolution 217 E (III), requested the Economic and Social Council to ask the Commission on Human Rights to continue to give priority in its work to the preparation of a draft covenant on human rights and draft measures of implementation. The Commission, at its tenth session (23 February to 16 April 1954), completed its work on a draft covenant on economic, social and cultural rights and a draft covenant on civil and political rights (E/2573, annex I).

2. The various stages of the work on the draft covenants are outlined in the report of the Commission on the work of its tenth session (E/2573, chapter III, part I). The review covers the period from the second session of the Commission in December 1947, when it decided that the International Bill of Human Rights should consist of a "declaration", a "covenant" and "measures of implementation"⁸ up to the completion of the two draft covenants by the Commission at its tenth session.

3. The Commission also decided at that session to request the Economic and Social Council to forward to the General Assembly certain documents relating to the admissibility or non-admissibility of reservations to the covenants and the effect to be attributed to them (E/2573, paragraphs 262 to 305). It also included in its report certain observations submitted by four of its members (E/2573, paragraph 39) regarding the procedure which might be followed for the final adoption of the covenants. These representatives (Egypt, France, the Philippines and Uruguay) proposed that the Council's attention should be drawn to the possible advantage of recommending that the General Assembly give the drafts two separate readings at two consecutive sessions, the first to deal with the drafts in their present form.

4. The Council at its eighteenth session noted with warm appreciation that the Commission had completed the lengthy and difficult task of preparing, in so far as possible, the draft covenants, and felt that this fact warranted special mention in its report to the General Assembly (A/2686, paragraph 711).

5. In resolution 545 B I (XVIII) of 29 July 1954, the Council transmitted the draft covenants to the General Assembly, together with the Commission's report and the records of the proceedings of the Council on the subject. It drew the attention of the Assembly to the suggestions about procedure for the final consideration of the draft covenants contained in paragraph 39 of that report. It requested the Secretary-General to bring the draft covenants and the parts of the report concerning them to the special attention of the Governments of Member and non-member States, and to collect any comments they might submit. In resolution 545 B II (XVIII) the Council transmitted to the General Assembly the proposals and amendments together with the pertinent summary records of the Commission's discussion on the problem of the admissibility or non-admissibility of reservations to the covenants. In resolution 547 G (XVIII) the Council also forwarded to the Assembly the recommendation on article 22 of the draft covenant on civil and political rights submitted to it by the Commission on the Status of Women, to be considered at the same time as the draft covenant on civil and political rights.

6. In accordance with the Council's request, the Government of the United Kingdom of Great Britain and Northern Ireland transmitted comments (A/C.3/574).

II. PROCEDURE FOLLOWED BY THE THIRD COMMITTEE

7. The General Assembly, at its 478th meeting on 25 September 1954, decided to allocate item 58 of the agenda of its ninth session, "Draft International Covenants on Human Rights" to the Third Committee. The Committee decided (544th, 548th and 549th meetings) to take it up as the second item on its agenda. It also considered at the same time section I of chapter V of the report of the Economic and Social Council (A/2686), on the draft covenants.

8. The Committee first discussed the procedure it wished to follow in dealing with the draft covenants (557th to 560th meetings). In this connexion, it took into account the suggestions of the four members of the Commission on Human Rights (E/2573, paragraph 39), which had been drawn to the attention of the General Assembly by the Council.

9. A difference of opinion arose in the Committee over what should constitute a "first reading" of the draft covenants. Some members thought that there should be a general discussion in which all delegations, and especially those who had not been represented on the Commission on Human Rights, would have a chance to express their views. Some considered that such a general discussion should constitute a "first reading". Others thought that the Committee should begin immediately to discuss the draft covenants article by article. It was argued that the drafts had been under discussion for several years and that a general debate or general discussion would not serve any useful purpose at that stage.

10. It was suggested that the draft covenants might be discussed "part by part" or "section by section". It was said that those who favoured holding a general discussion could then comment on the general principles underlying the articles in each part or section, while those who wanted to discuss the individual articles would be free to do so under each part or section. Objections were raised to this suggestion on the grounds that it might not allow time enough to complete the discussion of the draft covenants at the current session, and also that difficulties would arise in grouping the articles in sections or parts, and regarding the order in which the sections or parts should be discussed. The view was expressed that the first reading should be completed at the current session of the Assembly. Others, however, thought that it was premature to decide finally on that question and that the decision should not be prejudged.

11. During the debate on procedure, reference was made to the possibility of convening a conference of plenipotentiaries, of holding a special session of the Third Committee, or of setting up a committee of all Member States or a sub-committee of the Third Committee to draw up the draft covenants in final form. Several representatives expressed the view that, at the current stage at any rate, the Third Committee itself should deal with the draft covenants and should devote approximately half its remaining meetings to the item.

Proposals and amendments before the Committee

12. Proposals were made by Afghanistan (A/C.3/L.406) concerning the procedure to be adopted for dealing with the draft covenants as follows:

"1. The draft⁹ covenants should be discussed during the current session of the General Assembly.

⁸ See *Official Records of the Economic and Social Council, Sixth Session, Supplement No. 1*, para. 18.

⁹ The word "draft" was omitted in A/C.3/L.406 in its provisional form.

"2. The draft⁹ covenants should be discussed in the Third Committee.

"3. The first reading of the draft⁹ covenants should take place, section by section, in the Third Committee during the current session of the General Assembly."

13. In an amendment by the United Kingdom (A/C.3/L.407) the addition of the following paragraph was proposed :

"4. The Third Committee will devote not more than half of its remaining meetings to the consideration of the draft covenants."

The representative of Cuba orally proposed (560th meeting) that the words "not more than" should be replaced by the word "one". This proposal was accepted by the representative of the United Kingdom.

14. An amendment was submitted by Australia (A/C.3/L.408) to replace point 3 of the Afghan proposals by the following text :

"A first reading of the draft covenants, beginning with a general discussion, should take place in the Third Committee during the current session of the General Assembly."

The representative of Egypt orally proposed (560th meeting) that the words "section by section" in paragraph 3 of the Afghan proposals should be replaced by the words "part by part".

15. The representative of Afghanistan accepted the amendments (560th meeting) put forward by the United Kingdom and Egypt.

Decisions of the Committee

16. Point 1 of the proposals submitted by Afghanistan (A/C.3/L.406) was adopted by 52 votes to none, with 1 abstention.

17. Point 2 of the proposals (A/C.3/L.406) was adopted by 51 votes to none, with 1 abstention.

18. In connexion with point 3 of the proposals (A/C.3/L.406), the Committee first voted on whether it wished to consider the Australian amendment (A/C.3/L.408) as an amendment or as a separate proposal. It decided, by 27 votes to 15, with 5 abstentions, that it should consider it as an amendment.

19. A proposal by the representative of Lebanon to vote only on those words of the Australian amendment which amended the Afghanistan text was adopted by 19 votes to 2, with 23 abstentions.

20. The Committee then voted as follows :

(a) On the Australian amendment :

It adopted, by 25 votes to 15, with 10 abstentions, the first word "a" as a substitution for the word "the" in the proposal by Afghanistan.

It decided, by 26 votes to 5, with 12 abstentions, to retain the word "beginning".

It adopted, by 30 votes to 7, with 13 abstentions, the words "beginning with a general discussion".

(b) A motion to insert the phrase "part by part" was rejected by 22 votes to 16, with 7 abstentions.

21. On a roll-call vote taken at the request of the representative of Afghanistan, point 3 of the Afghan proposals, as amended by Australia, was adopted by 31 votes to 3, with 18 abstentions. The voting was as follows :

In favour : Argentina, Australia, Belgium, Brazil, Byelorussian Soviet Socialist Republic, Canada, Chile, Colom-

bia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, France, Guatemala, Iceland, Israel, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Peru, Poland, Sweden, Turkey, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against : China, Egypt, Haiti.

Abstaining : Afghanistan, Bolivia, Burma, Costa Rica, Ethiopia, Greece, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Philippines, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Yugoslavia.

22. The additional paragraph proposed by the United Kingdom (A/C.3/L.407), with the amendment proposed orally by the representative of Cuba and accepted by the representative of the United Kingdom, was adopted by 38 votes to none, with 7 abstentions.

23. The decisions of the Committee (A/C.3/L.409) therefore were as follows :

(1) The draft covenants should be discussed during the current session of the General Assembly.

(2) The draft covenants should be discussed in the Third Committee.

(3) A first reading of the draft covenants, beginning with a general discussion, should take place in the Third Committee during the current session of the General Assembly.

(4) The Third Committee would devote one-half of its remaining meetings to the consideration of the draft covenants.

24. The general discussion was held during the 561st to 577th meetings from 21 October to 2 November 1954. It is briefly summarized in chapter III, part A, of the present report.

25. After the conclusion of the general discussion, at the 577th meeting, the Committee adopted, by 50 votes to none, with 1 abstention, an oral proposal by the representative of Afghanistan, by which the Committee decided to begin, at its next meeting, the second part of its first reading of the draft covenants, on the understanding that every delegation would be free to submit, if possible in one statement, new proposals or amendments to or observations on the articles.

26. The second part of the first reading took place at the 578th to 582nd meetings, from 9 to 12 November 1954. A brief summary, including the proposals and amendments submitted, is given in chapter III, part B, of the present report.

27. At the 577th meeting also, the representative of Costa Rica introduced a proposal which concerned future work on the draft covenants. This was discussed at the 577th to 586th meetings of the Committee. The draft resolution submitted, the various amendments to it, and the action taken by the Committee are described in chapter IV of the present report.

III. FIRST READING OF THE DRAFT COVENANTS

A. *First part (General discussion)*

28. Most representatives on the Committee participated in the general discussion, when certain general questions relating to the draft covenants were raised. Different opinions were expressed on the admissibility of reservations. There were some general observations on the measures of implementation. Reference was made to the right of petition. Widely divergent views were expressed on some provisions common to both draft covenants, such

as the article on the right of peoples to self-determination, the federal clause and the territorial application article. Observations and suggestions on some of the individual articles in each draft covenant were also made during the general discussion.

29. Several members expressed their regret that the General Assembly had decided on the preparation of two covenants. It was pointed out that civil and political rights and economic, social and cultural rights were of equal importance and interdependent. Certain economic, social and cultural conditions were necessary for the full enjoyment of civil and political rights. The distinction which had been made was a purely artificial one. Others held that the nature of the two categories of rights rendered it necessary to give them separate treatment. The level of realization of economic, social and cultural rights in every country depended on factors which were not always within the power of the Government to control. It was also argued that the draft covenant on economic, social and cultural rights expressed aspirations to be achieved progressively over a period of time, while civil and political rights should be guaranteed by a State as soon as it became a party to the latter covenant. The view was also expressed that, while it might be difficult at the current stage to reverse the previous decision of the General Assembly, as many States as possible should become parties to the two covenants simultaneously.

30. Many representatives emphasized that the two covenants should be drafted in such a way that they would be acceptable to as many States as possible. Their effectiveness would depend as much on their acceptability as on their content. At the same time it was pointed out that they should not establish such a low level that all States could ratify them immediately, because then they would have no real effect. Similarly, instruments which established such high ideals that no nation could ratify them would be of little value. Some members of the Committee expressed the view that, in general, the drafts in the form in which they stood represented a broad compromise between differing political, economic and cultural opinions and, while not ideal, should be regarded as fairly satisfactory.

31. Many of the views expressed on the question of reservations were linked with the idea of universal acceptability of the covenants. Some representatives held that, in instruments as important as the covenants, no reservations should be permitted. Many, however, expressed the view that, in the interests of securing the maximum number of ratifications, a reasonable provision on reservations should be included. It was generally agreed that, if reservations were admitted, adequate safeguards against abuse would have to be provided. Various suggestions were made concerning ways to meet the problem. These included: limiting the articles to which reservations would be allowed; admitting reservations only after two-thirds of the States parties to the covenants had consented to them; establishing a time limit for the duration of reservations; and admitting only those which were compatible with the purpose and object of the covenants. The view was expressed that the question of reservations should be decided before the substantive articles were finally decided upon.

32. Some members of the Committee criticized the provisions on measures of implementation included in the draft covenants on the grounds that they could lead only to interference in the internal affairs of States contrary to the Charter of the United Nations. Some expressed regret that the decision to prepare two draft covenants had led to different systems of implementation for the two categories of rights. Some considered that the system of reporting was not suitable for the draft covenant on

civil and political rights, since these rights should be guaranteed immediately, and not progressively over a period of time. Several expressed their approval, in general, of the measures of implementation provided in the two draft covenants, although certain criticisms of detailed provisions were advanced.

33. A number of representatives expressed their regret that the draft covenants did not extend the right of petition to non-governmental organizations and individuals. It was argued that, if human rights were to be properly safeguarded, the individual should be able to petition for redress of grievances. It was suggested that non-governmental organizations having consultative status should be granted the right of petition, and that they could then act on behalf of individuals. Others considered that the time was not yet ripe to extend the right of petition beyond States. In this connexion, some representatives indicated their interest in discussing at some stage the proposal of Uruguay concerning a High Commissioner (Attorney-General) for Human Rights (E/2573, annex III), which had not yet been considered by any United Nations organ.

34. Widely divergent views were expressed on the article on the right of peoples to self-determination. Some members stated that the right of self-determination was a collective right and, as such, had no place in covenants devoted to the rights of the individual. It was argued that the right of self-determination was a political principle and that its application in practice was subordinate to other principles, the most important of which was the maintenance of peace. It was said that the question was very complex and should be approached with great caution for fear of sowing confusion and disorder in the world. Others stated that the article on the right of self-determination was one of the most important articles in the draft covenants, since it was a prerequisite for the enjoyment of all other human rights. It was said also that, while the right belonged to peoples and nations, every individual belonging to a people or a nation had to exercise it individually. It was argued that the maintenance of peace was dependent upon friendly relations among nations on the basis of equal rights for all nations. There was some criticism of the inclusion in the article of the provision concerning the permanent sovereignty of peoples over their natural wealth and resources. It was said that this might make it possible for Governments to expropriate private property without any compensation. Others claimed that the application of the principle of permanent sovereignty of peoples over their natural wealth and resources was a most important element in the article and should not be omitted. It was suggested by some representatives that a possible compromise might be to draw up a separate instrument on the right of peoples to self-determination. Opposition to this suggestion was expressed by other members of the Committee.

35. The article on the federal clause was criticized by some representatives, who pointed out that the Commission on Human Rights had adopted the present text by a very small majority. It was stated that some States with federal constitutions would be prevented from becoming parties to the covenants if the article were retained. It was also argued that it was not in accordance with the terms of General Assembly resolution 421 (V), section C, in which the Commission was asked to study ways of meeting the constitutional problems of federal States. Others argued that the inclusion of a federal clause would discriminate against unitary States and that the problems of federal States should be met by making reservations. Some expressed the view that a compromise solution should be found in order to permit universal adherence to the covenants.

36. Objection was raised to the article on the territorial application of the covenants on the ground that it would have the effect merely of delaying for some considerable time their ratification by the Powers responsible for the Non-Self-Governing Territories. Others argued that the inclusion of a territorial application clause would discriminate in favour of the administering Powers and imply endorsement of a system which had been severely criticized in many parts of the world. It was emphasized that the article had been adopted by the General Assembly itself in resolution 422 (V).

37. In their general statements many delegations referred to individual articles in both draft covenants. Drafting changes were suggested, criticisms of particular words were made and a number of points of substance were raised. These have not been included in the present report but may be found in the summary records of the 561st to 577th meetings. Mention may be made, however, of the article on freedom of religion (article 18 of the draft covenant on civil and political rights) on which widely differing views were expressed. Objection was raised to the inclusion of the words "freedom to maintain or to change his religion". It was said that the article showed lack of balance and emphasis between the three ideas of freedom of thought, of conscience, and of religion. It was argued by others that the Commission on Human Rights had unanimously adopted the article, which could not therefore be said to represent the interest of any particular country or religious group.

38. There was some general criticism that the articles of the draft covenant on economic, social and cultural rights contained too many vague generalizations which would have to be defined further if the covenant were to mean the same thing for all countries. The view was also expressed that this covenant should be drafted in general terms, providing a framework to be elaborated by the specialized agencies. Several members expressed regret that the right of property had not been included in this draft covenant.

39. With regard to the draft covenant on civil and political rights, the view was expressed that on the whole the articles were well drafted. It was emphasized by some delegations that since this covenant would impose obligations which would be binding upon States on ratification, the wording of all the articles should be quite precise. The view was expressed that this covenant should contain an article on the right of asylum and on the right to protection of moral and material interests deriving from scientific, literary or artistic work.

B. Second part

40. The second part of the first reading (577th to 582nd meetings) was concerned mainly with the presentation of amendments or proposals which were not voted upon by the Committee. These are indicated below.

Amendments and proposals relating to provisions common to both draft covenants

41. At the 580th meeting Brazil submitted the following proposals (A/C.3/L.412) relating to the articles, in both draft covenants, concerning the right of peoples to self-determination:

(1) Add to the preambles of both draft covenants the following paragraphs:

"Considering that all peoples and all nations have the right of self-determination, namely, the right freely to determine their political, economic, social and cultural status, and that the full exercise of this right

must be ensured as an essential condition for universal respect for, and observance of, human rights,

"Considering further that the right of peoples to self-determination also includes permanent sovereignty over their natural wealth and resources, and that in no case may a people be deprived of its own means of subsistence on the grounds of any rights that may be claimed by other States."

(2) Delete article 1 in both draft covenants, article 28 in the draft covenant on economic, social and cultural rights, articles 48 and 53 in the draft covenant on civil and political rights, and any other provision relevant to the matters dealt with in those articles.

(3) The Commission on Human Rights should be requested to prepare a draft protocol as an annex to the covenants, the said protocol to embody the principles proclaimed in article 1, paragraph 2, of both draft covenants, in article 28 of the draft covenant on economic, social and cultural rights, in articles 48 and 53 of the draft covenant on civil and political rights, or in any other provision relevant to the matters dealt with in those articles.

(4) The Secretary-General should be asked to transmit to the Commission on Human Rights the summary records of the debate on the subject.

42. Twenty delegations submitted the following observations (A/C.3/L.427 and Add.1) on the draft covenants at the 582nd meeting:

"The delegations of Afghanistan, Bolivia, Burma, Chile, Egypt, Greece, Haiti, India, Indonesia, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand, Uruguay, Yemen and Yugoslavia,

"Considering that the peoples and nations as individuals and collectivities have laid their hopes in the United Nations to promote and safeguard human rights on a universal basis without any political, social or other discrimination whatsoever,

"Considering that the General Assembly passed a resolution to the effect that the right of peoples and nations to self-determination is a fundamental right without which the other human rights may not be fully enjoyed,

"Considering that the failure to recognize the right of peoples and nations to self-determination has been the cause of conflict among peoples and nations and may lead to further political and economic instability in many parts of the world and thereby endanger peace and security,

"Considering that since 1951 the General Assembly decided to have a distinct article formulated on the right of peoples and nations to self-determination,

"Considering that the non-inclusion of the right of peoples and nations to self-determination in the operative part of the draft covenants may be regarded as a repudiation of this right by the United Nations,

"Considering that the General Assembly decided in resolution 637 (VII) of 16 December 1952 that it is necessary to continue the study of ways and means of ensuring international respect for the right of peoples and nations to self-determination, which resolution was reaffirmed by resolution 738 (VIII) of 28 November 1953,

"Propose that all Governments reaffirm the right of self-determination as a fundamental and inalienable right of peoples and nations;

"Propose that the right of self-determination be maintained in both draft covenants in the first article and in all relevant articles dealing with its promotion and implementation;

"Propose that the administering Powers be invited to familiarize the peoples in the territories under their administration with the provisions of the two draft covenants as they now stand."

43. Australia submitted the following amendment (A/C.3/L.421) to article 27 of the draft covenant on economic, social and cultural rights, and to article 52 of the draft covenant on civil and political rights:

Replace the present text of these articles by the following text:

"1. A federal State may at the time of signature or ratification of, or accession to, this covenant make a declaration stating that it is a federal State to which this article is applicable. In the event that such a declaration is made, paragraphs 2, 3 and 4 of this article shall apply to it. The Secretary-General of the United Nations shall inform the other States Parties to this Covenant of such declaration.

"2. This Covenant shall not operate so as to bring within the jurisdiction of the federal authority of a federal State making such declaration any of the matters referred to in this Covenant which, independently of the Covenant, would not be within the jurisdiction of the federal authority.

"3. Subject to paragraph 2 of this article, the obligations of such federal State shall be:

"(a) In respect of any provisions of the Covenant, the implementation of which is, under the constitution of the federation, wholly or in part within federal jurisdiction, the obligations of the federal government shall, to that extent, be the same as those of parties which have not made a declaration under this article;

"(b) In respect of any provisions of the Covenant, the implementation of which is, under the constitution of the federation, wholly or in part within the jurisdiction of the constituent units (whether described as states, provinces, cantons, autonomous regions, or by any other name), and which are not, to this extent, under the constitutional system bound to take legislative action, the federal government shall bring such provisions with favourable recommendations to the notice of the appropriate authorities of the constituent units, and shall also request such authorities to inform the federal government as to the law of the constituent units in relation to those provisions of the Covenant. The federal government shall transmit such information received from constituent units to the Secretary-General of the United Nations;

"(c) Subsequently, the federal government shall notify the Secretary-General, for communication to States Parties to the Covenant, the legislative or other measures which the above-mentioned units have taken in implementation of the provisions of the Covenant.

"4. A Contracting State shall not be entitled to avail itself of the present Covenant against other Contracting States except to the extent that it is bound by the Covenant."

44. The representative of the United Kingdom drew attention, at the 582nd meeting, to the proposals relating to reservations contained in annex II to the report of the Commission on Human Rights (E/2573).

Amendments to the draft covenant on civil and political rights

45. Saudi Arabia proposed the following amendments (A/C.3/L.422) to article 18:

Paragraph 1, second sentence—Delete the words: "to maintain or to change his religion, or belief, and freedom".

Paragraph 2. Replace this paragraph by the following: "No one shall be subject to coercion which would deprive him of his right to freedom of religion or belief."

46. Brazil proposed (A/C.3/L.413, point 3) the addition of the following paragraph to article 19:

"Any advocacy of national, racial or religious hostility, of class hatred or of violent methods for subverting the political or social order may, however, be prohibited by the law of the State."

47. Belgium proposed the following amendments (A/C.3/L.414) to paragraph 4 of article 22:

Replace the first sentence by the following:

"The legislations of the States Parties to this Covenant shall, within a reasonable period of time, prescribe equality of rights and responsibilities for the spouses during marriage and at its dissolution."

In the last sentence, delete the words: "In the last-mentioned case...".

48. The representative of the Dominican Republic, at the 581st meeting, drew attention to the resolutions which were adopted by the Commission on the Status of Women at its seventh and eighth sessions concerning the article of the draft covenant on civil and political rights on the rights and duties of spouses.

49. Cuba, Denmark, the Dominican Republic, Norway, Sweden and Yugoslavia proposed the following amendment (A/C.3/L.418 and Add.1) to paragraph 4 of article 22:

Replace the first sentence by:

"Men and women shall have equal rights and responsibilities as to marriage, during marriage and at its dissolution."

50. Brazil proposed (A/C.3/L.413, point 1) the following amendment to article 23:

"In article 23 of the draft covenant on civil and political rights replace the words "without any of the distinctions mentioned in article 2 of this Covenant and without unreasonable restrictions" by the words "without distinction as to race, colour, sex, religion, political or other opinion, social origin, property, birth or other status, and without any restrictions other than those which under the constitution of his country govern eligibility to certain high offices of State".

51. Brazil proposed (A/C.3/L.413, point 2) the deletion of article 26.

52. The representative of Uruguay, at the 578th meeting, explained the proposal of Uruguay for the establishment of an Office of the United Nations High Commissioner (Attorney-General) for Human Rights (E/2573, annex III). As an amendment, the representative of Uruguay proposed (A/C.3/L.424) that the provisions relating to the proposed office should be inserted in part IV of the covenant on civil and political rights.

IV. FUTURE WORK ON THE DRAFT COVENANTS

53. Costa Rica submitted a draft resolution (A/C.3/L.410) concerning future work on the draft covenants which was revised four times during the discussion and took into account amendments by Afghanistan (A/C.3/L.411 and A/C.3/L.419), Lebanon (A/C.3/L.415), India (A/C.3/L.416 and A/C.3/L.426) and the United Kingdom (A/C.3/L.417). An amendment by Uruguay (A/C.3/L.420) and an amendment submitted orally by the representative of Haiti at the 582nd meeting were withdrawn during the discussion.

54. The text of the fourth revision of the draft resolution submitted by Costa Rica (A/C.3/L.410/Rev.4 and Corr.1 and 2) was as follows :

"The General Assembly,

"Taking note of the draft international covenants on human rights prepared by the Commission on Human Rights and transmitted by the Economic and Social Council (E/2573, annexes I, II and III) and expressing its gratitude to that Commission for the work accomplished,

"Having considered these draft international covenants on human rights at its ninth session,¹⁰

"Reaffirming that it is important that these international covenants on human rights which will effectively safeguard the rights of the human person should be adopted as soon as possible,

"Considering that it is desirable to give Governments of States Members and non-members of the United Nations and the specialized agencies time for making a full study of the draft covenants and for submitting, if they so desire, amendments or additions thereto, or further observations thereon,

"Considering that it is desirable for each Government to be informed in good time of the views of other Governments and of the specialized agencies concerning the provisions to be included in the draft international covenants on human rights so that it may take due account of these views in determining its own attitude,

"Considering that it is desirable that public opinion should express itself fully and freely on the draft covenants on human rights,

"1. Invites

"(a) Governments of States Members and non-members of the United Nations¹¹ to communicate to the Secretary-General, within six months after the end of the present session, any amendments or additions to the draft international covenants on human rights or any observations thereon ;

"(b) The specialized agencies to communicate to the Secretary-General, within six months after the end of the present session, any observations they may wish to make with regard to the draft international covenants ; and

"(c) The non-governmental organizations concerned with the promotion of human rights, including those in the Non-Self-Governing and Trust Territories, to stimulate public interest in the draft international covenants on human rights by all possible means ;

"2. Requests the Secretary-General to prepare a compilation of all the observations made before or during the ninth session and of all the amendments, additions and observations which may be communicated by Governments and the specialized agencies during the succeeding six months ; and to circulate the document to Governments in good time to enable them to study it before the tenth session ;

"3. Recommends that the meetings of the Third Committee during the tenth session shall begin with and be mainly devoted to the discussion of the draft international covenants on human rights, article by article

in an agreed order including new articles, if any, with a view to their adoption at the earliest possible date."

55. The following amendments were proposed to the above text :

Preamble

Afghanistan proposed (A/C.3/L.431) that the word "these" should be replaced by the word "the" in the second paragraph of the preamble.

Syria proposed (A/C.3/L.428) that the word "effectively" should be omitted from the third paragraph of the preamble.

Egypt and Lebanon proposed (A/C.3/L.429) that the third paragraph of the preamble should be replaced by the following text :

"Reaffirming that it is important that these draft covenants should be adopted in their final form as soon as possible".

Greece proposed an amendment (A/C.3/L.430 and Corr.1) which was orally amended during the discussion, whereby the third paragraph of the preamble was to be replaced by the following text :

"Reaffirming that it is important that all peoples should be provided as soon as possible with the covenants on human rights for the protection of the rights of the human person."

The representative of Costa Rica accepted the Greek amendment (585th meeting).

An amendment submitted orally by the representative of Cuba at the 584th meeting, calling for the insertion of the words "continue to" between the words "should" and "express", and the deletion of the words "fully and" in the sixth paragraph of the preamble, was accepted by the representative of Costa Rica at the 585th meeting.

Operative paragraph 1

Egypt and Lebanon proposed (A/C.3/L.429, point 2) that paragraph 1 (c) should be deleted. This amendment was subsequently withdrawn at the time of voting (585th meeting).

Afghanistan proposed (A/C.3/L.431, point 2) the addition, at the end of paragraph 1 (c), of the words "in their respective countries". This amendment was accepted by the representative of Costa Rica (585th meeting).

Operative paragraph 2

Australia proposed (A/C.3/L.423) the text below as a substitution for paragraph 2. It includes an oral amendment by the representative of Haiti adding the words "as early as possible" in sub-paragraph (a) :

"Requests the Secretary-General

"(a) To prepare and distribute to Governments, as early as possible, a concise annotation of the text of the draft international covenants, taking account of the observations made before and during the ninth session of the General Assembly, including those made in the Economic and Social Council and in the Commission on Human Rights ;

"(b) To distribute to Governments, as soon as they are received, the communications which may be made by Governments and by the specialized agencies in the next six months ;

"(c) To prepare as a working paper the compilation of all the amendments and proposed new articles which may be submitted by Governments in that period."

The representative of Costa Rica accepted this amendment (585th meeting).

¹⁰ In the original mimeographed form of document A/C.3/L.410/Rev.4, this paragraph read as follows : "Considering that, at its ninth session, it examined these draft international covenants on human rights". It was replaced by the present text in the corrigendum given in document A/C.3/L.410/Rev.4/Corr.2.

¹¹ The words "of States Members and non-members of the United Nations" were added in the corrigendum given in A/C.3/L.410/Rev.4/Corr.1.

New paragraph of the operative part

Egypt and Lebanon proposed (A/C.3/L.429) the insertion of the following new paragraph between operative paragraphs 2 and 3 :

“Requests the Secretary-General to give the draft international covenants on human rights the widest possible publicity through all the media of information available to him and within the limits of his budget.”

Operative paragraph 3

Guatemala proposed (A/C.3/L.425) as a substitution for paragraph 3 the following text, which includes oral amendments made during the discussion :

“*Recommends* that, during the tenth session of the General Assembly, the Third Committee give priority and devote itself mainly to the discussion, article by article in an agreed order, of the draft international covenants on human rights with a view to their adoption at the earliest possible date. The discussion should also cover any new articles which may be proposed.”

This amendment was accepted by the representative of Costa Rica (585th meeting).

56. Much of the discussion of this draft resolution concerned the invitation addressed to non-governmental organizations, in operative paragraph 1 (c), to stimulate public interest in the draft covenants. In support of the paragraph it was said that it was aimed at securing universal respect for human rights and, to this end, all possible means of gathering public support for the draft covenants should be used. It was explained that the reference to Non-Self-Governing and Trust Territories would make it clear to the indigenous inhabitants that they would not be excluded from the benefits of the covenants, and that their opinions would be welcomed and considered. Another argument advanced was that this invitation would provide a means of consulting the peoples of such territories, which the Powers responsible for their administration claimed was necessary before they could extend the provisions of the covenant to those peoples.

57. Some delegations interpreted the paragraph as including all non-governmental organizations, national and international. Others thought that only those having consultative status with the Economic and Social Council should be included. Some said that it would be very difficult to define which organizations were “concerned with the promotion of human rights, including those in Non-Self-Governing and Trust Territories” unless the scope were restricted to non-governmental organizations in consultative status, and many practical difficulties would arise. Some expressed doubt whether, if it were so restricted, those in Non-Self-Governing and Trust Territories would be able effectively to express their views.

58. Others said that it would be unwise to extend such a broad invitation to non-governmental organizations, which might only cause dissatisfaction with the draft covenants themselves. It was pointed out that the texts were not yet in final form, and that it would be improper for the General Assembly to go on record with a request which would imply that there was need to stimulate public interest on such a broad basis at that stage. It was said also that the proposal was not in accordance with the arrangements already established for consulting non-governmental organizations. It was also said that these organizations had already submitted their views several times in the Commission on Human Rights and in the Economic and Social Council and that it was unnecessary to address such an invitation to them.

59. It was suggested as a possible compromise that the Secretary-General should be requested to give the draft covenants the widest possible publicity through all the media of information available to him and within the limits of his budget. It was pointed out that such a proposal would encourage the Secretary-General to concentrate on giving more publicity to the draft covenants and would overcome some of the objections which had been raised against operative paragraph 1 (c).

Decisions of the Committee

60. At the 585th meeting, the Committee voted as follows on the draft resolution submitted by Costa Rica and the amendments thereto (see paragraph 55).

Preamble

61. The first paragraph of the preamble was adopted by 52 votes to none, with 1 abstention.

62. The amendment submitted by Afghanistan whereby the word “these” was to be replaced by the word “the” in the second paragraph of the preamble was rejected by 7 votes to 5, with 34 abstentions.

63. The second paragraph of the preamble was adopted by 50 votes to none, with 1 abstention.

64. The amendment submitted by Egypt and Lebanon replacing the third paragraph of the preamble by a new text was adopted by 31 votes to 7, with 12 abstentions.

65. The fourth paragraph of the preamble was adopted by 52 votes to none, with 1 abstention.

66. The fifth paragraph of the preamble was adopted by 52 votes to none, with 1 abstention.

67. The sixth paragraph of the preamble, including the oral amendment by the representative of Cuba which had been accepted by the representative of Costa Rica, was adopted by 50 votes to none, with 2 abstentions.

Operative paragraph 1

68. Paragraph 1 (a) was adopted by 50 votes to none, with 2 abstentions.

69. Paragraph 1 (b) was adopted by 52 votes to none, with 1 abstention.

70. The words “concerned with the promotion of human rights, including those in the Non-Self-Governing and Trust Territories” in paragraph 1 (c) were adopted by a roll-call vote of 36 to 14, with 3 abstentions. The voting was as follows :

In favour : Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Norway, Peru, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against : Australia, Belgium, Brazil, China, France, Iceland, Luxembourg, Netherlands, New Zealand, Pakistan, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining : Canada, Denmark, Israel.

71. Paragraph 1 (c) as a whole, including the amendment by Afghanistan which had been accepted by the representative of Costa Rica, was adopted by a roll-call vote of 35 to 13, with 5 abstentions. The voting was as follows :

In favour : Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Chile, Colombia,

Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Liberia, Mexico, Norway, Peru, Philippines, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Brazil, Canada, France, Lebanon, Luxembourg, Netherlands, New Zealand, Pakistan, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland.

Abstaining: China, Denmark, Egypt, Israel, United States of America.

Operative paragraph 2

72. Paragraph 2, including the amendment by Australia which had been accepted by the representative of Costa Rica, was adopted by 48 votes to none, with 2 abstentions.

New operative paragraph

73. The new paragraph proposed by Egypt and Lebanon for insertion between paragraphs 2 and 3 was adopted by 46 votes to none, with 7 abstentions.

Operative paragraph 3

74. Paragraph 3, including the amendment by Guatemala which had been accepted by the representative of Costa Rica, was adopted by 51 votes to none, with 1 abstention.

Draft resolution as a whole

75. The draft resolution as a whole, as amended, was adopted by 42 votes to 5, with 4 abstentions.

V. RECOMMENDATION OF THE THIRD COMMITTEE

76. The Third Committee, therefore, recommends to the General Assembly the adoption of the following draft resolution:

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS

[Text adopted without change by the General Assembly. See document A/RESOLUTION/233 below.]

DOCUMENT A/RESOLUTION/233

[Resolution 833 (IX)]

Resolution adopted by the General Assembly at its 504th plenary meeting, on 4 December 1954

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS

The General Assembly,

Taking note of the draft international covenants on human rights prepared by the Commission on Human Rights and transmitted by the Economic and Social Council (E/2573, annexes I, II and III) and expressing its gratitude to that Commission for the work accomplished,

Having considered these draft international covenants on human rights at its ninth session,

Reaffirming that it is important that these draft covenants should be adopted in their final form as soon as possible,

Considering that it is desirable to give Governments of States Members and non-members of the United Nations and the specialized agencies time to make a full study of these draft covenants and to submit, if they so desire, amendments or additions thereto, or further observations thereon,

Considering that it is desirable for each Government to be informed in good time of the views of other Governments and of the specialized agencies concerning the provisions to be included in the draft international covenants on human rights so that it may take due account of these views in determining its own attitude,

Considering that it is desirable that public opinion should continue to express itself freely on the draft international covenants on human rights,

1. *Invites*:

(a) Governments of States Members and non-members of the United Nations to communicate to the Secretary-General, within six months after the end of the present session of the General Assembly, any amendments or additions to the draft international covenants on human rights or any observations thereon;

(b) The specialized agencies to communicate to the Secretary-General, within six months after the end of the present session, any observations they may wish to make with regard to the draft international covenants on human rights;

(c) The non-governmental organizations concerned with the promotion of human rights, including those in the Non-Self-Governing and Trust Territories, to stimulate public interest in the draft international covenants on human rights by all possible means in their respective countries;

2. *Requests* the Secretary-General:

(a) To prepare and distribute to Governments, as early as possible, a concise annotation of the text of the draft international covenants on human rights, taking account of the observations made before and during the ninth session of the General Assembly, including those made in the Economic and Social Council and in the Commission on Human Rights;

(b) To distribute to Governments, as soon as they are received, the communications which may be made by Governments and by the specialized agencies during the next six months;

(c) To prepare as a working paper a compilation of all the amendments and proposed new articles which may be submitted by Governments during that period;

3. *Requests* the Secretary-General to give the draft international covenants on human rights the widest possible publicity through all the media of information available to him, and within the limits of his budget;

4. *Recommends* that, during the tenth session of the General Assembly, the Third Committee give priority and devote itself mainly to the discussion, article by article, in an agreed order, of the draft international covenants on human rights with a view to their adoption at the earliest possible date. The discussion shall also cover any new articles which may be proposed.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 504th plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by the Third Committee (A/2808 and Corr.1, para. 76). For the final text see document A/RESOLUTION/233, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2402	Report of the Special Committee on Measures to Limit the Duration of Regular Sessions of the General Assembly		<i>Official Records of the General Assembly, Eighth Session, Annexes</i> , agenda item 54
A/2686	Report of the Economic and Social Council covering the period 6 August 1953 to 6 August 1954		<i>Ibid.</i> , Ninth Session, Supplement No. 3
A/2692	Constitutions, electoral laws and other legal instruments relating to political rights of women—Memorandum by the Secretary-General		Mimeographed document only
A/2714	Note by the Secretary-General	1	
A/2808 and Corr.1	Report of the Third Committee	7	
A/C.3/574	Comments of Governments under Council resolution 545 B I (XVIII)	2	
A/C.3/L.406	Afghanistan: proposals concerning procedure		Incorporated in A/2808 and Corr.1, para. 12
A/C.3/L.407	United Kingdom of Great Britain and Northern Ireland: addendum to the proposals by Afghanistan (A/C.3/L.406)		Incorporated in A/2808 and Corr.1, para. 13
A/C.3/L.408	Australia: amendment to draft resolution A/C.3/L.406		Incorporated in A/2808 and Corr.1, para. 14
A/C.3/L.409	Proposals concerning the procedure for consideration of the draft covenants, as adopted by the Third Committee at its 560th meeting		Incorporated in A/2808 and Corr.1, para. 23
A/C.3/L.410	Costa Rica: draft resolution	3	
A/C.3/L.410/Rev.1 and Corr.2	Costa Rica: revised draft resolution	3	
A/C.3/L.410/Rev.2	Costa Rica: revised draft resolution	3	
A/C.3/L.410/Rev.3	Costa Rica: revised draft resolution	4	
A/C.3/L.410/Rev.3/Corr.1	Costa Rica: revised draft resolution—Corrigendum	4	
A/C.3/L.410/Rev.4 and Corr.1 and 2	Costa Rica: revised draft resolution		Incorporated in A/2808 and Corr.1, para. 54
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GENERAL ASSEMBLY

Official Records



ANNEXES

NINTH SESSION

NEW YORK, 1954

Agenda item 59 : Status of women in private law : customs, ancient laws and practices affecting the human dignity of women

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DOCUMENT A/C.3/L.457 and Corr.1

Argentina, Cuba, Dominican Republic, Egypt, Greece, Guatemala, Iraq, Peru, Venezuela and Yugoslavia : draft resolution

[Original text : English and Spanish]
[10 December 1954]

The General Assembly,

Recalling the principles set forth in the United Nations Charter and in the Universal Declaration of Human Rights,

Considering that in certain areas of the world, women are subject to customs, ancient laws and practices relating to marriage and the family which are inconsistent with these principles,

Believing that the elimination of such customs, ancient laws and practices would tend to the recognition of the human dignity of women and contribute to the benefit of the family as an institution,

Having considered Economic and Social Council resolution 547 H (XVIII) of 12 July 1954,

1. *Urges* all States, including States which have or assume responsibility for the administration of Non-Self-Governing Territories, to take all appropriate measures in the countries and territories under their jurisdiction with a view to abolishing such customs, ancient laws and

practices by: ensuring complete freedom in the choice of a spouse; abolishing the practice of the bride-price; guaranteeing the right of widows to the custody of their children and their freedom as to remarriage; eliminating completely child marriages and the betrothal of young girls before the age of puberty and establishing appropriate penalties where necessary; establishing a civil register in which all marriages and divorces will be recorded; ensuring that all cases involving personal rights be tried before a duly appointed magistrate; ensuring also that family allowances, where these are provided, be administered in such a way as to benefit directly the mother and child;

2. *Recommends* that special efforts be made through fundamental education, in both private and public schools, and through various media of communications, to inform public opinion in all areas mentioned in paragraph 1 above concerning the Universal Declaration of Human Rights and existing decrees and legislation which affect the status of women.

DOCUMENT A/2879

Report of the Third Committee

[Original text: English]
[16 December 1954]

1. The General Assembly, at its 478th meeting on 25 September 1954, decided to allocate item 59 of the agenda of its ninth session, "Status of women in private law: customs, ancient laws and practices affecting the human dignity of women", to the Third Committee for consideration and report.

2. The Third Committee discussed this question as item 7 of its agenda at its 620th to 622nd meetings on 14 and 15 December 1954. It had before it chapter V, section XI, paragraphs 814 to 818 of the report of the Economic and Social Council (A/2686), together with a note by the Secretary-General (A/2718) directing attention to the Economic and Social Council resolution 547 H (XVIII) adopted on 12 July 1954.

3. At the outset of the discussion, a draft resolution (A/C.3/L.457 and Corr.1), based substantially on Economic and Social Council resolution 547 H (XVIII), was submitted jointly by Argentina, Cuba, Dominican Republic, Egypt, Greece, Guatemala, Iraq, Peru, Venezuela and Yugoslavia. Under this draft resolution the General Assembly would (1) urge all States, including States administering Non-Self-Governing Territories, where customs, ancient laws and practices adversely affecting the human dignity of women existed, to take all appropriate measures to ensure complete freedom in the choice of a spouse; to abolish the practice of the bride-price; to guarantee the right of widows to the custody of their children and their freedom as to remarriage; to eliminate completely child marriages and the betrothal of young girls before the age of puberty, establishing appropriate penalties where necessary; to establish a civil register in which all marriages and divorces would be recorded; to ensure that all cases involving personal rights would be tried before a duly appointed magistrate; to ensure also that family allowances, where these were provided, would be administered in such a way as to benefit directly the wife and children; and (2) recommend that special efforts should be made through fundamental education in both private and public schools, and through various media of communication to inform public opinion in all the areas mentioned above, concerning the Universal Declaration of Human Rights and existing decrees and legislation which affect the status of women.

4. Amendments to the draft resolution were submitted by Afghanistan (A/C.3/L.459) by which (1) the word "ancient" would be deleted in the phrase "customs, ancient laws and practices" in the preamble only; and (2) in operative paragraph 1, (a) the words "and Trust" would be inserted after "Non-Self-Governing"; (b) the word "civil" would be deleted before "register"; and (c) the words "duly appointed" would be deleted before "magistrate".

5. During the discussion, general support of the principles of the joint draft resolution was expressed. Several representatives considered that it reflected the constructive approach of the United Nations to the promotion of women's rights; some representatives stressed that the practices enumerated in the draft resolution were clearly inconsistent with the principles of the United Nations relating to human rights; others, while supporting the draft resolution, pointed out that,

in some dependent territories, serious difficulties might ensue if ancient laws, customs and practices were abolished without adequate preparation of the population through education or other gradual means. Certain representatives of countries where the Moslem religion is predominant stated that Islamic law was compatible with principles of equality of women, particularly as concerns private law and the status in the family. It was, however, felt by a few members of the Committee that the immediacy of the measures urged upon States in operative paragraph 1 of the draft resolution would be undesirable, inasmuch as the customs and practices enumerated were often rooted in religious tradition, and that the enumeration of measures to be taken and practices and customs to be eliminated was overly specific.

6. The Committee voted as follows on the amendments submitted by Afghanistan (A/C.3/L.459):

(1) The amendment to the preamble (paragraph 4, point (1)) above was rejected by 20 votes to 20, with 6 abstentions;

(2) The first amendment to operative paragraph 1 (paragraph 4, point (2) (a), above) was accepted by the sponsors of the draft resolution;

(3) The second amendment to operative paragraph 1 (paragraph 4, point (2) (b) above) was modified by the representative of Afghanistan to read "add the words 'or other' after 'civil' and before 'register'". The modified amendment was accepted by the sponsors of the draft resolution;

(4) The third amendment to operative paragraph 1 (paragraph 4, point (2) (c) above) was changed in the course of the debate to read "replace the words 'duly appointed magistrate' by 'competent judicial body'", the representative of Afghanistan having accepted a wording suggested by the representative of Syria. The modified amendment was adopted by 36 votes to none, with 9 abstentions.

7. At the request of the representative of Afghanistan, a separate roll-call vote was taken on the word "ancient" in operative paragraph 1 of the draft resolution. This word was retained by 30 votes to 13, with 4 abstentions. The voting was as follows:

In favour: Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, France, Greece, Guatemala, Indonesia, Israel, Netherlands, New Zealand, Peru, Philippines, Sweden, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Iraq, Mexico, Pakistan, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Abstaining: Ethiopia, India, Iran, Liberia.

8. At the request of the representative of Liberia, a separate vote was taken on operative paragraph 1 of the draft resolution. This paragraph was adopted by 40 votes to 1, with 7 abstentions.

9. The draft resolution, as amended, was approved by 39 votes to none, with 8 abstentions, on a roll-call vote taken at the request of the representative of Cuba. The voting was as follows :

In favour : Afghanistan, Argentina, Belgium, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, France, Greece, Guatemala, Indonesia, Iran, Iraq, Israel, Mexico, Netherlands, New Zealand, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia.

Against : None.

Abstaining : Australia, Canada, India, Liberia, Pakistan, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

Recommendation of the Third Committee

10. The Third Committee accordingly recommends to the General Assembly the adoption of the following draft resolution :

STATUS OF WOMEN IN PRIVATE LAW : CUSTOMS, ANCIENT LAWS AND PRACTICES AFFECTING THE HUMAN DIGNITY OF WOMEN

[Text adopted without change by the General Assembly. See document A/RESOLUTION/288 below.]

DOCUMENT A/RESOLUTION/288

[Resolution 843 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954

STATUS OF WOMEN IN PRIVATE LAW : CUSTOMS, ANCIENT LAWS AND PRACTICES AFFECTING THE HUMAN DIGNITY OF WOMEN

The General Assembly,

Recalling the principles set forth in the United Nations Charter and in the Universal Declaration of Human Rights,

Considering that, in certain areas of the world, women are subject to customs, ancient laws and practices relating to marriage and the family which are inconsistent with these principles,

Believing that the elimination of such customs, ancient laws and practices would tend to the recognition of the human dignity of women and contribute to the benefit of the family as an institution,

Having considered Economic and Social Council resolution 547 H (XVIII) of 12 July 1954,

1. *Urges* all States, including States which have or assume responsibility for the administration of Non-Self-Governing and Trust Territories, to take all appropriate measures in the countries and Territories under their

jurisdiction with a view to abolishing such customs, ancient laws and practices by ensuring complete freedom in the choice of a spouse; abolishing the practice of the bride-price; guaranteeing the right of widows to the custody of their children and their freedom as to re-marriage; eliminating completely child marriages and the betrothal of young girls before the age of puberty and establishing appropriate penalties where necessary; establishing a civil or other register in which all marriages and divorces will be recorded; ensuring that all cases involving personal rights be tried before a competent judicial body; ensuring also that family allowances, where these are provided, be administered in such a way as to benefit directly the mother and child;

2. *Recommends* that special efforts be made through fundamental education, in both private and public schools, and through various media of communication, to inform public opinion in all areas mentioned in the second paragraph of the preamble above concerning the Universal Declaration of Human Rights and existing decrees and legislation which affect the status of women.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the Third Committee (A/2879, para. 10). For the final text, see document A/RESOLUTION/288, above.

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A/2686	Report of the Economic and Social Council covering the period from 6 August 1953 to 6 August 1954		<i>Official Records of the General Assembly, Ninth Session, Supplement No. 3</i>
A/2718	Note by the Secretary-General		Covered in A/2879, para. 1
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A/C.3/L.459	Afghanistan: amendments to draft resolution A/C.3/L.457 and Corr.1		Incorporated in A/2879, para. 4
A/RESOLUTION/288	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954: Status of women in private law: customs, ancient laws and practices affecting the human dignity of women	3	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 843 (IX)</i>
E/2571, E/CN.6/253	Report of the Commission on the Status of Women (eighth session) (22 March to 9 April 1954)		<i>Official Records of the Economic and Social Council, Eighteenth Session, Supplement No. 6</i>



Agenda item 60: Amendment to the rules of procedure of the General Assembly: proposal for a new rule concerning corrections of vote

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DOCUMENT A/2700

France: request for the inclusion of an additional item in the agenda of the ninth session

[Original text: French]
[31 August 1954]

LETTER DATED 16 AUGUST 1954 FROM THE PERMANENT REPRESENTATIVE OF FRANCE
TO THE UNITED NATIONS, ADDRESSED TO THE SECRETARY-GENERAL

New York, 16 August 1954

On the instructions of my Government, I have the honour to request you to place on the provisional agenda of the ninth session of the United Nations General Assembly an item entitled:

“Amendment to the rules of procedure of the General Assembly; proposal for a new rule concerning corrections of vote.”

The attached explanatory memorandum, which I should be glad if you would circulate in due course as an official document, explains the reasons for my Government's request.

(Signed) H. HOPPENOT

[For the text of the explanatory memorandum, see A/2700/Rev.1, below.]

DOCUMENT A/2700/Rev.1

France : request for the inclusion of an additional item in the agenda of the ninth session

[Original text : French]
[3 December 1954]

LETTER DATED 2 DECEMBER 1954 FROM THE CHAIRMAN OF THE FRENCH DELEGATION TO THE NINTH SESSION OF THE GENERAL ASSEMBLY, ADDRESSED TO THE SECRETARY-GENERAL

New York, 2 December 1954

On the instructions of my Government, I requested you in my letter of 16 August 1954¹ to place on the provisional agenda of the ninth session of the United Nations General Assembly an item entitled :

“Amendment to the rules of procedure of the General Assembly ; proposal for a new rule concerning corrections of vote.”

I have the honour to transmit to you herewith an explanatory memorandum that contains new suggestions and which I should be glad if you would circulate to the Members of the General Assembly as an official document. This document is intended to replace the explanatory memorandum attached to my previous letter.

(Signed) H. HOPPENOT

EXPLANATORY MEMORANDUM

The French delegation has noted that the rules of procedure of the General Assembly are incomplete as regards the announcement by the President of the results of votes and the circumstances in which representatives may be permitted to correct the positions taken by them during a ballot. Contrary to the practice followed in most cases in the rules of procedure of the national

assemblies of States Members of the United Nations, there is in the rules of procedure of the General Assembly no provision to the effect that, once the result of a vote has been announced by the President, the result so announced may not be modified by corrections requested by representatives.

As a result of this omission great uncertainty frequently prevails in the General Assembly when the results of the vote on a motion are announced. There have even been cases where, contrary to logic and common sense, certain Presidents have admitted that a motion of which they had just announced the rejection had nevertheless been adopted after one or more Member States had expressed a desire to modify their positions after the event. Such laxity weakens the authority of the President of the Assembly, and a text adopted or rejected in such doubtful circumstances loses some of its force as a decision or recommendation.

The French delegation feels that this is a relatively important matter and that it is desirable to remedy the omission.

Believing that it would be useful to have this question of the correction of votes examined and settled, it considers that the best method of approaching and perhaps solving the problem is to request the general secretaries of national parliaments for their opinion on the subject. These officials are part of an international group which the United Nations Secretary-General could ask for an opinion that would enable him to submit a report on the question to the tenth session of the General Assembly.

DOCUMENT A/C.6/L.344/Rev.1

France and Syria : draft resolution

[Original text : French]
[7 December 1954]

The General Assembly,

Considering that the rules of procedure of the General Assembly contain no rule on the announcement by the President of the results of votes or the circumstances in which representatives may be permitted to correct the positions taken by them during a ballot,

Believing that it is desirable that this question should be studied and settled,

Believing that for this purpose it would be useful to

examine the existing rules of national legislative assemblies and to request the opinions of the general secretaries of these assemblies on the question,

Requests the Secretary-General to submit to the General Assembly at its tenth session a report on the terms and application of the rules which, in parliaments, govern the announcement of the results of votes, on the conditions subject to which corrections are admitted and on the consequences of such corrections.

DOCUMENT A/C.6/L.344/Rev.2

Denmark, France, Syria, United Kingdom of Great Britain and Northern Ireland : revised draft resolution

[Original text : French]
[8 December 1954]

The General Assembly,

Considering that the rules of procedure of the General Assembly contain no rule on the announcement by the President of the results of votes or the circumstances in

which representatives may be permitted to correct the positions taken by them during a ballot,

Believing that it is desirable that this question should be studied and settled,

Believing that for this purpose it would be useful to

¹ A/2700.

obtain information concerning the existing rules and the generally accepted practices of national legislative assemblies,

Requests the Secretary-General to submit to the General Assembly at its tenth session a report :

(a) On the terms and application of the rules which, in

parliaments, govern the announcement of the results of votes, on the conditions subject to which corrections are admitted and on the consequences of such corrections ;

(b) On possible provisions designed to prevent and correct any mistakes which may occur during the voting procedure.

DOCUMENT A/2856

Report of the Sixth Committee

[Original text : French]
[10 December 1954]

1. By a letter dated 16 August 1954 (A/2700), the Permanent Representative of France to the United Nations requested the Secretary-General to place the following item on the provisional agenda of the ninth session of the General Assembly : "Amendment to the rules of procedure of the General Assembly ; proposal for a new rule concerning corrections of vote". An explanatory memorandum was appended to the letter and was subsequently replaced by another memorandum (A/2700/Rev.1) containing new suggestions.

2. It was suggested in the revised explanatory memorandum that the best method of approaching and perhaps solving the problem would be to request the general secretaries of national parliaments for their opinion on the subject.

3. At its 477th plenary meeting, held on 24 September 1954, the General Assembly decided to include the item in the agenda of its ninth session, and at its 478th plenary meeting, on 25 September, it referred the item to the Sixth Committee.

4. The Sixth Committee considered the item at its 438th and 439th meetings, held on 7 and 8 December 1954.

5. The Committee had before it a draft resolution proposed by France (A/C.6/L.344), a first revision of the draft proposed jointly by France and Syria (A/C.6/L.344/Rev.1), and a second revision, taking into account suggestions made by the representatives of Belgium, Peru, Philippines and Greece, proposed jointly by Denmark, France, the United Kingdom of Great Britain and Northern Ireland and Syria (A/C.6/L.344/Rev.2).

6. Under the terms of the revised draft resolution (A/C.6/L.344/Rev.2), the General Assembly, in view of the lack in its rules of procedure of any provision on the announcement of the results and the correction of votes, would express the view that it would be desirable that the question should be studied and settled and, "that for this purpose it would be useful to obtain information concerning the existing rules and the generally accepted practices of national legislative assemblies". Accordingly, the General Assembly would request the Secretary-General to submit to it at its tenth session a report "(a) on the terms and application of the rules which, in parliaments, govern the announcement of the results of votes, on the conditions subject to which corrections are admitted and on the consequences of such corrections ; (b) on possible provisions designed to prevent and correct any mistakes which may occur during the voting procedure".

7. The representative of Argentina proposed the insertion of the words "of other inter-governmental organizations and" after the words "to obtain information concerning the existing rules and the generally accepted practices" in the third paragraph of the preamble, and

of the words "in other inter-governmental organizations and" after the words "rules which" in sub-paragraph (a) of the operative part.

8. The United Kingdom representative proposed that the words "in the General Assembly and its committees" should be added at the end of sub-paragraph (b) of the operative part.

9. These verbal amendments were accepted by the sponsors of the revised draft resolution.

10. In submitting the draft resolution, the French representative explained that his delegation had proposed the item with a view to filling an obvious gap in the General Assembly's rules of procedure. The French delegation had first considered proposing the adoption of a rule similar to that in force in the French legislature, but had decided on second thoughts that the better way would be to base such a rule on the rules and practices of the legislatures of Member States. It had pointed out, however, that the question at the present session was purely procedural and that a decision on the substance could only be taken at the beginning of the following session.

11. During the discussion it was observed that the lack of a rule was not as serious as was suggested in the explanatory memorandum, as the President of the General Assembly had the power to give rulings, although it was true that they could in turn be overruled by the General Assembly. The sole question, therefore, was whether it was advisable to introduce specific but less flexible rules than those currently in force. In any event, if the President's announcement was final some safeguard would be desirable for the correction of patent errors. It was also pointed out that it would be advisable to specify that the proposed provisions would apply not only to the General Assembly but also to its committees.

12. Other representatives, while expressing their agreement with the content of the draft resolution, pointed out that the parallel between national parliaments and the General Assembly was not absolute, as in the former case a representative's vote involved only his own responsibility while in the latter case it bound a sovereign State.

13. With regard to the procedure which should be followed, it was pointed out that the proposal to request advice from general secretaries of national legislative assemblies was unsatisfactory ; some assemblies had no general secretary, and even where the office existed its holder did not always enjoy sufficient authority or competence to advise an international organization. Some delegations felt that it would be simpler to consult the Inter-Parliamentary Union, and that account should also be taken of solutions so far adopted by the United Nations and the specialized agencies.

14. The suggestion that the specialized agencies should be consulted was favourably received; some delegations even expressed the view that it would be desirable to extend the inquiry to all international organizations, including regional ones, so long as it was limited strictly to inter-governmental organizations.

15. Other delegations, however, maintained that it would be superfluous to consult the specialized agencies, as a study of the practices followed by national parliaments would provide a sufficient variety of answers.

16. Finally, it was also pointed out that the voting procedure would be facilitated if a mechanical device was available for the automatic counting of votes.

17. At the 439th meeting, held on 8 December 1954, the Committee adopted by 49 votes to none, with 1 abstention, the joint draft resolution (A/C.6/L.344/Rev.2) with the amendments accepted by the sponsors (see paragraphs 7 to 9, above).

Recommendation of the Sixth Committee

18. The Sixth Committee therefore recommends that the General Assembly should adopt the following draft resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/269, below.]

DOCUMENT A/RESOLUTION/269

[Resolution 901 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

QUESTION OF THE CORRECTION OF VOTES IN THE GENERAL ASSEMBLY AND ITS COMMITTEES

The General Assembly,

Considering that the rules of procedure of the General Assembly contain no rule on the announcement by the President of the results of votes or the circumstances in which representatives of States Members may be permitted to correct the positions taken by them during a ballot,

Believing that it is desirable that this question should be studied and settled,

Believing that for this purpose it would be useful to

obtain information concerning the existing rules and the generally accepted practices of other inter-governmental organizations and of national legislative assemblies,

Requests the Secretary-General to submit to the General Assembly at its tenth session a report:

(a) On the terms and application of the rules which, in other inter-governmental organizations and in parliaments, govern the announcement of the results of votes, on the conditions subject to which corrections are admitted and on the consequences of such corrections;

(b) On possible provisions designed to prevent and correct any mistakes which may occur during the voting procedure in the General Assembly and its committees.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the Sixth Committee. For the final text, see document A/RESOLUTION/269, above.

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A/2856	Report of the Sixth Committee	3	
A/C.6/L.344	France: draft resolution		Mimeographed document only. See A/C.6/L.344/Rev.1
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A/RESOLUTION/269	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954	4	See also <i>Official Records of the General Assembly, ninth session, Supplement No. 21, resolution 901 (IX)</i>



Agenda item 61 : The question of West Irian (West New Guinea)

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DOCUMENT A/2694

Indonesia : request for the inclusion of a supplementary item in the provisional agenda of the ninth session

[Original text : English]
[18 August 1954]

LETTER DATED 17 AUGUST 1954 FROM THE ACTING PERMANENT REPRESENTATIVE OF INDONESIA TO THE UNITED NATIONS, ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to request that the following item be included in the provisional agenda of the ninth session of the United Nations General Assembly : "The question of West Irian (West New Guinea) ".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is enclosed.

(Signed) Tjondronegoro SUDJARWO
Acting Permanent Representative of
Indonesia

EXPLANATORY MEMORANDUM

1. The right of self-determination of the Indonesian people found its realization—after a long struggle against colonial rule—when the Indonesian people proclaimed their independence, at the close of the Second World War, on 17 August 1945, followed by the establishment of a free independent Republic of Indonesia, covering the whole territory of the former Netherlands East Indies. The sovereignty of its people was vested in the free national government of the new Republic. This realization of the people's right of self-determination was, however,

challenged by the Netherlands—politically and militarily—which challenge brought about the armed conflict between Indonesia and the Netherlands. This armed conflict or war between the two countries was brought to an end when the parties concerned—under the auspices of the United Nations Commission for Indonesia—came eventually to a peaceful agreement at the Round Table Conference, held at The Hague in late 1949. The attainment of accord at this Conference, concluded on 2 November 1949, was made possible when the independence and sovereignty of Indonesia—the heart of the problem—was fully recognized and accepted by the Netherlands Government, as reflected in article 1 of the Charter of transfer of sovereignty (S/1417/Add.1), which reads :

"The Kingdom of the Netherlands unconditionally and irrevocably transfers complete sovereignty over Indonesia to the Republic of the United States of Indonesia and thereby recognizes said Republic of the United States of Indonesia as an independent and sovereign State."¹

¹ "The formal transfer of sovereignty took place on 27 December 1949. In the course of 1950, the Republic of the United States of Indonesia transformed itself through internal processes into the (unitarian) Republic of Indonesia, which was admitted to the United Nations on 28 September 1950."

2. However, the Round Table Conference agreements actually left one question not entirely settled, pending a decision within a year. That was the question of West New Guinea (the western half of the island of New Guinea, called West Irian in Indonesia), which constitutes the most eastern part of the Indonesian territory. As to this remaining unsettled question, a temporary compromise was formulated in article 2 of the Charter of transfer of sovereignty, wherein it was decided, "with regard to the residency² of New Guinea":

"In view of the fact that it has not been possible to reconcile the views of the parties on New Guinea, which remain, therefore, in dispute,"...

"In view of the dedication of the parties to the principle of resolving by peaceful and reasonable means any differences that may hereafter exist or arise between them,

"That the *status quo* of the residency of New Guinea shall be maintained with the stipulation that within a year from the date of transfer of sovereignty to the Republic of the United States of Indonesia the question of the political status of New Guinea be determined through negotiations between the Republic of the United States of Indonesia and the Kingdom of the Netherlands."

3. The Netherlands occupation administration in West New Guinea (West Irian) since the end of the Second World War was thus allowed to remain temporarily in that territory, pending a settlement of the dispute by negotiations within the stipulated one-year period. This was a hard compromise for Indonesia to accept, and it evoked the bitter criticism of the Indonesian people. It was only with the greatest difficulties that the Round Table Conference agreements—which left part of Indonesia temporarily under Netherlands colonial administration—were ratified by the Indonesian Parliament. The acceptance of this temporary compromise was an expression of Indonesia's determination to remove, through peaceful means, in accordance with the aims of the United Nations, a situation which was exasperating international peace and security.

4. The Round Table Conference agreements, although generally considered as the end of the Indonesian-Netherlands conflict with the emergence and recognition of the new, independent Indonesian Republic,³ unfortunately, however, contained the seed of a new dispute, one not of Indonesia's making—the dispute over the territory of West Irian.

5. West Irian is and always has been—historically as well as constitutionally (legally)—an integral part of the territory of Indonesia; that is to say, also, of the former Netherlands East Indies. It is unfortunate, indeed, if the Netherlands Government at the Round Table Conference entertained the intention of retaining this part of Indonesian territory within its colonial grip, since this would be contrary to its own previous promises and to the understanding between all parties to give independence to the whole of Indonesia. As late as December 1948, Mr. Van Royen, who soon after headed the Netherlands delegation in the resumed Indonesian-Netherlands negotiations, which concluded with the preliminary agreement (Roem-Van Royen agreement) for

² "Residency is an administrative unit of the Government in Indonesia."

³ "On 2 November 1949, at the closing session of the Round Table Conference, the chairman of the United Nations Commission for Indonesia spoke of this significant event as 'the end of a conflict, the solution of a problem'. Later on, having no further task to perform with respect to the Indonesian dispute, the United Nations Commission adjourned *sine die*."

the Round Table Conference at The Hague, told the United Nations Security Council in Paris⁴:

"As I explained at the outset, this dispute is not about the question of whether or not Indonesia will become independent. All parties agree that *what used to be the Netherlands East Indies should become an independent State as soon as possible*."⁵

6. Indeed, the word "Indonesia", connoting the former Netherlands East Indies, has a national and political connotation, not a racial one. This was recognized and legalized by the Netherlands Government itself. Aside from the statement of Mr. Van Royen quoted above, article 1 of the Netherlands Constitution of 1922, which read:

"The Kingdom of the Netherlands consists of the territories of the Netherlands, *the Netherlands Indies*,⁵ Surinam and the Netherlands Antilles",

was amended in 1948 to read:

"The Kingdom of the Netherlands consists of the Netherlands, *Indonesia*,⁵ Surinam and the Netherlands Antilles."

7. The West Irian dispute, which inhibited efforts to foster better relations between Indonesia and the Netherlands, became particularly acute when the one-year period stipulated in the Charter of the transfer of sovereignty elapsed, on 27 December 1950, without a negotiated settlement having been achieved.

8. The question may be raised, why is West Irian of such importance to Indonesia? The disputed territory covers about 413,000 square kilometres, an area constituting 22 per cent of the entire Indonesian territory, although not developed and very much neglected under Netherlands colonial rule. It has an indigenous population estimated at about one million.⁶ As mentioned above, it is historically an integral part of the Indonesian archipelago, and it was a part of the former Netherlands East Indies.

9. West Irian's primary importance to Indonesia lies in the political and national sphere. Being part of the former Netherlands East Indies, West Irian and its people were part and parcel of the Indonesian national movement for independence. It was in West Irian that the Netherlands colonial régime established the concentration camp, Boven Digoel, to which Indonesian political leaders were exiled. The people of West Irian, being an integral part of the national movement for independence during the time of the Netherlands colonial régime in Indonesia, were subsequently also affected by the Indonesian Declaration of independence of 17 August 1945. Following this declaration by their national leaders, the people of West Irian, together with the rest of the Indonesian population, actively participated in the revolution against the attempted reimposition of Netherlands colonial rule.

10. The largest and most active political group in West Irian, a new party called *Partai kemerdekaan Indonesia Irian* (Irian Party for the independence of Indonesia), was set up in 1946, largely on the initiative of Mr. Silas Papare. (Mr. Papare was decorated by the Allies for his prominent part in the resistance movement during the Japanese occupation of West Irian and is now a member of the Indonesian Parliament.) This organization, with its principal aim of independence for the entire Indonesian nation, including the people of West

⁴ See *Official Records of the Security Council, Third Year*, No. 132, 388th meeting.

⁵ Words in italics were underlined in the text by the Indonesian delegation.

⁶ "Indonesia has now a total population of about 80 million."

Irian, rapidly won support from the people, who adhered to their right of self-determination as laid down in the Charter of the United Nations.

11. The endeavours of this organization, however, were hampered greatly by the early occupation of West Irian by Netherlands troops and the rigorous measures of suppression which ensued. Freedom of speech and freedom of movement were drastically curtailed. Many people were arrested and jailed, or forced to flee in order to escape arrest. Since the occupation of West Irian by Netherlands troops after the Indonesian proclamation of independence, it has become a scene of continuous unrest, and the slightest fight for freedom has always been suppressed by the Netherlands occupation forces.

12. As to the present situation, mention can be made of the official report of the Netherlands Parliamentary mission to that area, released in January 1954, which admitted that very little interest was taken in the welfare of the native population. It described the social conditions of labourers as "very bad", the wage scales discriminatory on a racial basis, and the educational programme unsuitable. (It should be remembered that West New Guinea—prior to the Second World War—had already "enjoyed" 122 years of Netherlands colonial rule.)

13. From the very outset, the Indonesian Government has endeavoured to solve the question of West Irian by peaceful means and through negotiations, as envisaged in article 2 of the Charter of the transfer of sovereignty.

(a) In April 1950, an Indonesian-Netherlands Ministers' Conference on financial matters, held in Djakarta, also did preliminary work on the question of West Irian. An Irian Commission, composed of Netherlands and Indonesian representatives, was set up to visit and to make an investigation in West Irian. The Conference decided that negotiations on the question of West Irian would be continued, on the basis of the report of the Irian Commission, at the second Conference of Ministers of the Union, at The Hague, within the course of the year 1950.

(b) In December 1950, the second Conference of Ministers of the Union was held at The Hague. It was in the course of these negotiations that the one-year period stipulated in the Round Table Conference agreements elapsed, on 27 December 1950. The Indonesian delegation submitted a note to this Conference, with the following main point on which to base a solution of this dispute :

"That *de jure* sovereignty over West Irian of the Republic of Indonesia be recognized by the Dutch without delay, and that the transfer of the Netherlands administration could be implemented through mutual arrangements by the middle of the year 1951."

In addition, the Indonesian delegation, aside from guaranteeing human rights and religious freedom and far-reaching autonomy for the territory, made important concessions to the Netherlands. It recognized the present and future interests of the Dutch in West Irian, including the guarantee to employ Dutch officials in the administration, of immigration to Dutch citizens, etc.

The counter-proposals submitted by the Netherlands delegation, i.e., to transfer sovereignty over West Irian to the Netherlands-Indonesian Union, and to retain in Netherlands hands the administration of the Territory, with Indonesian members participating on a parity basis in a West Irian Council—were unacceptable to the Indonesian Government, since this would have meant in practice that Indonesia participated in a colonial rule over West Irian. The West Irian dispute then failed to meet a settlement.

(c) In December 1951, a third Indonesian-Netherlands

Conference was held. The Netherlands delegation this time proposed that the problem be submitted to the International Court of Justice. The proposal was rejected by the Indonesian delegation, since the Indonesian Government considers the problem, in substance, one of a political nature, and not of a juridical nature. The Indonesian delegation then made a major effort to break the impasse, proposing a temporary "joint responsibility" over West Irian. But the negotiations had to be suspended because of the resignation of the Indonesian Government at that time.

14. The subsequent Indonesian cabinets have always put the peaceful solution of the problem of West Irian on their programme. The Netherlands Government, however, has regrettably shown its reluctance, if not unwillingness, to negotiate the final political status of this area, while at the same time constantly seeking to strengthen its colonial hold on West Irian. In the United Nations General Assembly, the Indonesian Government has repeatedly and strongly challenged the right of the Netherlands Government to submit annual reports on West Irian—under Article 73 e of the Charter. This is obviously an illegal and misleading action on the part of the Netherlands Government, since Article 73 e deals with Non-Self-Governing Territories, which Irian, being part of the territory of the independent Republic of Indonesia, is not. Moreover, the claim that the Netherlands Government now has sovereignty over West Irian cannot be accepted. The Charter of transfer of sovereignty "unconditionally" transferred "complete sovereignty over Indonesia" to the new Indonesian Republic.

15. But despite unilateral and disturbing actions by the Netherlands Government, in contradiction of both the spirit and the letter of the Round Table Conference agreement on the formal transfer of sovereignty, the Indonesian Government, in 1954, made yet another effort to reach a final solution of this pressing problem by way of negotiations with the Dutch. For this problem is of the gravest concern to the Indonesian people. However, at the recent Indonesian-Netherlands Conference, in July 1954, the Netherlands delegation definitely refused even to enter into negotiations on the question of West Irian. This attitude of the Netherlands is certainly contrary to the provisions of the Round Table Conference agreements, as well as to those of the Charter of the United Nations.

16. The Indonesian Government, therefore, deems it necessary to call the attention of the General Assembly of the United Nations to this burning question, which may become explosive, and to the fact that, as long as this problem—representing the remnant of Netherlands colonial rule in Indonesia—remains unsolved, it will continue to be a latent threat to the peace and security of that part of the world. This situation should be of vital concern not only to the two countries concerned, but to the world as a whole, and certainly to the United Nations. The perpetuation and continuing worsening of yet another source of friction in the Far East, a region which only recently saw armed conflicts and where tensions are still very rife, cannot but be detrimental to world peace and harmony. Continued efforts should be made to attain a solution of the West Irian question—within the general context of the establishment of peace and security in that area.

17. The Government of the Republic of Indonesia has, therefore, the honour to request the General Assembly of the United Nations, under Articles 35, 10 and 14 of the United Nations Charter, that the following item ; "The question of West Irian (West New Guinea)", should be placed on the agenda of the ninth session of the General Assembly, so that the Assembly may consider it and make appropriate recommendations.

DOCUMENT A/C.1/L.109**Indonesia : draft resolution**

[Original text : English]
[23 November 1954]

The General Assembly,

Having considered the "Question of West Irian (West New Guinea)",

Recalling that at the Round Table Conference held between the Netherlands and Indonesia at The Hague in 1949, in which the new relationship between the Netherlands and Indonesia as two sovereign and independent States was established, a disagreement arose as to the political status of the Indonesian residency of New Guinea (West Irian), to the effect that the status of the territory remains in dispute,

Recalling that with regard to the residency of (West) New Guinea it was decided by the parties that "the *status quo* of the residency of New Guinea shall be maintained with the stipulation that within a year from the date of transfer of sovereignty to the Republic of the United States of Indonesia"—now the Republic of Indonesia—"the question of the political status of New Guinea be determined through negotiations" between the Governments of Indonesia and the Netherlands,

Recalling "the dedication of the parties to the principle of resolving by peaceful and reasonable means any differences that may hereafter exist or arise between them",

Noting that the parties entered into negotiations to determine the final political status of West Irian in April

1950, December 1950 and December 1951, but that these negotiations failed to produce a conclusive solution,

Regretting that efforts to continue negotiations have since failed,

Viewing with deep concern the fact that the prolongation of this political dispute is likely to endanger the friendly relations between the two parties concerned, as well as the peaceful development of that important area,

Realizing that co-operation between the peoples of Indonesia and the Netherlands on the basis of freedom and friendship is still the common objective of both parties,

1. *Calls upon* the Governments of Indonesia and the Netherlands to resume negotiations, without delay, as provided for by the Round Table Conference agreement, with a view to achieving an early agreement on the political status of West Irian;

2. *Invites* the Secretary-General to assist the parties in the implementation of this resolution and, to that end, if he deems it appropriate, and in consultation with the parties concerned, to appoint a person to render his good offices to the parties in the said negotiations;

3. *Requests* the Secretary-General to submit a report on the negotiations to the tenth session of the General Assembly.

DOCUMENT A/C.1/L.110**Argentina, Costa Rica, Cuba, Ecuador, El Salvador, India, Syria and Yugoslavia : draft resolution**

[Original text : English and Spanish]
[30 November 1954]

The General Assembly,

Having considered agenda item 61, "The question of West Irian (West New Guinea)",

Recalling that by the agreements reached at The Hague in 1949 between Indonesia and the Netherlands a new relationship as between the two countries, as sovereign independent States, was established, but that it was not then possible to reconcile the views of the parties on West Irian (West New Guinea), which therefore remained in dispute,

Recalling the dedication of the parties to the principle

of resolving by peaceful and reasonable means any differences that exist or arise between them,

Realizing that co-operation and friendship between them is the common desire of both parties,

1. *Expresses the hope* that the Governments of Indonesia and the Netherlands will pursue their endeavours in respect of the dispute that now exists between them to find a solution in conformity with the principles of the Charter of the United Nations;

2. *Requests* the parties to report progress to the tenth session of the General Assembly.

DOCUMENT A/2831**Report of the First Committee**

[Original text : English]
[4 December 1954]

1. By a letter dated 17 August 1954 (A/2694) the Acting Permanent Representative of Indonesia requested that the item "The question of West Irian (West New Guinea)" should be placed on the provisional agenda of the ninth session.

2. At its 477th meeting, on 24 September 1954, the

General Assembly approved the inclusion of the item in the agenda and referred it to the First Committee for consideration and report.

3. The First Committee considered the item at its 726th to 736th meetings, held between 23 November and 1 December 1954.

4. At the 726th meeting of the Committee, Indonesia submitted a draft resolution (A/C.1/L.109), the operative part of which provided as follows :

"The General Assembly

" ...

"1. Calls upon the Governments of Indonesia and the Netherlands to resume negotiations, without delay, as provided for by the Round Table Conference agreement, with a view to achieving an early agreement on the political status of West Irian ;

"2. Invites the Secretary-General to assist the parties in the implementation of this resolution and, to that end, if he deemed it appropriate, and in consultation with the parties concerned, to appoint a person to render his good offices to the parties in the said negotiations ;

"3. Requests the Secretary-General to submit a report on the negotiations to the tenth session of the General Assembly."

5. At the 734th meeting, on 30 November, a joint draft resolution (A/C.1/L.110) was submitted by Argentina, Costa Rica, Cuba, Ecuador, El Salvador, India, Syria and Yugoslavia, providing in the operative part as follows :

"The General Assembly

" ...

"1. Expresses the hope that the Governments of Indonesia and the Netherlands will pursue their endeavours in respect of the dispute that now exists between them to find a solution in conformity with the principles of the Charter of the United Nations ;

"2. Requests the parties to report progress to the tenth session of the General Assembly."

6. At the 735th meeting, on 30 November, Colombia submitted an amendment (A/C.1/L.111) under which the first operative paragraph of the joint draft resolution (A/C.1/L.110) would be replaced by a new paragraph reading as follows :

"The General Assembly

" ...

"1. Expresses the hope that a solution concerning the future of West New Guinea will be found in conformity with the principles of the Charter of the United Nations and especially with the interests and rights of the inhabitants of West New Guinea (West Irian)."

7. At the same meeting, the Committee decided, by 37 votes to 2, with 18 abstentions, to grant priority in voting to the joint draft resolution (A/C.1/L.110). The Committee then proceeded to vote on the joint draft resolution in parts, as follows :

The preamble was adopted by 40 votes to 11, with 7 abstentions.

The first part of the Colombian amendment, up to and including the words "will be found", was rejected by 31 votes to 11, with 16 abstentions. The remainder was thereafter withdrawn.

Operative paragraph 1 of the joint draft resolution was adopted by 35 votes to 14, with 9 abstentions.

Operative paragraph 2 was adopted by 34 votes to 15, with 8 abstentions.

The joint draft resolution as a whole was then approved by a roll-call vote of 34 to 14, with 10 abstentions, as follows :

In favour : Afghanistan, Argentina, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Honduras, India, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Paraguay, Peru, Poland, Saudi Arabia, Syria, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yemen, Yugoslavia.

Against : Australia, Belgium, Colombia, Denmark, France, Iceland, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland.

Abstaining : Brazil, Canada, Chile, China, Dominican Republic, Indonesia, Israel, Nicaragua, Philippines, United States of America.

8. After the vote on the joint draft resolution, the representative of Indonesia stated that he did not insist on a vote being taken on the Indonesian draft resolution (A/C.1/L.109).

Recommendation of the First Committee

9. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution :

[For the text of the draft resolution, see document A/C.1/L.110 above.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 509th plenary meeting, on 10 December 1954, the General Assembly failed to adopt the draft resolution submitted by the First Committee (A/2831, para. 9).

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S/447	Letter dated 30 July 1947 from the permanent liaison officer of India addressed to the President of the Security Council		<i>Official Records of the Security Council, Second Year, Supplement No. 16</i>
S/449	Letter dated 30 July 1947 from the acting representative of Australia on the Security Council addressed to the Secretary-General		<i>Ibid.</i>
S/1274	Letter dated 2 March 1949 from the representative of the Netherlands to the President of the Security Council concerning the Council's resolution of 28 January 1949 on the Indonesian question		<i>Ibid., Fourth Year, Supplement for March 1949</i>
S/1417	United Nations Commission for Indonesia: special report to the Security Council on the Round Table Conference		<i>Ibid., Fourth Year, Special Supplement No. 6</i>
S/1417/Add.1	Appendices to the special report on the Round Table Conference submitted to the Security Council by the United Nations Commission for Indonesia		<i>Ibid.</i>
S/2087	United Nations Commission for Indonesia: report on activities since the transfer of sovereignty		<i>Ibid., Sixth Year, Special Supplement No. 1</i>
T/1078	Report of the United Nations Visiting Mission to Trust Territories in the Pacific, 1953, on New Guinea, together with the relevant resolution of the Trusteeship Council		<i>Official Records of the Trusteeship Council, Twelfth Session, Supplement No. 4</i>

GENERAL ASSEMBLY

Official Records



ANNEXES

NINTH SESSION

NEW YORK, 1954

Agenda item 62. Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus

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DOCUMENT A/2703

Greece: request for the inclusion of a supplementary item in the provisional agenda of the ninth session

[Original text: French]
[20 August 1954]

LETTER DATED 16 AUGUST 1954 FROM THE PRIME MINISTER OF GREECE TO THE SECRETARY-GENERAL

On behalf of the Royal Hellenic Government, and of the Greek nation as a whole, I have the honour to request you, under rule 14 of the rules of procedure, to include in the agenda of the next regular session of the General Assembly of the United Nations the item entitled:

“Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus”.

I. In view of the repeatedly and solemnly expressed will of the overwhelming majority of the people of Cyprus for union with Greece, which they regard as their mother country, my Government, fully aware of its responsibilities to the past, present and future of the Hellenic nation and in application of Article 1, paragraph 2, of the Charter, which establishes the right of self-determination of peoples, requests that the people of the island of Cyprus be allowed to express themselves on their future in complete freedom and under the auspices of the United Nations. My Government is taking this step in the belief that it will provide a satisfactory solution to

a question which is likely to impair the “friendly relations” that have so far prevailed between Greece and the United Kingdom and the “general welfare” of the international community.

Taking advantage of the new order established by the Charter of the United Nations, at the price of the great sacrifices made in the course of the Second World War, the Hellenic Government bases its request to the General Assembly on the relevant provisions of the Charter, and specifically on Articles 10 and 14 and on Article 1, paragraph 2. It also reserves the right to refer to Article 35, paragraph 1, if it considers such a course to be justified by subsequent developments.

My Government's action, taken both on its own behalf and at the request of the entire Greek nation, in addressing to the United Nations an appeal for justice and freedom for the Cypriots, is proof of Greece's complete confidence in the Organization.

II. Cyprus is a Greek island which has been inhabited by Greeks for thousands of years. When the name of Cyprus first appears in history, the island is mentioned as being Greek because of its gods and of its population. There has been no change since. The periods of foreign rule which have succeeded each other in the course of

three thousand years of history have always represented only a passing, temporary and transitory element. Greece alone has been the lasting element, the unalterable factor, the only permanent reality in the island of Cyprus. It would not be enough to repeat that Cyprus belongs to the Greek world; Cyprus is Greece itself.

Today, according to statistical data supplied by the British colonial authorities, of a total of 511,000 inhabitants, 80.2 per cent are Greek (this does not include approximately 120,000 Greeks who have emigrated from Cyprus to Greece, to Egypt and other parts of Africa, to the United States or to the United Kingdom). Of the remainder, 17.9 per cent are Turkish, and 1.9 per cent are of various other nationalities.

In 1878, the Ottoman domination was succeeded by the British administration, although the Sultan retained nominal sovereignty. In November 1914, Cyprus was annexed to the British Empire, and in 1925, the Government of the United Kingdom made the island a Crown colony. Today, in Cyprus, one of the most ancient cradles of Western civilization, the colonial régime still survives, imposed on a people whose destiny has been linked with the cause of freedom.

It is true that on 17 October 1915, following the declaration of war between Great Britain and the Ottoman Empire, the British Government implicitly recognized the Greek character of Cyprus by offering the island to Greece on condition that Greece entered the war on the side of the Allies. Greece fulfilled this condition two years later, but the British Government had by that time forgotten its promise. On many occasions, however, British statesmen and other eminent persons—Gladstone, Winston Churchill, David Lloyd George, Ramsay Macdonald, Ronald Burrows, W. Pember Reeves, H. G. Wells, Arnold Toynbee, etc.—have recognized the right of the people of Cyprus to seek union with Greece. But the United Kingdom authorities have invariably refused to take into consideration this unanimous wish of the great Hellenic national majority of the island's inhabitants.

On the morrow of the Second World War, the people of Cyprus, having actively and effectively participated in the common struggle, and trusting in the principles of justice and freedom proclaimed in the Atlantic Charter and subsequently established by the Charter of the United Nations, reaffirmed their will to be united with Greece. A plebiscite was organized by the Greek Orthodox Church in January 1950. Of the total number of voters, 95.7 per cent favoured the union of Cyprus with Greece. The results of this plebiscite were duly communicated to London. A delegation from Cyprus deposited a copy of the voting returns with the United Nations.

The British Government turned a deaf ear to these expressions of opinion and to these appeals. In May 1953, the Governor of Cyprus replied once again to the Archbishop of the Orthodox Church of Cyprus that no change in the status of the island of Cyprus was envisaged by Her Majesty's Government.

Still more categorical was the statement on Cyprus made by Mr. Henry Hopkinson, Minister of State for Colonial Affairs, in the House of Commons on 28 July 1954. Mr. Hopkinson went so far as to say:

"It has always been understood and agreed that there are certain territories in the Commonwealth which, owing to their particular circumstances, can never expect to be fully independent."

In these circumstances, it is not difficult to understand why a sham constitution, like the one which was discussed at that same meeting of the House of Commons, had no chance of being accepted by the Cypriot people, especially since those members of the British Government who were in a position to know did not decline to recognize

that this pseudo-constitution was far less liberal than the Constitution of 1948, which had already been rejected by the Cypriots.

Furthermore, barely five days after the above-mentioned meeting of the House of Commons, the British authorities proceeded to enforce "anti-revolutionary" legislative measures in the island, prohibiting under penalty of excessively severe punishment every manifestation of the will of the people.

This negative policy pursued by the British authorities has brought about a situation which presages no good. Despair and exasperation are not good counsellors.

III. As was to be expected, however, developments in the island of Cyprus and the refusal of the Government of the United Kingdom to take into consideration the will of the Cypriot population have had tremendous repercussions throughout Greece.

The Greek people, who paid a heavy toll that freedom and respect for the will of peoples might triumph, have found it hard to understand that these principles, designed to be the foundations of the new international community, should not be equally valid for all. They were disappointed to find that, in absolutely identical circumstances, foreign domination was abolished in the Dodecanese islands, apparently on the grounds that it had been the domination of a vanquished country, while it was maintained in Cyprus, where the ruling country was among the victors.

The natural solidarity binding together a single people—the inhabitants of free Greece and of Cyprus—and the indignation caused by the unjustifiable attitude of the British Government, have resulted in the creation in Greece of a violent current of opinion, the power of which it would be dangerous to underestimate and which the Greek Government has been unable any longer to overlook.

Greece has always maintained its traditional friendship with the United Kingdom. The relations between the two countries have never in the past been seriously disturbed, and during the great crises of recent history the two peoples have invariably fought side by side. During the Second World War, the comradeship in arms by which the two nations were united at the most critical moments of the struggle for the freedom and equality of peoples helped to make these bonds still stronger.

Close and friendly co-operation between Great Britain and Greece have constituted both in the past and in our own days an element of political stability in this region of the Eastern Mediterranean. This stability has been necessary, and has been in the interests both of the international community as a whole and of peace.

The Greek Government could not, therefore, remain indifferent to the emergence of a new factor in Greek public opinion tending to jeopardize this stability and to bring about a most delicate situation in the relations between Greece and the United Kingdom.

Since 1949, therefore, every Greek government has endeavoured to approach the British Government with a view to finding a solution to the question of respect for the will of the Cypriot people.

To all these overtures, which have been made at intervals over a period of four years, the British Government has returned a refusal varying only in the degree of the discourtesy with which it has been presented.

By refusing to enter into any discussion or contact on so serious a problem, which cannot be solved either by ignoring it or declaring it closed, the British Government has lightheartedly assumed a heavy responsibility. To the Greek people's resentment at seeing the will of the people of Cyprus disregarded, has been added the bitterness caused by the offensive attitude adopted towards the Greek Government's overtures.

Aware of both the present and future dangers inherent in this situation, my Government has resolved to appeal to the United Nations. Nevertheless, in order to exercise to the full the goodwill and moderation by which Greek policy in this matter has been inspired, it instructed the Chairman of the Greek delegation at the eighth session of the General Assembly of the United Nations to make the following statement (plenary meeting of 21 September 1953) :

"The Cyprus question is not to be found among the items on the agenda of the present session. It is true that, on 10 August 1953, the spiritual and national chief of four-fifths of the Cypriot population addressed to the Secretary-General of the United Nations a memorandum requesting the inclusion of that question in the agenda and the adoption of a resolution recommending that the United Kingdom should accept the right of the people of Cyprus to self-determination, in compliance with the provisions of the General Assembly resolution [637 (VII)] of 16 December 1952.

"One may therefore ask why my Government, although under very heavy pressure from Greek public opinion, has not sponsored this request or taken a direct initiative in respect thereof.

"To be willing to go before a judge or an arbiter is, of course, a commendable attitude of mind, especially when one despairs of achieving agreement through direct conversations or negotiations. But normally, no one appeals to a court of law or to an international forum such as this before giving a fair chance to the possibility of direct conversations.

"My Government, therefore, does not at this moment contemplate bringing the matter before this Organization, since it is convinced that the close relations that, so happily, exist between Greece and the United Kingdom make it incumbent upon us not to underestimate either the resources of diplomacy or the political foresight of our British friends. My Government definitely prefers the method of friendly bilateral discussion, since that is warranted by the very nature of our long-standing cordial relations with the United Kingdom and by the felicitous identity of purpose which

has always animated the peoples of the two countries. It is our ardent hope that these views are shared by our friends in the United Kingdom and that they, also, consider the task that lies ahead as a worthy object on which to exert their statesmanship. The door will always be open for us to go before a judge, if the ordinary processes of friendly conversations prove to be of no avail."¹

Since September 1953, my Government has on many occasions asked the United Kingdom directly to put an end to the anomalous situation of the island of Cyprus, which is not justified by any legitimate reason. It has taken diplomatic steps both tactful and pressing; it has made approaches to the British Government in the course of private talks; it has exhausted all remedies and employed every known and practicable diplomatic method. But all this, unfortunately, has failed to lead to the least result.

The Government of the United Kingdom has met every Cypriot or Greek request with cold indifference. Moreover, statements made from time to time in the British Parliament have added fuel to the fire. This has brought about a situation which, it should be stressed, is likely to impair "friendly relations" between Greece and the United Kingdom as well as the "general welfare" of the international community.

Having exhausted every direct means of achieving an agreement, and having waited longer than the period of time provided for in the rules of procedure of the General Assembly, the Greek Government feels compelled to ask the United Nations to remedy this situation by securing acceptance of the solution required by justice, dignity and the sacred principles set forth in the Charter. It appeals to the General Assembly in the conviction that the Assembly will achieve a constructive solution conducive to peace and freedom.

The Greek Government reserves the right to furnish, if necessary, additional arguments and supporting documents or any other information, orally or in writing, which may enlighten the Assembly on the substance of its appeal.

(Signed) Alexander PAPAGOS
Field-Marshal of Greece,
Prime Minister

DOCUMENT A/C.1/L.124

Greece : draft resolution

[Original text : English]
[13 December 1954]

The General Assembly,

Having examined the item concerning the application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus,

Mindful that one of the purposes of the United Nations, as set forth in Article 1 of the Charter, is "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples",

Recalling resolution 637 A (VII), of 16 December 1952,

Expresses the wish that the principle of self-determination be applied in the case of the population of the island of Cyprus.

¹ See *Official Records of the General Assembly, Eighth Session, Plenary meetings*, 439th meeting, paras. 13, 14, 17 and 18.

DOCUMENT A/2881

Report of the First Committee

[Original text: English]
[16 December 1954]

1. By a letter dated 16 August 1954 to the Secretary-General (A/2703) the Prime Minister of Greece requested that the item entitled "Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of population of the island of Cyprus" should be included in the agenda of the ninth session of the General Assembly.

2. At its 477th meeting, held on 24 September 1954, the General Assembly decided, on the recommendation of the General Committee (A/2733), to include this question in its agenda, and, at its 478th meeting, referred it to the First Committee.

3. The First Committee considered the question at its 749th to 752nd meetings inclusive, on 14 and 15 December 1954.

4. At the 749th meeting, on 14 December, the First Committee had before it a draft resolution submitted by Greece (A/C.1/L.124), whereby the General Assembly would express the wish that the principle of self-determination be applied in the case of the population of the island of Cyprus.

5. On a point of order, the representative of New Zealand introduced a draft resolution (A/C.1/L.125) whereby the General Assembly would decide not to consider the item further.

He requested that his draft resolution should be given priority in the discussion and in the vote over the draft resolution submitted by Greece, and the Committee adopted that proposal by 28 votes to 15, with 16 abstentions.

6. At the 752nd meeting, on 15 December, the representative of El Salvador, on behalf of Colombia and El Salvador, introduced an amendment (A/C.1/L.126) to the New Zealand draft resolution whereby, after the words "*The General Assembly*", a paragraph would be inserted as a preamble, reading as follows:

"*Considering* that, for the time being, it does not appear appropriate to adopt a resolution on the question of Cyprus".

The representative of New Zealand accepted this amend-

ment on the understanding that the draft resolution would not be amended further. At the same meeting, the representative of the Philippines proposed, and subsequently withdrew, an amendment (A/C.1/L.127) whereby a first introductory paragraph would be inserted in the New Zealand draft resolution as amended by document A/C.1/L.126 reading as follows:

"*Having in mind* the Principles and Purposes of the Charter".

7. At the same meeting, the Committee voted on the draft resolution of New Zealand as amended (A/C.1/L.125 and A/C.1/L.126).

The preamble (A/C.1/L.126) was put to the vote by roll-call and was adopted by 44 votes to none, with 16 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Canada, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Sweden, Syria, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yemen.

Abstaining: Australia, Belgium, Burma, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, France, Luxembourg, Poland, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, Uruguay, Yugoslavia.

The operative part of the draft resolution was adopted by 49 votes to none, with 11 abstentions.

The draft resolution as a whole, as amended, was adopted by 49 votes to none, with 11 abstentions.

Recommendation of the First Committee

8. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted without change by the General Assembly. See A/RESOLUTION/292 below.]

DOCUMENT A/RESOLUTION/292

[Resolution 814 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954

APPLICATION, UNDER THE AUSPICES OF THE UNITED NATIONS, OF THE PRINCIPLE OF EQUAL RIGHTS AND SELF-DETERMINATION OF PEOPLES IN THE CASE OF THE POPULATION OF THE ISLAND OF CYPRUS

The General Assembly,

Considering that, for the time being, it does not appear appropriate to adopt a resolution on the question of Cyprus,

Decides not to consider further the item entitled "Application, under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the First Committee. For the final text, see A/RESOLUTION/292 above.

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A/2733	First report of the General Committee		<i>Official Records of the General Assembly, Ninth Session, Annexes, agenda item 8</i>
A/2881	Report of the First Committee	4	
A/C.1/747	Letter dated 25 September 1954 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General		Mimeographed document only
A/C.1/753	Letter dated 12 October 1954 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General		Ditto
A/C.1/764	Draft resolution adopted by the First Committee at its 752nd meeting		See A/2881, para. 8
A/C.1/L.124	Greece: draft resolution	3	
A/C.1/L.125	New Zealand: draft resolution		Incorporated in the record of the 749th meeting of the First Committee (para. 1)
A/C.1/L.126	Colombia and El Salvador: amendment to draft resolution A/C.1/L.125		Incorporated in the record of the 752nd meeting of the First Committee (para. 62)
A/C.1/L.127	Philippines: amendment to draft resolution A/C.1/L.125 as modified by amendment A/C.1/L.126		Incorporated in the record of the 752nd meeting of the First Committee (para. 71)
A/RESOLUTION/292	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954	4	See also Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 814 (IX)



Agenda item 63: Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China

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DOCUMENT A/2704

Burma: request for the inclusion of a supplementary item in the agenda of the ninth session

[Original text: English]
[20 August 1954]

LETTER DATED 20 AUGUST 1954 FROM THE PERMANENT REPRESENTATIVE OF BURMA TO THE UNITED NATIONS, ADDRESSED TO THE SECRETARY-GENERAL

Under instructions from my Government, I have the honour to request that the item:

“Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China” be included in the agenda of the ninth regular session of the General Assembly.

An explanatory memorandum in support of this request is appended hereto.

(Signed) J. BARRINGTON
Permanent Representative
of Burma to the United Nations

Explanatory memorandum

By resolution 717 (VIII), the General Assembly requested the Government of the Union of Burma to report as appropriate on the situation arising out of the item:

“Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China”.

The Government of the Union of Burma feels it would be appropriate for the report requested by the General Assembly to be made to the ninth regular session.

DOCUMENT A/2739

Letter dated 27 September 1954 from the Permanent Representative of Burma to the United Nations, addressed to the Secretary-General[Original text: English]
[28 September 1954]

In accordance with paragraph 8 of General Assembly resolution 717 (VIII), I have the honour, under the instructions of my Government, to submit copies of the following:

“Report to the ninth session of the General Assembly by the Government of the Union of Burma on the presence of foreign forces in its territories.”

(Signed) J. BARRINGTON
Permanent Representative
of Burma to the United Nations

**REPORT TO THE NINTH SESSION OF THE UNITED NATIONS
GENERAL ASSEMBLY BY THE GOVERNMENT OF THE UNION
OF BURMA ON THE PRESENCE OF FOREIGN FORCES IN ITS
TERRITORIES**

1. It will be recalled that when the complaint of the Union of Burma was first debated at the seventh (resumed) session, the General Assembly, at its 428th plenary meeting held on 23 April 1953, adopted resolution 707 (VII) of that date, by 59 votes to none, with only China abstaining.

2. The resolution runs:

[For the text of the resolution see Official Records of the General Assembly, Seventh Session, Supplement No. 20.]

3. In accordance with the above resolution, the Government of the Union of Burma submitted its report, dated 31 August 1953 (document A/2468, of 11 September 1953), to the eighth session of the Assembly, and in the report it was stated that nothing effective had happened by way of implementation of the resolution.

4. On 29 October 1953 the Joint Military Committee at Bangkok issued the following statement:

“The Republic of China has assured Thailand and the United States that about 2,000 foreign forces together with their dependants will be evacuated from Burma; that all foreign forces refusing to leave Burma under this plan are disavowed; and that it will not help those remaining with any supplies.

“This proposal was made to the Burmese Government through diplomatic channels and the latter has agreed that although she did not feel able to rejoin the Joint Military Committee in Bangkok, she would not interfere with the proposed evacuation; would assure co-operation with the Joint Military Committee as far as possible; and that military action against the evacuees would cease until 15 November, on provision that the Republic of China accepted these assurances. The Republic of China assented to this; therefore, there is agreement between Thailand, the Republic of China, and the United States on the evacuation, and Burma agrees not to interfere and to co-operate with the Joint Military Committee. On this basis, Thailand, the Republic of China and the United States have proceeded to take preliminary action, including arrangement for housing, security, evacuation team and air transport.

“The first group of evacuees is due to arrive at the border during the first week of November for reception by the Joint Military Committee and evacuation through Thailand to Taiwan.”

5. The discussion in the First Committee began on 31 October 1953, and went on till 5 November.¹ In the course of the debate it was reported that the evacuation

was about to begin, and thus, in order to have a clearer picture of what was happening, the discussion of the matter was postponed. The discussion was resumed on 27 November. It continued till 4 December and, finally, at the 470th plenary meeting held on 8 December 1953, the General Assembly adopted the following resolution, by 56 votes to none, with 1 abstention (China):

[For the text of the resolution see Official Records of the General Assembly, Eighth Session, Supplement No. 17, resolution 717 (VIII).]

6. The first phase of the evacuation took place while the eighth Assembly was in session. It actually began on 7 November and ended on 8 December. A total of 1,810 men including the sick, the wounded, the infirm and children dressed as soldiers, plus 439 dependants, were evacuated. A very small amount of unserviceable and ancient weapons were surrendered and destroyed by the Joint Military Committee.

7. On being assured that the Chinese were in earnest about further evacuation, a cease-fire was again declared as of effect from 3 January 1954 in respect of certain areas, which would enable the evacuees to group and to withdraw towards the border. In addition, the Burmese Government agreed to the request that arms surrendered be flown out of Burma.

8. Short of rejoining the Joint Military Committee, the Burmese acceded to every request made by the Joint Military Committee and, as things worked out, every co-operation was given by the Burmese observers and commanders of troops operating in the locality, and even if they did not formally sit on the Committee, the effect was the same. The Burmese observers were able to make their contribution to facilitate the evacuation.

9. In spite of these generous concessions the second phase of the evacuation began only on 14 February, and by 28 February, out of the expected 3,000 only 970 had been evacuated, inclusive of dependants. In deference to the wishes of the Joint Committee, the cease-fire was extended again in respect of certain areas. By 19 March, the second phase had ended. The total evacuated during this phase includes 2,791 men and 659 dependants. A fair quantity of arms and ammunition were surrendered and these were air-lifted from Kengtung airfield on 6 April. As a further gesture of Burmese generosity, 177 prisoners of war and seven dependants and 175 Chinese refugees who had expressed their desire to proceed to Formosa were air-lifted from Mandalay and Meiktila to Lampang in Thailand on 18 and 21 April respectively.

10. About the beginning of March 1954, the Burmese Army moved into the areas in respect of which the cease-fire had ended. Bombing on a small scale was also resorted to, and this led to the Permanent Representative of Nationalist China lodging his protest regarding alleged violations of the cease-fire agreement (A/2643, dated 19 March 1954). The Permanent Representative for the Union of Burma in a letter dated 1 April 1954 (A/2644, dated 5 April 1954) replied that the allegations were without foundation.

11. The army operations concluded with the re-occupation of the northern and middle sectors by 1 April, leaving the southern sector (Tennasarim) to be dealt

¹ See *Official Records of the General Assembly, Seventh Session, First Committee*, 653rd to 657th meetings.

with. In this latter sector, the Chinese had originally joined hands with the Karen insurgents, but at that juncture they had fallen out and the Burmese Government was informed that, with the Chinese in the north evacuating, there were some in the Tennesarim sector who wanted to do likewise. In order to enable the Chinese to withdraw, the Burmese forces slowed down the operations and a cease-fire zone was drawn up around Palu. In the Kawkaik area, however, the operations went on till Myawaddy, on the Thai-Burmese border, was re-occupied on 17 April. By this time the Chinese troops had withdrawn into the Palu area and therefore the cease-fire in respect of this area was extended to 15 May.

12. The third phase of the evacuation began on 1 May and ended on 7 May, the total number evacuated being 727 men and forty-four dependants. As there were no more troops willing to evacuate from this sector, with the consent of the Joint Military Committee the cease-fire which was to be effective till 15 May was called off.

13. On 30 May, there was a news report emanating from Taipeh announcing the dissolution of his army by General Li Mi, thereby indicating that he would not hold himself responsible for the remainder who had not taken advantage of the facilities for evacuation.

14. Though at the end of this third phase the Joint Committee remained at Bangkok in the hope that some more would signify their desire to come out, no further evacuation has taken place and, by a statement made on 29 July, the Joint Military Committee announced its intention of keeping facilities open up to 1 September. The Committee has ceased to operate as of that date.

15. The Burmese position has always been that there were some 12,000 troops operating in Burma. A total of 5,328 men and 1,142 dependants have evacuated the country, but about the same number still remain, complete with arms. The evacuation was solely on a voluntary basis, and thus some of the generals who had tasted the fruits of a monopoly in opium have chosen to remain behind. Added to this number would be those who did not want to go to Formosa, and those locally recruited.

16. While the Government of Burma desires to make known its sincere appreciation and gratitude for the

assistance rendered under difficult circumstances by the United States of America and Thailand, and to their representatives on the Joint Committee for bringing about the evacuation of those that have left Burma, it would at the same time sound a note of warning that the matter has merely eased, and that the danger has not yet been eradicated. Of late, there has been an attempt at reorganization by the troops that stayed behind, and it is reported that the remnants have regrouped themselves, with concentrations on the northern sector of the Thai-Burmese border. With a lull in the operations, a substantial number have come back into Burmese territory and a serious but unsuccessful attempt was made to occupy the Mong-Ton Mong Hang valley late in June. The town of Mon Hkak, thirty-seven miles north of Kengtung, was besieged for twelve days by a force estimated at 500 strong. A re-enlistment drive in respect of stragglers is reported to be under way. An alarming report is to the effect that certain so-called anti-communist Chinese organizations of Singapore and Bangkok have decided to allocate \$US600,000 to maintain these troops in Burma.

17. The reports may be exaggerated but what cannot be denied is the fact that armed troops running into some six thousand are still hugging the Thai-Burma border, ostensibly to resort to an anti-communist drive, but primarily to enrich themselves by controlling the opium trade and manufacturing counterfeit currency notes at the same time. Obviously the situation is not one which permits of complacency.

18. This report would not be complete without an expression of the gratitude which the Government of the Union of Burma feels towards the United Nations. The strong moral support which the Union of Burma has received, without a dissenting vote, from this Organization has undoubtedly contributed substantially towards the easing of this problem. In reiterating its sincere thanks for this support, the Government of the Union of Burma is confident that it will continue to receive the support of the United Nations in such measures as may still be necessary to liquidate the problem in its entirety.

(Signed) Sao HKUN HKIO
Foreign Minister
Government of the Union of Burma

DOCUMENT A/2740

Letter dated 28 September 1954 from the Permanent Representatives of the Republic of China, Thailand and the United States of America to the United Nations, addressed to the Secretary-General, transmitting the final report of the Joint Military Committee

[Original text : English]
[29 September 1954]

In connexion with the item currently before the General Assembly entitled "Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China", we have the honour to submit the final report of the Joint Military Committee for the Evacuation of Foreign Forces from Burma.

It would be appreciated if the report could be reproduced and circulated at an early date to the Members of the United Nations.

(Signed) Tingfu F. TSIANG
Delegation of the Republic
of China to the United Nations
Wan WAITHAYAKON
Delegation of Thailand
to the United Nations
Henry Cabot LODGE, Jr.
Delegation of the United States
of America to the United Nations

1. In compliance with the invitation of the General Assembly of the United Nations and in keeping with the spirit of the United Nations resolutions of 23 April 1953 (see exhibit 1) and 8 December 1953 (see exhibit 2), the following factual report is submitted :

2. On 23 April 1953, the General Assembly of the United Nations, by a vote of 59 to none, with China abstaining, adopted a resolution condemning the presence of "foreign forces" in Burma and declared that those forces must be disarmed and either agree to internment or leave the country forthwith.

3. As a result of the General Assembly's action, the United States suggested the formation of a committee, composed of representatives of Burma, China, Thailand and the United States of America, to recommend measures for repatriation and to supervise the evacuation.

4. The nations invited immediately accepted and their representatives met in the American Embassy at Bangkok, Thailand, on 22 May 1953. They formed the Four Nations Joint Military Committee for the Evacuation of Foreign Forces from Burma and selected as Chairman, Colonel Raymond D. Palmer, the American member of the Joint Military Committee. Each nation represented on the Committee selected commissioned officers from its armed forces to assist in the formulation of plans, and to supervise the evacuation, processing and shipments (see exhibit 3: Roster of officers assigned for duty with the Joint Military Committee).

5. Inasmuch as the foreign forces in Burma formed no part of the regular army of the Republic of China, they were not subject to the control of the Chinese Government. This fact impeded the work of the Committee. However, the Chinese Government helped influence the foreign forces to be evacuated to Taiwan.

6. The first four months were spent in drafting, revising and compromising upon a plan of evacuation which would be mutually acceptable to the Governments concerned.

7. On 16 September 1953, however, the Burmese delegation notified the Committee that Burma could no longer participate in the conferences unless the following conditions could be guaranteed:

(1) That all foreign forces in Burma must evacuate from Burmese territory;

(2) That not less than 5,000 foreign forces must evacuate within twenty-one days of the signing of the agreement, and the rest of the foreign forces evacuate within three months of the same date;

(3) That the agreement on these demands be signed by 23 September 1953.

8. The Chinese Government did not feel itself to be in a position to meet the conditions set forth by the Burmese, viz., to guarantee the evacuation of 5,000 foreign forces, so the Burmese delegation withdrew from the Committee on 17 September 1953. Soon thereafter Burmese planes resumed their attacks on concentrations of foreign forces in Burma. Their initial attacks began about 1 September 1953.

9. The three remaining nations continued their efforts to achieve success and accepted China's guarantee of the evacuation of approximately 2,000 foreign forces and, on 12 October 1953, approved the General Plan of Evacuation.

10. The General Plan of Evacuation was submitted to the Burmese Government, which accepted it in principle, ceased unilateral military action against the foreign forces, and agreed to co-operate in facilitating the movement of the foreign forces out of Burma into Thailand, prior to their shipment to Taiwan. The Burmese Government, while agreeing in principle to the plan, informed the Governments concerned that Burma would prefer not to rejoin the Committee.

11. The first phase of evacuation of foreign forces from Burma began on 7 November 1953. The first group of foreign forces was met at Tachilek, Burma, by the Honorable William J. Donovan, United States Ambassador to Thailand, and the three Chiefs of Delegations from China, Thailand and the United States on the Joint Military Committee. This phase of evacuation lasted thirty-two (32) days, ending on 8 December 1953. During this phase a total of 2,260 persons (1,925 foreign forces and 335 dependants) were processed for evacuation. An insignificant amount of small arms and crew-served weapons were turned in. Since neither Burma nor

Thailand would permit the trans-shipment of the weapons, the weapons and ammunition were destroyed under Committee supervision. A Burmese observer-liaison group witnessed this and subsequent phases of the evacuation.

12. From the completion of the first phase of evacuation on 8 December 1953 until the beginning of the second phase on 14 February 1954, twenty-six committee meetings were held to co-ordinate further evacuation operations. Unique in itself was the meeting of the (now) Three Nations Committee with representatives of the foreign forces on 21 January 1954. This was the first of fourteen formal committee meetings at which representatives of the foreign forces were requested to be present. During the latter half of this period of negotiations, the foreign forces reported alleged violations of the cease-fire by the Burmese. Burma denied the allegations. Inasmuch as the alleged violations of the cease-fire occurred within Burma and in locales to which the Committee did not have access, on-the-spot investigations were not practicable. Conflicting but recurrent allegations and accusations hampered the progress of the evacuation. However, the efforts of all parties concerned soon overcame difficulties.

13. During the second phase, the cease-fire problem slowed down to some extent the progress of the evacuation. Owing to the late beginning of this phase of evacuation and to the fact that the number of the foreign forces to be evacuated far exceeded the number formerly expected, the Committee, on 23 February 1954, requested an extension of the cease-fire period from 28 February to 31 March 1954. On 28 February, the Committee received a note from the Government of the Union of Burma containing the following proposals:

(1) Cease-fire extended to the following areas up to 2400 hours on 15 March 1954:

(a) Within a ten-mile radius of Monghsat, Mong Kwan, Mong Yang, Mong Yawng and Pang Yang.

(b) A six-mile corridor marked for the route from Monghsat passing through Mong Tum and Mong Kwan to near Tachilek.

(2) Cease-fire extension would be given from 16 March 1954 to 2400 hours on 31 March 1954 within a ten-mile radius of Mong Kwan and a six-mile corridor marked for the route from Mong Kwan to near Tachilek.

14. In view of the difficulty in outlining in the jungle the cease-fire areas and corridors proposed by the Government of the Union of Burma, and to permit movement of the foreign forces, the Committee requested again that the cease-fire in effect between 14 February and 28 February 1954 be continued until 31 March 1954. Although the Government of the Union of Burma did not grant the Committee's request, the foreign forces continued to evacuate their troops and dependants on a schedule established prior to the inception of Burmese military operations in that area.

15. The second phase of evacuation, beginning 14 February 1954, was also conducted through Tachilek, Burma. This phase lasted thirty-five days, ending on 20 March 1954. A total of 3,475 persons (2,962 foreign forces and 513 dependants) were processed and evacuated to Taiwan. A large amount of ammunition for small arms, mortars and machine-guns and a number of hand-grenades were turned over to the Committee during this period. The ammunition was declared unsafe for air shipment and was destroyed under Committee supervision. Eight hundred and thirty-six arms (small arms and crew-served weapons) were received, processed and packed for shipment to Taiwan.

16. As agreed upon by all parties concerned in the Joint Military Committee's General Plan of Evacuation, the six principal areas in North Burma, namely, Mong Mao, Pang Yang, Monghsat, Mong Kwan, Mong Yawng and Mong Yang were vacated by the foreign forces before midnight, 15 March 1954.

17. During the first two phases of evacuation negotiations were conducted for the release and evacuation of foreign forces, military prisoners and Chinese refugees held and/or interned in Burma. The culmination of those negotiations was reached on 5 April 1954 when the Burmese Ambassador in Bangkok informed the Joint Military Committee of Burma's intention to deliver the military prisoners and refugees to Lampang, Thailand, by air in mid-April.

18. One hundred and seventy-seven military prisoners were delivered by Burma from Mandalay to Lampang on 18 April 1954 and, following immediate administrative and medical processing, were air-lifted the same date to Taiwan.

19. One hundred and seventy-five refugees were delivered by Burma from Meiktila, Burma to Lampang, Thailand on 21 April. These refugees were air-lifted from Lampang to Taiwan on 22 April 1954.

20. The groundwork for the third phase of evacuation was laid on 28 January 1954, when the senior representative of the foreign forces presented a memorandum to the Committee notifying them that some 1,500 foreign forces in the Myawadi area of Burma desired to be evacuated to Taiwan. Inasmuch as the second phase of evacuation was soon to begin, and since the activities of dissident elements precluded the Burmese from guaranteeing a cease-fire or safety corridor in the Myawadi area, it was not feasible to conclude plans for an evacuation of those foreign forces at that time.

21. On 17 April 1954, the Burmese forces gained control of Myawadi and its surrounding area, permitting them to guarantee a safety corridor from Palu to the Burmese border at Myawadi. This guarantee enabled the Governments concerned to accept the Committee's plan for evacuation.

22. The third phase of evacuation began from Myawadi through Mae Saut on 1 May 1954, and lasted for nine days, ending on 9 May 1954. During this phase 820 persons (800 foreign forces and 20 dependants) were processed and evacuated to Taiwan. Additional evacuees included foreign forces liaison officers who had been assisting the Joint Military Committee during the second and third phases of evacuation, some dependants who had entered Thailand prior to the beginning of the third phase, and some foreign forces who had crossed the border into Thailand and were held in the custody of the Thai police. The aforementioned personnel increased the total evacuees during this period to 837 persons (812 foreign forces and 25 dependants).

23. Weapons and ammunition turned in to the Committee by the evacuees consisted of 265 small arms and crew-served weapons, 69 bayonets, and a large amount of assorted ammunition. The weapons were processed and prepared for shipment; the ammunition, having been declared unsafe for air shipment, was destroyed under Committee supervision.

24. With the conclusion of the third phase of evacuation on 9 May 1954, the regular programme of the Joint Military Committee to evacuate foreign forces from Burma was completed. The Chinese representative

declared, on 11 May 1954, that the Chinese Government had no desire to maintain any relations with those foreign forces who had chosen to remain behind, but that China would work with the other Governments concerned in the evacuation of any more foreign forces who were willing to leave Burma.

25. On 20 and 22 May, the Thai and United States representatives reported to the Committee that there were still some foreign forces reported to be in the Burma-Thailand border areas. Most of them were scattered and in disorganized groups which had ignored the proffered opportunities to be evacuated. Even so, all members of the Joint Military Committee agreed, on 1 June 1954, to continue to explore ways and means to contact and evacuate the remaining foreign forces.

26. On 3 June 1954, the last group of the foreign forces delegation which assisted the Committee in the last two phases of the evacuation left Bangkok. Before departing they issued a Press release which stated that:

(1) All foreign forces along the Yunnan-Burma borders had been evacuated.

(2) The foreign forces delegation had severed relations with those foreign forces who had been unwilling to evacuate.

(3) The foreign forces delegation would not be responsible for future guerrilla activities on the part of the Yunnanese in those border areas.

27. The Committee agreed, on 18 June 1954, that China, Thailand and the United States would continue to participate in the Joint Military Committee and to maintain evacuation facilities in order to accommodate such foreign forces, individuals or groups as might present themselves for evacuation before 1 September 1954, so that the Committee could implement to the fullest extent possible the United Nations resolutions on the subject. This policy was embodied in a Press release which was finally cleared by all Governments concerned and issued on 29 July 1954 (see exhibit 4: Press release dated 29 July 1954).

28. In another effort to give the remaining foreign forces an opportunity to evacuate to Taiwan, the Committee proposed an airdrop of leaflets, printed in Chinese and English, to explain to the foreign forces that this would be the final offer by the Committee to assist them. A copy of the proposed leaflet was forwarded to the Government of the Union of Burma on 29 July 1954 soliciting their approval of the airdrop and requesting their consideration in undertaking the task of airdropping the leaflets over selected areas. On 13 August, the Government of the Union of Burma indicated that certain changes in the wording of the proposed leaflet would have to be made before it would agree to undertake the airdrop. The Thai and United States representatives were agreeable to the proposed changes suggested by the Burmese, and the Chinese representative sent the text of the changes to his Government for consideration.

29. On 18 August 1954, the entire Committee accepted the Burmese text of the proposed leaflet, and, on 23 August, 12,000 of the finished leaflets were delivered to the Burmese Embassy in Bangkok, which, in turn, forwarded the leaflets to Burma. However, as of 31 August 1954, the terminal date of the Committee's offer, the Burmese had not found it possible to airdrop the leaflets. The Committee therefore sent word to the Burmese Embassy in Bangkok to discontinue any efforts towards the airdrop, since the 1 September deadline had passed.

30. The Thai representative, on 2 July 1954, reported to the Committee that there were a number of alleged foreign forces in custody of the Thai police in Chiangmai and Mae Saut. A sub-committee was appointed to proceed at once to interrogate and screen those persons. On 29 July, the sub-committee reported to the Committee the following: of the alleged foreign forces personnel interrogated, only forty-two were immediately eligible and acceptable for evacuation, and the remaining twenty would require further consideration before being accepted or rejected for evacuation.

31. On 23 August 1954, the Committee proceeded to Chiangmai to process and evacuate the foreign forces and dependants there who had agreed to go to Taiwan. A total of 43 foreign forces and 8 dependants were evacuated on 24 August 1954. Twenty-two small arms and several hundred rounds of assorted ammunition were captured and were being held by the Thai police.

32. There being no evidence of any desire by the remaining foreign forces to evacuate, the Joint Military Committee was formally dissolved as of 1 September 1954, having been in operation for one year, three months, and eight days. During that period of operation the Committee was successful in evacuating nearly 7,000 persons, both foreign forces and their dependants (see exhibit 5: Report of evacuated personnel). Over 1,300 weapons were turned in to the Committee for subsequent shipment to Taiwan, and approximately 50,000 rounds of assorted ammunition was surrendered to the Committee for destruction (see exhibit 6: Report of weapons and ammunition turned in to the Committee by foreign forces).

EXHIBIT 3

ROSTER OF OFFICERS ASSIGNED FOR DUTY WITH THE JOINT MILITARY COMMITTEE

<i>Republic of China</i>			
<i>Name</i>	<i>Rank</i>	<i>Period</i>	
I Fu-de	Colonel	22 May 1953—	5 June 1954
Huang Te-mei	Colonel	5 June 1954—	
Guh Chien-tow	Lt. Colonel	22 May 1953—	25 July 1953
Feng Chien-hsuan	Lt. Colonel	22 May 1953—	3 Oct 1953
Hou Chi-fung	Lt. Colonel	11 Sept 1953—	12 May 1954
Liu Shih-hsung	Lt. Colonel	11 Sept 1953—	25 March 1954
Tang Shao-cheng	Major	1 July 1953—	30 Sept 1953
Chen Kokchai	Major	11 Sept 1953—	4 April 1954
Cho Yun-ling	Major	22 May 1953—	12 May 1954
Lee Siao-yao	Captain	11 Sept 1953—	
Jan Chi-chuen	Captain	11 Sept 1953—	4 April 1954
Cheng Tow-nan	Captain	11 Sept 1953—	4 April 1954
Chen Yi	Captain	11 Sept 1953—	12 May 1954
Chang Shu-me	1st Lt.	11 Sept 1953—	5 June 1954
Lee Chen-ti	1st Lt.	11 Sept 1953—	25 March 1954
Cheang Chou	1st Lt.	11 Sept 1953—	25 March 1954
Hwong Hsi-whown	2nd Lt.	11 Sept 1953—	25 March 1954
<i>United States of America</i>			
Raymond D. Palmer	Colonel	22 May 1953—	18 Aug 1954
Glenn J. McGowan	Colonel	25 May 1953—	1 July 1953
William P. Welihan	Colonel	2 June 1953—	20 Oct 1953
Edward T. Cowen	Colonel	18 Aug 1954—	1 Sept 1954
Robert J. Elliott	Major	2 June 1953—	20 Oct 1953
Charles E. Hoagland	Major	24 Aug 1953—	24 Sept 1953
		21 Oct 1953—	22 Dec 1953
		27 Dec 1953—	24 Jan 1954
William J. Hinkle	Captain	30 Oct 1953—	14 May 1954
Gerald R. Marcus	Captain	30 Oct 1953—	13 April 1954
John B. Melvin	Captain	30 Oct 1953—	23 Dec 1953
William R. Miller	Captain	16 Apr 1954—	

² *Ibid.*, Eighth Session, Annexes, agenda item 25.

ANNEX

LIST OF EXHIBITS

- Exhibit 1: United Nations resolution of 23 April 1953.
- Exhibit 2: United Nations resolution of 8 December 1953.
- Exhibit 3: Roster of officers assigned for duty with the Joint Military Committee.
- Exhibit 4: Press release dated 29 July 1954.
- Exhibit 5: Report of evacuated personnel.
- Exhibit 6: Report of weapons and ammunition turned in to the Committee by foreign forces.

EXHIBIT 1

UNITED NATIONS RESOLUTION OF 23 APRIL 1953

[For the text see Official Records of the General Assembly, Seventh Session, Supplement No. 20, resolution 707 (VII).]

EXHIBIT 2

UNITED NATIONS RESOLUTION OF 8 DECEMBER 1953

Subject of resolution: Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China

Date adopted: 8 December 1953

Vote: 56 in favour, none against, with 1 abstention

Document numbers:

Committee report to the General Assembly: First Committee report (A/2607)²

Resolution as approved by Assembly: resolution 717 (VIII)

[For the text of the resolution see Official Records of the General Assembly, Eighth Session, Supplement No. 17.]

United States of America (continued)

Name	Rank	Period
Eugene J. St. John	Captain	30 Oct 1953—11 Dec 1953
James Sanzo	Captain	30 Oct 1953—13 April 1954
Henry W. Stupakewicz	Captain	5 Nov 1953—28 May 1954
Garland G. Beauchamp	1st Lt.	30 Oct 1953—23 March 1954
Robert S. Cook	1st Lt.	30 Oct 1953—14 Jan 1954
Cecil M. Harbaugh	1st Lt.	22 Mar 1954—11 May 1954
Hulon E. Motley	1st Lt.	16 Jan 1954—11 May 1954
Thomas J. St. Lawrence	1st Lt.	16 Jan 1954—17 June 1954
Rice T. Trolan	1st Lt.	30 Oct 1953—14 Jan 1954
John R. Witherell	1st Lt.	30 Oct 1953—28 May 1954
Melvin C. Dye	2nd Lt.	16 Apr 1954—17 June 1954
Thomas R. Finley	2nd Lt.	30 Oct 1953—14 May 1954

Thailand

Chatichai Choonhavan	Colonel	22 May 1953	to date
Wallop Rochannawisuthi	Colonel	20 June 1953	"
Cheep Prabannetiwut	Lt. Colonel (Police)	22 May 1953	"
Bunmag Desaputra	Lt. Colonel	22 May 1953	"
Smarn Viravaidya	Lt. Colonel	20 June 1953	"
Sathien Singhapong	Lt. Colonel	20 June 1953	"
Pracob Prayurnpokaraj	Lt. Colonel	12 Feb 1954	"
Chalernpol Tikamporn	Lt. Colonel	7 Nov 1953	"
Saiyud Kirdpol	Lt. Colonel	20 June 1953	"
Srisakdi Sujarittam	Wing Commander	20 June 1953	"
Amnat Damrgan	Major	22 May 1953	"
Pralong Virapriya	Major	20 June 1953	"
Chanian Mungkarnde	Major	20 June 1953	"
Manu Komes	Major	20 June 1953	"
Prasarn Ramwul	Major	20 June 1953	"
Vibool Dissaman	Major	20 June 1953	"
Juan Vanratana	Major	20 June 1953	"
Yong Vajragupta	Major	20 June 1953	"
Suchart Palawatana	Major	12 Feb 1954	"
Vinai Hutajoge	Major	20 June 1953	"
Chulit Praneerachachon	Captain (Police)	20 June 1953	"
Suprom Vasantasing	Captain	20 June 1953	"
Charuik Charusila	Captain	20 June 1953	"
Vallop Ratapath	Captain	20 June 1953	"
Vichitar Chittasevi	Captain	12 Feb 1954	"
Tem Werasilapachai	Captain	20 June 1953	"
Kavi Suwankul	Captain	20 June 1953	"
Arun Imbua	Captain	17 April 1954	"
Sombut Kamasatian	Captain	20 June 1953	"
Prasong Kirkul	Captain	20 June 1953	"
Yudhasin Meoprom	Captain	12 Feb 1954	"
Viraj Umpuj	Captain	12 Feb 1954	"
Suratana Intasiri	1st Lt.	20 June 1953	"
Thavai Sujai	1st Lt.	20 June 1953	"
Sneh Lekpool	1st Lt.	20 June 1953	"
Sudhep Dhepsutar	1st Lt.	20 June 1953	"
Kosol Yuvasevi	1st Lt.	12 Feb 1954	"
Faungchaloei Pungbune	2nd Lt.	20 June 1953	"
Somjanok Kritakara	2nd Lt.	20 June 1953	"
Sommatra Sakondrapatiphack	2nd Lt.	20 June 1953	"
Thavil Chantaraksa	2nd Lt.	20 June 1953	"
Bunjong Katenut	2nd Lt.	20 June 1953	"
Soa Kadeevong	2nd Lt.	20 June 1953	"
Govit Trongvaravit	2nd Lt.	20 June 1953	"
Kum Singhajandra	Sqd Commander	20 June 1953	"
Swang Bejabenit	Sqd Commander	20 June 1953	"
Jua Holasuta	Sqd Commander	20 June 1953	"
Pratuan Benjakul	Pilot/OH	20 June 1953	"
Dusit Saradatta	Flying/OH	20 June 1953	"
Prasong Srisermphok	Pilot/OH	20 June 1953	"
Panya Leelapatara	Official Interpreter	20 June 1953	"
Chalao Jarernying	Official	20 June 1953	"

Union of Burma

Aung Gyi	Colonel	23 May 1953—17 Sept 1953
Thein Maung	Lt. Colonel	23 May 1953—17 Sept 1953
Tun Sein	Lt. Colonel	23 May 1953—17 Sept 1953
Myo Myint	Lt. Colonel	23 May 1953—17 Sept 1953
Ko Ko	Major	23 May 1953—17 Sept 1953
Ba Kyin	Major	Evacuation Observer
Than Nyunt	Captain	Evacuation Observer
Maung Chaw	Captain	Evacuation Observer
Kyaw Khaing	Captain	Evacuation Observer
Paw Luh	Captain	Evacuation Observer
Than Myint	Captain	Evacuation Observer

EXHIBIT 4

PRESS RELEASE DATED 29 JULY 1954

The Joint Military Committee announced today that the regular programme of evacuation of foreign forces from Burma has now been completed.

The Joint Military Committee has done its utmost to carry

out the resolutions of the United Nations, and nearly 7,000 foreign forces and dependants have been evacuated, and those remaining have declined proffered opportunities to evacuate. However, the Committee is continuing to maintain evacuation facilities for the purpose of accommodating such individuals or groups as may present themselves for evacuation prior to September 1, 1954.

EXHIBIT 5

REPORT OF EVACUATED PERSONNEL

	First phase 7 November- 8 December 1953	Second phase 14 February- 21 March 1954	Third phase 1 May-9 May 1954	Inter- mediate ^a	Total	Chiengmai 24 August 1954
TROOPS						
Male	1,857	2,871	800	12	5,583	43
Female	68	91	0	0	159	0
DEPENDANTS						
<i>Adults</i>						
Male	1	14	1	1 ^b	19	2
Female	137	241	12	2	395	3
<i>Children</i>						
Male	95	141	3	1	241	1
Female	102	117	4	1	226	2
TOTALS	2,260	3,475	820	17	6,623	51

^a 5 April 1954: 7 male troops and 1 female dependant. 17 April 1954: 2 male troops, 3 dependants and 1 civilian. 21 April 1954: 3 male troops.

^b One civilian (not a dependant) Assistant to Gen. Lee Wen-bin.

Total prisoners evacuated on 18 April 1954	177
Total foreign troops evacuated	6,623
Refugees evacuated on 21 April 1954	175
Refugees processed during second phase and deported from Bangkok	11
Total refugees	186
GRAND TOTAL	6,986

EXHIBIT 6

REPORT OF WEAPONS AND AMMUNITION TURNED IN TO THE COMMITTEE BY FOREIGN FORCES

	First phase 7 November- 8 December 1953	Second phase 14 February- 21 March 1954 ^a	Third phase 1 May-9 May 1954	Chiengmai 24 August 1954	Total
Pistols	10	15	2	2	29
Carbines	9	454	115	10	588
Rifles	168	214	92	10	484
Small arms, automatic	10	90	31	0	131
Machine-guns	1	48	20	0	69
Mortars	2	15	5	0	22
TOTALS	200	836	265	22	1,323
AMMUNITION					
Small arms	327	28,451	19,786	688	49,252
Mortar, HE	12	124	21	0	157
Hand-grenades	0	38	1	1	40

WEAPONS SHIPPED TO TAIWAN

	First phase 7 November- 8 December 1953	Second phase 14 February- 21 March 1954	Third phase 1 May-9 May 1954	Total
Pistols	0	13		
Carbines	0	452*		
Rifles	0	204		
Small arms, automatic	0	90		
Machine-guns	0	48		
Mortars	0	15		
TOTALS	0	822		

* Two (2) carbines were dismantled for parts.

DOCUMENT A/2762

Report of the "Ad Hoc" Political Committee

[Original text: English]
[20 October 1954]

1. At the seventh session, the General Assembly considered a complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China and, on 23 April 1953, adopted resolution 707 (VII).

2. At the eighth session, on 8 December 1953, the General Assembly, after having examined the reports of the Government of the Union of Burma and other communications addressed to it by the Governments of China and the United States of America, adopted resolution 717 (VIII) in which it (1) noted that limited evacuation from Burma of personnel of the foreign forces had begun as from 7 November 1953; (2) expressed concern that few arms had been surrendered by them; (3) expressed appreciation for the efforts of the United States of America and Thailand in striving for the evacuation of those forces; (4) urged that efforts should be continued on the part of those concerned for the evacuation or internment of these foreign forces and the surrender of all arms; (5) reaffirmed General Assembly resolution 707 (VII); (6) urged upon all States to refrain from furnishing any assistance to these forces which might enable them to remain in the territory of the Union of Burma or to continue their hostile acts against that country; (7) invited the Governments concerned to inform the General Assembly of any action that they had taken to implement resolution 717 (VIII); and (8) requested the Government of the Union of Burma to report on the situation to the General Assembly as appropriate.

3. In a letter (A/2704) dated 20 August 1954, addressed to the Secretary-General, the Permanent Representative of Burma requested that the item concerning the complaint by the Union of Burma should be included in the agenda of the ninth session of the General Assembly, since it considered that it would be appropriate that the report by Burma requested in resolution 717 (VIII) should be made to that session.

4. On 27 September 1954, the Permanent Representative of Burma, in accordance with Assembly resolution 717 (VIII), submitted to the Assembly his Government's report (A/2739) on the presence of foreign forces in its territory.

5. On 28 September, also in accordance with resolution 717 (VIII) the Permanent Rerepresentatives of China, Thailand and the United States of America submitted to

the Assembly the final report (A/2740) of the Joint Military Committee for the Evacuation of Foreign Forces from Burma.

6. At its 478th meeting on 25 September, the General Assembly decided to include in its agenda the item entitled: "Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China", and referred it to the *Ad Hoc* Political Committee for consideration and report.

7. The *Ad Hoc* Political Committee considered the item at its 3rd to 7th meetings inclusive, held between 11 and 15 October 1954.

8. On 13 October, Australia, Canada, India, Indonesia, New Zealand, Norway, Pakistan, Sweden, the United Kingdom and Uruguay submitted a draft resolution (A/AC.76/L.1) which provided that, having considered the report dated 27 September 1954 (A/2739) of the Government of the Union of Burma on the situation relating to the presence of foreign forces in its territory (A/2739) and having taken note of the report of the Joint Military Committee for the Evacuation of Foreign Forces from Burma (A/2740), the efforts of which had been directed to securing the removal of those foreign forces, the General Assembly should: (1) note with satisfaction that nearly 7,000 persons, both foreign forces and their dependants, had been evacuated from Burma and that this constituted a substantial contribution to the solution of the problem; (2) express its appreciation of the efforts of the Governments of the United States of America and of Thailand in helping to bring about that evacuation; (3) deplore the fact that considerable foreign forces with a significant quantity of arms still remained in Burma and had failed to respond to the declarations of the General Assembly that they should either leave the Union of Burma or submit to internment; (4) call once more on those forces to submit to disarmament and internment; (5) assure the Government of the Union of Burma of its continuing sympathy with and support of the efforts of that Government to bring about a complete solution of this serious problem; (6) urge all States to take all necessary steps to prevent the furnishing of any assistance which might enable foreign forces to remain in the territory of the Union of Burma or to continue their hostile acts against that country; and (7) invite the Government of the Union of Burma to report on the situation to the General Assembly as appropriate.

9. At the 6th meeting, on 14 October, the representative of Brazil suggested that paragraph 4 of the joint draft resolution should be amended to provide that the Assembly should declare once more that these forces should submit to disarmament and internment.

10. At the 7th meeting, on 15 October, the representative of the United Kingdom, on behalf of the sponsors, accepted the oral amendment proposed by Brazil.

11. At the same meeting the Committee voted in parts on the ten-Power joint draft resolution (A/AC.76/L.1) as amended. The first part including the preamble and operative paragraph 1, was adopted by 56 votes to none; paragraph 2 was adopted by 49 votes to none, with 7 abstentions; paragraphs 3 to 7 inclusive were adopted by 56 votes to none. The draft resolution as a whole was adopted by a roll-call vote of 57 to none. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Belgium, Bolivia, Brazil, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq,

Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Poland, Saudi Arabia, Sweden, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: None.

Not participating in the vote: China.

Recommendation of the Ad Hoc Political Committee

12. The Ad Hoc Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

COMPLAINT BY THE UNION OF BURMA REGARDING AGGRESSION AGAINST IT BY THE GOVERNMENT OF THE REPUBLIC OF CHINA

[Adopted without change by the General Assembly. See A/RESOLUTION/204, below.]

DOCUMENT A/RESOLUTION/204

[Resolution 815 (IX)]

Resolution adopted by the General Assembly at its 496th plenary meeting, on 29 October 1954

COMPLAINT BY THE UNION OF BURMA REGARDING AGGRESSION AGAINST IT BY THE GOVERNMENT OF THE REPUBLIC OF CHINA

The General Assembly,

Having considered the report dated 27 September 1954 of the Government of the Union of Burma on the situation relating to the presence of foreign forces in its territory (A/2739),

Having taken note of the report of the Joint Military Committee for the Evacuation of Foreign Forces from Burma (A/2740) the efforts of which were directed to securing the removal of these foreign forces,

1. *Notes with satisfaction* that nearly 7,000 persons, both foreign forces and their dependants, have been evacuated from Burma and that this constitutes a substantial contribution to the solution of the problem pursuant to the recommendations of the General Assembly;

2. *Expresses its appreciation* of the efforts of the Governments of the United States of America and of Thailand in helping to bring about this evacuation;

3. *Deplores* the fact that considerable foreign forces with a significant quantity of arms still remain in the territory of the Union of Burma and have failed to respond to the declarations of the General Assembly that they should either leave the territory of the Union of Burma or submit to internment;

4. *Declares* once more that these forces should submit to disarmament and internment;

5. *Assures* the Government of the Union of Burma of its continuing sympathy with and support of the efforts of that Government to bring about a complete solution of this serious problem;

6. *Urges* all States to take all necessary steps to prevent the furnishing of any assistance which may enable foreign forces to remain in the territory of the Union of Burma or to continue their hostile acts against that country;

7. *Invites* the Government of the Union of Burma to report on the situation to the General Assembly as appropriate.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 496th plenary meeting, on 29 October 1954, the General Assembly adopted the draft resolution submitted by the Ad Hoc Political Committee (A/2762, para. 12) For the final text, see A/RESOLUTION/204, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2375	Burma: request for the inclusion of an additional item in the agenda of the seventh session		See <i>Official Records of the General Assembly, Seventh Session, Annexes</i> , agenda item 77
A/2468	Letter dated 10 September 1953 from the Permanent Representative of Burma to the United Nations, addressed to the Secretary-General		<i>Ibid.</i> , <i>Eighth Session, Annexes</i> , agenda item 25
A/2704	Burma: request for the inclusion of a supplementary item in the agenda of the ninth session	1	
A/2739	Letter dated 27 September 1954 from the Permanent Representative of Burma to the United Nations, addressed to the Secretary-General	2	
A/2740	Letter dated 28 September 1954 from the Permanent Representatives of the Republic of China, Thailand and the United States of America to the United Nations, addressed to the Secretary-General, transmitting the final report of the Joint Military Committee	3	
A/2762	Report of the "Ad Hoc" Political Committee	9	
A/AC.76/L.1	Australia, Canada, India, Indonesia, New Zealand, Norway, Pakistan, Sweden, the United Kingdom of Great Britain and Northern Ireland and Uruguay: draft resolution		Incorporated in substance in A/2762, para. 8
A/AC.76/L.2	Resolution adopted by the <i>Ad Hoc</i> Political Committee at its 7th meeting, on 15 October 1954		Same text as A/RESOLUTION/204
A/RESOLUTION/204	Resolution adopted by the General Assembly at its 496th plenary meeting, on 29 October 1954	10	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 815 (IX)



Agenda item 64: Draft articles on the continental shelf

CONTENTS

Document No.	Title	Page
Plenary meetings (first phase) :		
A/2706	Brazil, China, Liberia, the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America : request for the inclusion of an additional item in the agenda of the ninth session	1
A/2706/Add.1	Nicaragua : request for the inclusion of an additional item in the agenda of the ninth session	3
A/2706/Add.2	Honduras : request for the inclusion of an additional item in the agenda of the ninth session	3
A/2706/Add.3	Bolivia : request for the inclusion of an additional item in the agenda of the ninth session	3
Sixth Committee :		
A/C.6/L.339	Belgium, China, Netherlands, New Zealand, United Kingdom of Great Britain and Northern Ireland, and United States of America : draft resolution	3
A/C.6/L.341	Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay : amendments to draft resolution A/C.6/L.339	4
A/C.6/L.341/Rev.1	Argentina, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Iceland, Mexico, Peru and Uruguay : revised amendments to draft resolution A/C.6/L.339	4
A/C.6/L.342	Iceland : draft resolution	5
Plenary meetings (final phase) :		
A/2849	Report of the Sixth Committee	5
A/RESOLUTION/267	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954	7
Action taken by the General Assembly		7
Check list of documents		7

DOCUMENT A/2706

Brazil, China, Liberia, the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America : request for the inclusion of an additional item in the agenda of the ninth session

[Original text : English]
[23 August 1954]

LETTER DATED 20 AUGUST 1954 FROM THE DELEGATIONS OF BRAZIL, CHINA, LIBERIA, THE NETHERLANDS, NEW ZEALAND, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, ADDRESSED TO THE SECRETARY-GENERAL

New York, 20 August 1954

We have the honour, on instructions from our Governments, to request that the following item be included in

the supplementary list for the provisional agenda of the ninth regular session of the United Nations General Assembly: "Draft articles on the continental shelf."

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is attached.

(Signed) Shuhsi Hsu
Alternate Representative of China
on the Security Council

Ernesto LEME
*Permanent Representative of Brazil
to the United Nations*

D. J. VON BALLUSECK
*Permanent Representative of the
Netherlands to the United Nations*

James J. WADSWORTH
*Deputy Representative of the United
States of America to the United Nations*

Peter E. RAMSBOTHAM
*for the Permanent Representative of the
United Kingdom of Great Britain and
Northern Ireland to the United Nations*

L. K. MUNRO
*Permanent Representative of New Zealand
to the United Nations*

Cecil D. B. KING
*Acting Permanent Representative of
Liberia to the United Nations*

EXPLANATORY MEMORANDUM

1. At its fourth session, the General Assembly recommended that the International Law Commission study the régime of the high seas and the régime of territorial waters (resolution 374(IV)). At its fifth session, the International Law Commission completed its work on the continental shelf, and it recommended to the Assembly that it give favourable consideration to the draft articles on the continental shelf (A/2456, chapter III). At its eighth session, the Assembly decided "not to deal with any aspect of the régime of the high seas or of the régime of territorial waters until all the problems involved have been studied by the International Law Commission and reported upon by it to the General Assembly" (resolution 798 (VIII)).

2. Since the passage of resolution 798 (VIII), the co-sponsors have come to the conclusion that it would be desirable for the Assembly to consider and attempt to solve, one at a time, the numerous segments of the very broad general subject of the régime of the high seas and territorial waters, as those segments are completed by the International Law Commission. This would seem to accord with the views of the International Law Commission itself, which has recommended consideration of its draft articles on the continental shelf and on fisheries.

3. It has become more apparent since last year that if the Law Commission is to do its best work on these thorny problems, it may require several more years to complete its task. For example, it is felt that the Commission might not be able to reach final decisions regarding the breadth of territorial waters in the immediate future. Consultations with States and further useful deliberations on the part of the Commission will probably consume several more years. Hence, this one aspect of the régime of the high seas and territorial waters may well require additional time before final recommendations can be sent by the Commission to the Assembly. Moreover, the problem of the régime of the high seas and territorial waters contains the following sub-items on which little or no work has yet been done by the

Commission: nationality of ships, collision, safety of life at sea, the right of approach, slave trade, submarine telegraph cables, and the right of pursuit. Meanwhile, the number and intensity of international disputes relating to high seas and territorial waters seem to be increasing. Hence, the need for agreed solutions for these problems or any part of them is apparent.

4. Although the simultaneous solution of these problems might appear more logical, in practice international law has frequently been advanced only by concentration and agreement on one small segment at a time. Frequently the process is one of reaching agreement on the less controversial segments first and only then attempting to solve the more controversial aspects. In the view of the co-sponsors, the multi-sided field of the law known as the régime of the high seas and territorial waters may well be a good example of an instance in which such a process will prove very useful. Also, it may be an instance in which the reverse process of simultaneous consideration of all segments might prove unworkable. At best, simultaneous consideration will greatly delay settlement of all of the problems in this field.

5. For example, there does not seem to be any basic disagreement among nations as to the conclusions reached by the International Law Commission concerning the exploration and exploitation of the resources of the continental shelf. On the other hand, there is nothing to indicate that there will be general acceptance of any solution of the question of breadth of territorial waters which might ultimately be recommended by the Law Commission. Since the whole project of the régime of the high seas and territorial waters contains a number of controversial problems, the solution of the less controversial should not be tied to the solution of the more controversial. To do so might delay indefinitely the solution of the whole project.

6. It has been argued that since the various segments of the problem are interrelated, it will be impossible to solve one segment without prejudging or prejudicing the other segments. However, this difficulty can be overcome by disclaiming specifically any such prejudgment or prejudice. For example, in the final Assembly resolution relating to the draft articles on the continental shelf, a preambular paragraph could be inserted to the effect that the articles would not purport to prejudice or prejudice future decisions relating to such matters as base lines for territorial waters, the width of territorial waters, and fishery resources of the superjacent waters. Such a technique should reassure those States which have expressed a fear that the solution of one segment will prejudice the solution of another.

7. The co-sponsors believe that consideration of the International Law Commission's draft articles on the continental shelf by the General Assembly should not be postponed for an indefinite, and possibly great, number of years. However, since a number of Governments have indicated that they would prefer to study the draft articles further before reaching conclusions in relation to all of their details, it is believed desirable to delay substantive consideration of them until the tenth session of the Assembly. This additional year should provide sufficient time for thorough study by all Governments. The co-sponsors believe that in order to avoid undue delay the Assembly should decide at its ninth session to place on the provisional agenda of its tenth session the question of substantive consideration of the draft articles on the continental shelf.

DOCUMENT A/2706/Add.1**Nicaragua : request for the inclusion of an additional item in the agenda of the ninth session**

[Original text : English]
[21 September 1954]

LETTER DATED 18 SEPTEMBER 1954 FROM THE CHARGÉ D'AFFAIRES OF NICARAGUA AT
WASHINGTON, ADDRESSED TO THE SECRETARY-GENERAL

Washington, 18 September 1954

I have the honour, on instructions from my Government, to request that the Government of Nicaragua be included in the list of co-sponsors given in document A/2706 for the following item on the provisional agenda of the ninth regular session of the United Nations General Assembly : "Draft articles on the continental shelf".

(Signed) Julio C. QUINTANA
Chargé d'Affaires ad interim

DOCUMENT A/2706/Add.2**Honduras : request for the inclusion of an additional item in the agenda of the ninth session**

[Original text : Spanish]
[22 September 1954]

LETTER DATED 21 SEPTEMBER 1954 FROM THE PERMANENT REPRESENTATIVE OF HONDURAS,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 21 September 1954

I have the honour, on the instructions of my Government, to co-sponsor the request made to you by a number of delegations on 20 August 1954 for the inclusion of the following item in the supplementary list of items for the agenda of the ninth regular session of the General Assembly : "Draft articles on the continental shelf".

(Signed) Tiburcio CARIAS Jr.
Permanent Representative

DOCUMENT A/2706/Add.3**Bolivia : request for the inclusion of an additional item in the agenda of the ninth session**

[Original text : Spanish]
[25 September 1954]

LETTER DATED 21 SEPTEMBER 1954 FROM THE PERMANENT REPRESENTATIVE OF BOLIVIA,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 21 September 1954

I have the honour, on instructions from my Government, to request you to name the Bolivian Government in document A/2706 among those requesting the inclusion of the following item in the provisional agenda of the ninth regular session of the United Nations General Assembly : "Draft articles on the continental shelf".

(Signed) German QUIROGA GALDO
Permanent Representative

DOCUMENT A/C.6/L.339**Belgium, China, Netherlands, New Zealand, United Kingdom of Great Britain and Northern Ireland, United States of America : draft resolution**

[Original text : English]
[22 November 1954]

The General Assembly,

Considering that the International Law Commission, in its report on the work of its fifth session, submitted for the consideration of the General Assembly draft articles on the continental shelf (A/2456, para. 62),

Believing that consideration by the General Assembly of problems such as that of the continental shelf relating to the régime of the high seas and the régime of territorial waters should be undertaken without undue delay,

Considering that any decisions taken with respect to the draft articles on the continental shelf will be without prejudice to the question of the breadth of the territorial sea,

1. *Decides* to include this item in the provisional agenda for the tenth regular session, in 1955 ;

2. *Requests* the International Law Commission to continue to give special attention to its study of the régime of the high seas and the régime of territorial waters with a view to completing its work on these topics as soon as possible.

DOCUMENT A/C.6/L.341

Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay : amendments to draft resolution A/C.6/L.339

[Original text : Spanish]
[30 November 1954]

1. Amend the second paragraph of the preamble to read :

“*Believing* that consideration by the Assembly of the régime of the high seas, the régime of territorial waters and all related problems should be undertaken without undue delay.”

2. Replace the third paragraph of the preamble by the following :

“*Recalling* that in resolution 798 (VIII) the General Assembly, having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters were closely linked together juridically as well as physically, decided not to deal with any aspect of those matters until all the problems involved had been studied by the International Law Commission and reported upon by it to the General Assembly ;”

3. Amend paragraph 2 of the operative part as follows :

(a) insert after the words “special attention” the words “, with priority,”

(b) replace the words “and the régime of territorial waters” by the words : “, the régime of territorial waters and all related problems”

(c) replace the words “as soon as possible” by the words :

“in time for the General Assembly to consider them as a whole, in accordance with resolution 798 (VIII), at its eleventh regular session ;”¹

4. Place paragraph 1 of the operative part after paragraph 2 and amend it to read :

“*Decides* to include these items in the provisional agenda for the eleventh regular session of the General Assembly.”

DOCUMENT A/C.6/L.341/Rev.1

Argentina, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Iceland, Mexico, Peru and Uruguay : revised amendments to draft resolution A/C.6/L.339

[Original text : English and Spanish]
[2 December 1954]

1. Amend the second paragraph of the preamble to read :

“*Believing* that consideration by the General Assembly of the régime of the high seas, the régime of territorial waters and all related problems should be undertaken without undue delay,”

2. Replace the third paragraph of the preamble by the following :

“*Recalling* that in resolution 798 (VIII) the General Assembly, having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters were closely linked together juridically as well as physically, decided not to deal with any aspect of those matters until all the problems involved had been studied by the International Law Commission and reported upon by it to the General Assembly,”

3. Replace paragraphs 1 and 2 of the operative part by the following :

“1. *Requests* the International Law Commission to

devote the necessary time to the study of the régime of the high seas, the régime of territorial waters and all related problems in order to complete its work on these topics and submit its final report in time for the General Assembly to consider them as a whole, in accordance with resolution 798 (VIII), at its eleventh session ;”

“2. *Decides* to include the final report of the International Law Commission on these topics in the provisional agenda for the eleventh session of the General Assembly.”

¹ The final text of the present paragraph 2 of the operative part would read as follows :

“*Requests* the International Law Commission to continue to give special attention, with priority, to its study of the régime of the high seas, the régime of territorial waters and all related problems with a view to completing its work on these topics in time for the General Assembly to consider them as a whole, in accordance with resolution 798 (VIII), at its eleventh regular session ;”

DOCUMENT A/C.6/L.342**Iceland : draft resolution**

[Original text : English]
[30 November 1954]

The General Assembly,

Recalling its resolution 798 (VIII), wherein the General Assembly decided not to deal with any aspect of the régime of the high seas or of the régime of territorial waters until all the problems involved have been studied by the International Law Commission and reported upon by it to the General Assembly,

Considering that the problems of the régime of the high seas and the régime of territorial waters are of great importance to many nations.

1. Requests the Governments of the Member States to submit without delay their comments on the International Law Commission's draft articles on the régime of the territorial sea (A/2693, paragraph 72) ;

2. Requests the International Law Commission to complete its work in this entire field as soon as possible and to include an estimated completion date in the report on the work of its next session.

DOCUMENT A/2849**Report of the Sixth Committee**

[Original text : French]
[9 December 1954]

1. At its fifth session, held from 1 June to 14 August 1953, the International Law Commission prepared final draft articles on the continental shelf (A/2456, paragraph 62) and recommended that the General Assembly should adopt them by a resolution (A/2456, paragraph 91).

2. By its resolution 798 (VIII) of 7 December 1953, the General Assembly decided "not to deal with any aspect of the régime of the high seas or of the régime of territorial waters until all the problems involved have been studied by the International Law Commission and reported upon by it to the General Assembly".

3. In their joint letter of 20 August 1954 (A/2706) addressed to the Secretary-General, the delegations of Brazil, China, Liberia, the Netherlands, New Zealand, the United Kingdom and the United States of America to the United Nations requested that the following item be included in the agenda of the ninth session of the General Assembly: "Draft articles on the continental shelf". An explanatory memorandum was attached to the letter in conformity with rule 20 of the General Assembly's rules of procedure.

4. The delegations of Nicaragua, Honduras and Bolivia associated themselves with the above-named delegations by letters dated 18 September (A/2706/Add.1) and 21 September 1954 (A/2706/Add.2 and A/2706/Add.3), respectively.

5. In their explanatory memorandum, the said delegations stated that it would be desirable for the Assembly to consider and attempt to solve, one at a time, the numerous segments of the very broad general subject of the régimes of the high seas and of the territorial waters, as those segments are completed by the International Law Commission. After presenting arguments in support of this view, they stated that consideration of the International Law Commission's draft articles on the continental shelf by the Assembly should not be postponed for an indefinite, and possibly great, number of years. However, since a number of Governments had indicated

that they would prefer to study the draft articles further before reaching conclusions in relation to all of their details, the delegations in question expressed the belief that it would be desirable to delay substantive consideration of these articles until the tenth session of the Assembly. That additional year should (it was said) provide sufficient time for thorough study by all Governments. The co-sponsors therefore proposed that the General Assembly should decide, at its ninth session, to place on the provisional agenda of its tenth session the question of substantive consideration of the draft articles.

6. At its 478th plenary meeting, held on 25 September 1954, the General Assembly decided to include the item in the agenda of its ninth session, and referred it to the Sixth Committee, which considered it at its 430th to 435th meetings, held from 29 November to 3 December 1954.

7. During the discussion, the Sixth Committee considered successively the following draft resolutions and amendments :

(a) A draft resolution submitted by Belgium, China, Netherlands, New Zealand, United Kingdom of Great Britain and Northern Ireland and United States of America (A/C.6/L.339) ;

(b) Amendments to the joint draft resolution proposed by Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay (A/C.6/L.341) ;

(c) A draft resolution submitted by Iceland (A/C.6/L.342).

8. The text of the amendments was subsequently superseded by a revised text (A/C.6/L.341/Rev.1), proposed by the same countries together with Argentina and Iceland; the last-named withdrew its draft resolution (A/C.6/L.342).

9. The preamble to the joint draft resolution (A/C.6/L.339) consisted of three paragraphs setting forth, respectively, the following considerations: (1) that the

International Law Commission in its report on the work of its fifth session submitted draft articles on the continental shelf for the consideration of the General Assembly; (2) that consideration by the General Assembly of problems such as that of the continental shelf relating to the régime of the high seas and the régime of territorial waters should be undertaken without undue delay; (3) that any decisions taken with respect to the draft articles on the continental shelf would be without prejudice to the question of the breadth of the territorial sea. The object of the two operative paragraphs was that the General Assembly should (1) decide to include the item in the provisional agenda for the tenth regular session in 1955; and (2) request the International Law Commission to continue to give special attention to its study of the régime of the high seas and the régime of the territorial waters with a view to completing its work on these topics as soon as possible.

10. The object of the revised amendments proposed jointly by Argentina, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Iceland, Mexico, Peru and Uruguay (A/C.6/L.341/Rev.1) was that the joint draft resolution should be amended in the following respect: (1) the second paragraph of the preamble was to be amended to express the General Assembly's belief that consideration by it of the régime of the high seas, the régime of territorial waters and all related problems should be undertaken without undue delay; (2) the third paragraph of the preamble was to be replaced by a passage recalling that in resolution 798 (VIII) the General Assembly, having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters, were closely linked together juridically as well as physically, had decided not to deal with any aspect of those topics until all the problems involved had been studied by the International Law Commission and reported upon by it to the General Assembly; and (3) the order of operative paragraphs 1 and 2 should be reversed and both should be amended so as to provide that:

(i) the General Assembly requests the International Law Commission to devote the necessary time to the study of the régime of the high seas, the régime of territorial waters and all related problems in order to complete its work on these topics and submit its final report in time for the General Assembly to consider them as a whole, in accordance with resolution 798 (VIII), at its eleventh session;

(ii) the General Assembly decides to include the final report of the International Law Commission on these topics in the provisional agenda for the eleventh session of the General Assembly.

11. The sponsors of the joint draft resolution (A/C.6/L.339) accepted the revised amendments (A/C.6/L.341/Rev.1), on condition that the Sixth Committee agreed that its report on the item to the General Assembly would include the statement which is reproduced in paragraph 16 below.

12. During the debate, a number of delegations maintained that the General Assembly should consider the substance of the draft articles on the continental shelf at its tenth session. They argued that the General Assembly could study the question of the continental shelf without waiting until the International Law Commission had dealt with the various aspects of the régime of the high seas and the régime of the territorial sea. The International Law Commission itself had considered the question separately, had prepared draft articles relating to the continental shelf and had recommended that the Assembly should adopt those draft articles. The opinion of this Commission, which was composed of

experts, should be taken into account. Although some delegations felt that, because the various aspects of the question were interrelated, it would be impossible to deal with any one aspect without prejudging action with respect to the others, this difficulty could be overcome by an express proviso to the effect that any decision taken with respect to the problem of the continental shelf would be without prejudice to the other related problems. Moreover, by requesting the International Law Commission to complete its work on these topics as soon as possible, the General Assembly would indicate its continuing willingness to deal with them.

13. In the opinion of these delegations, so long as the question of the continental shelf remained unresolved it would be a source of possible disputes between States. Hence (they said) it was desirable that the General Assembly should examine the draft articles as soon as possible with a view to settling the fundamental principles of law which applied to the continental shelf.

14. Other delegations took the view that the question of the continental shelf could not be settled independently of the questions connected with the régime of the high seas and the régime of the territorial sea. It would be most difficult, if not impossible, to solve this question without prejudging or compromising the solution of the other, closely connected, questions. This difficulty would remain (they said) even if it were provided expressly that any decision taken with regard to the draft articles on the continental shelf would be without prejudice to the other related problems. Moreover, to study the question of the continental shelf at the tenth session of the General Assembly, in other words, before the International Law Commission completed its work on all the other related questions, would mean to give up, without good cause, the principle (laid down in General Assembly resolution 798 (VIII)) that the subject should be dealt with as a whole.

15. At its 435th meeting, held on 3 December, the Committee voted by division on the draft resolution proposed jointly by Belgium, China, the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.6/L.339), as amended by the revised amendments proposed by the ten Powers (A/C.6/L.341/Rev.1). The result of the vote was as follows:

(a) The first paragraph of the preamble (A/C.6/L.339) was adopted by 47 votes to none, with 6 abstentions.

b) The second paragraph of the preamble (A/C.6/L.341/Rev.1, point 1) was adopted by 43 votes to none, with 10 abstentions.

(c) The third paragraph of the preamble (A/C.6/L.341/Rev.1, point 2) was adopted by 41 votes to none, with 9 abstentions.

(d) Operative paragraph 1 (A/C.6/L.341/Rev.1, point 3) was adopted by 44 votes to none, with 9 abstentions.

(e) Operative paragraph 2 (A/C.6/L.341/Rev.1, point 3) was adopted by 44 votes to none, with 8 abstentions.

(f) The joint draft resolution as a whole, as amended, was adopted by 44 votes to none, with 9 abstentions.

16. At the same meeting, the Committee decided, without a vote, that the following statement should be inserted in its report to the General Assembly: "It was agreed that the operative paragraph 1 should not be interpreted in the sense of prejudging the decisions that might be adopted by the Assembly at its eleventh session regarding the procedure to be followed in the discussion of the item, once the International Law Commission had submitted the final report referred to in the resolution".

17. It was also understood that the programme of work of the International Law Commission, as outlined in the draft resolution adopted, would make it possible for that Commission to prepare drafts on the subject and to submit them to Governments for comments in 1955, so that it could take these comments into account when preparing the final drafts in 1956.

Recommendation of the Sixth Committee

18. Accordingly, the Sixth Committee recommends that the General Assembly should adopt the following draft resolution :

[Text adopted without change by the General Assembly. See document A/RESOLUTION/267, below.]

DOCUMENT A/RESOLUTION/267

[Resolution 899 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

DRAFT ARTICLES ON THE CONTINENTAL SHELF

The General Assembly,

Considering that the International Law Commission in its report on the work of the fifth session submitted for the consideration of the General Assembly draft articles on the continental shelf (A/2456, paragraph 62).

Believing that consideration by the General Assembly of the régime of the high seas, the régime of territorial waters and all related problems should be undertaken without undue delay.

Recalling that, in resolution 798 (VIII) of 7 December 1953, the General Assembly, having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters were closely linked together juridically

as well as physically, decided not to deal with any aspect of those matters until all the problems involved had been studied by the International Law Commission and reported upon by it to the General Assembly,

1. *Requests* the International Law Commission to devote the necessary time to the study of the régime of the high seas, the régime of territorial waters and all related problems in order to complete its work on these topics and submit its final report in time for the General Assembly to consider them as a whole, in accordance with resolution 798 (VIII), at its eleventh session ;

2. *Decides* to include the final report of the International Law Commission on these topics in the provisional agenda for the eleventh session of the General Assembly.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the Sixth Committee. For the final text, see document A/RESOLUTION/267, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2456	Report of the International Law Commission covering the work of its fifth session (1 June—14 August 1953)		<i>Official Records of the General Assembly, eighth session, Supplement No. 9</i>
A/2693	Report of the International Law Commission covering the work of its sixth session (3 June—28 July 1954)		<i>Ibid., ninth session, Supplement No. 9</i>
A/2706	Brazil, China, Liberia, the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America : request for the inclusion of an additional item in the agenda of the ninth session	1	
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A/2849	Report of the Sixth Committee	5	
A/C.6/L.314	Iceland : draft resolution		<i>Official Records of the General Assembly, eighth session, Annexes, agenda item 53</i>

<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Observations and references</i>
A/C.6/L.318	Canada, Egypt, France, Syria and United Kingdom of Great Britain and Northern Ireland: draft resolution		<i>Official Records of the General Assembly, eighth session, Annexes, agenda item 53</i>
A/C.6/L.319/Rev.1	Panama: revised draft resolution		<i>Ibid.</i>
A/C.6/L.324	Observations by the Chairman of the International Law Commission concerning chapter III of the Commission's report (A/2456)		<i>Ibid.</i>
A/C.6/L.339	Belgium, China, Netherlands, New Zealand, United Kingdom of Great Britain and Northern Ireland, and United States of America: draft resolution	3	
A/C.6/L.341	Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay: amendments to draft resolution A/C.6/L.339	4	
A/C.6/L.341/Rev.1	Argentina, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Iceland, Mexico, Peru and Uruguay: revised amendments to draft resolution A/C.6/L.339	4	
A/C.6/L.342	Iceland: draft resolution	5	
A/CN.4/79	Sixth report on the régime of the high seas (International Law Commission, sixth session)		Mimeographed document only
A/RESOLUTION/267	Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954	7	See also <i>Official Records of the General Assembly, ninth session, Supplement No. 21, resolution 899 (IX)</i>



Agenda item 65: Economic development of fisheries and question of fishery conservation and regulation

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DOCUMENT A/2707

Brazil, China, Liberia, Netherlands, United Kingdom of Great Britain and Northern Ireland, and United States of America : request for the inclusion of an additional item in the agenda of the ninth session

[Original text : English]
[23 August 1954]

LETTER DATED 20 AUGUST 1954 FROM THE DELEGATIONS OF BRAZIL, CHINA, LIBERIA, NETHERLANDS, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND UNITED STATES OF AMERICA TO THE UNITED NATIONS, ADDRESSED TO THE SECRETARY-GENERAL

New York, 20 August 1954

We have the honour, on instructions from our Governments, to request that the following item be included in the supplementary list for the provisional agenda of the ninth regular session of the United Nations General Assembly: "Economic development of fisheries and question of fishery conservation and regulation."

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is attached.

(Signed)

Shuhsi Hsu

*Alternate Representative of China
on the Security Council*

Ernesto LEME

*Permanent Representative of Brazil
to the United Nations*

D. J. VON BALLUSECK
*Permanent Representative of the
 Netherlands to the United Nations*

James J. WADSWORTH
*Deputy Representative of the United
 States of America to the United Nations*

Peter E. RAMSBOTHAM
*for the Permanent Representative of the
 United Kingdom of Great Britain and
 Northern Ireland to the United Nations*

Cecil D. B. KING
*Acting Permanent Representative of
 Liberia to the United Nations*

EXPLANATORY MEMORANDUM

1. As part of its work relating to the régime of the high seas and territorial waters, the International Law Commission drafted certain articles on fisheries (A/2456, paragraph 94). These draft articles are the result primarily of consideration of the legal aspects of high seas fisheries. It is the view of a number of States that these draft articles do not adequately meet certain very important technical problems of the world fishing industry. In recommending the drafting and consideration of international conventions relating to conservation of fisheries, the Law Commission itself stated: "The matter is of a technical character; as such it is outside the competence of the Commission" (A/2456, paragraph 104).

2. At its eighth session, the Assembly decided "not to deal with any aspect of the régime of the high seas or of the régime of territorial waters until all the problems involved have been studied by the International Law Commission and reported upon by it to the General Assembly" (resolution 798 (VIII)). This process may consume a great number of years. Meanwhile the number

and intensity of fisheries disputes might well continue to grow and remain unsolved.

3. It is believed that the philosophy underlying Assembly resolution 798 (VIII) is that the International Law Commission and the General Assembly can solve at one time all of the complex problems arising out of the régime of the high seas and territorial waters. Without putting in issue the wisdom or the validity of this philosophy, the question of high seas fisheries presents a number of special problems which are probably capable of solution only with the assistance of a specialized body. These problems are in large measure of an economic and technical character. Even assuming that the Assembly will wait a number of years before discussing any draft articles on fisheries, such a discussion by the Assembly of these articles on fisheries would probably not be productive unless the Assembly has before it the views of fisheries experts on the problems. No reason can be seen for delaying the meeting of such experts until or after the Assembly discussion. Conversely, it is felt that it is logical to have them meet as soon as possible in order that their conclusions can be forwarded to the Assembly promptly and without necessitating a delay in fruitful Assembly consideration of fisheries problems.

4. The co-sponsors suggest to the General Committee and the Assembly that this item on fisheries be sent to the Second Committee, since it is economic development of fisheries and problems of fishery conservation and regulation that need consideration. The co-sponsors believe that after the discussion of the problem, a resolution should be adopted whereby problems of the economics and conservation of high seas fisheries would be referred either to the Food and Agriculture Organization or to a special governmental conference of experts for consideration and recommendations. The co-sponsors do not wish to submit a draft resolution at this time, because they feel that many useful points will be made in the course of discussion and that the appropriate resolution can more easily be drafted at the conclusion of such discussion.

DOCUMENT A/2707/Add.1

Turkey: request for the inclusion of an additional item in the agenda of the ninth session

[Original text: English]
 [31 August 1954]

LETTER DATED 27 AUGUST 1954 FROM THE PRINCIPAL
 PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED
 NATIONS, ADDRESSED TO THE SECRETARY-GENERAL

New York, 27 August 1954

I have the honour, on instructions from my Government, to co-sponsor the request made to you by several

delegations on 20 August 1954 for the inclusion in the supplementary list for the provisional agenda of the ninth regular session of the United Nations General Assembly: "Economic development of fisheries and question of fishery conservation and regulation."

(Signed) Selim SARPEN
Principal Permanent Representative

DOCUMENT A/2707/Add.2

Nicaragua: request for the inclusion of an additional item in the agenda of the ninth session

[Original text: English]
 [21 September 1954]

LETTER DATED 18 SEPTEMBER 1954 FROM THE CHARGÉ D'AFFAIRES OF NICARAGUA AT
 WASHINGTON, ADDRESSED TO THE SECRETARY-GENERAL

Washington, 18 September 1954

I have the honour, on instructions from my Government, to request that the Government of Nicaragua be included in the list of co-sponsors given in document A/2707 for the following item on the provisional agenda of the ninth regular session of the United Nations General Assembly: "Economic development of fisheries and question of fishery conservation and regulation".

(Signed) Julio C. QUINTANA
Chargé d'Affaires ad interim

DOCUMENT A/2707/Add.3**Honduras : request for the inclusion of an additional item in the agenda of the ninth session**

[Original text : Spanish]
[22 September 1954]

LETTER DATED 21 SEPTEMBER 1954 FROM THE PERMANENT REPRESENTATIVE OF HONDURAS,
ADDRESSED TO THE SECRETARY-GENERAL

New York, 22 September 1954

I have the honour, on the instructions of my Government, to co-sponsor the request made to you by a number of delegations on 20 August 1954 for the inclusion of the following item in the supplementary list of items for the agenda of the ninth regular session of the General Assembly: "Economic development of fisheries and question of fishery conservation and regulation".

(Signed) Tiburcio CARIAS Jr.
Permanent Representative

DOCUMENT A/C.6/L.343**Belgium, China, France, Greece, Iceland, Netherlands, Panama, Turkey, United Kingdom of Great Britain and Northern Ireland, and United States of America : draft resolution**

[Original text : English]
[1 December 1954]

The General Assembly,

Considering that the International Law Commission has proposed for the consideration of the General Assembly draft articles covering certain basic aspects of the international regulation of fisheries (A/2456, paragraph 94),

Having regard to the fact that the problem of the international conservation and regulation of fisheries involves matters of a technical character which require consideration on a wide international basis by qualified technical and administrative experts,

Being of the opinion that an international technical conference should be held in the near future to consider the problems of fishery conservation and regulation and make recommendations thereon,

1. Requests the Secretary-General to convene an international technical conference at a place to be determined by him not later than July, 1955, to study, make recommendations, and report on the problem of the international conservation and regulation of fisheries;

2. Invites all States Members of the United Nations and States members of the specialized agencies to participate in the conference and to include among their representatives individual experts competent in the field of fishery conservation and regulation;

3. Requests the Secretary-General to arrange for the necessary staff and facilities which would be required for the conference, it being understood that the technical services of Member Governments and the technical and secretarial services of the Food and Agriculture Organization shall be utilized as fully as practicable in the arrangements for such a conference;

4. Requests the Secretary-General to circulate for information the report of the conference to the Governments of all States invited to participate in the conference;

5. Decides to place the report on the provisional agenda of the tenth regular session of the General Assembly.

DOCUMENT A/C.6/L.345/Rev.1**Chile, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay : revised amendments to draft resolution A/C.6/L.343**

[Original text : English and Spanish]
[6 December 1954]

1. First paragraph of the preamble : add the following words at the end : "and considering also that that Commission has not yet concluded its study of related questions ;"

2. Second paragraph of the preamble :

(a) Delete the words "and regulation" ;

(b) Delete the words "technical and administrative".

3. Third paragraph of the preamble : Delete the words : "and regulation".

4. Insert the following paragraphs between the third paragraph of the preamble and operative paragraph 1 :

"Recalling that by resolution 798 (VIII) the General Assembly, having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters are closely linked together juridically as well as physically, decided, consequently, not to deal with any aspect of those topics until all the problems involved had been studied by the International Law Commission and reported upon by it to the General Assembly" ;

"Having regard to the fact that the technical studies relating to the conservation, protection and regulation of fisheries and other resources of the sea are also closely linked to the solution of the problems mentioned in the preceding paragraph";

5. Replace the operative paragraph 1 by the following:

"Requests the Secretary-General to convene an international technical conference at the Headquarters of the Food and Agriculture Organization on 18 April 1955 to study the problem of the international conservation of the living resources of the sea and to make appropriate scientific and technical recommendations which shall take into account the principles of this resolution and shall not prejudice the related problems awaiting consideration by the General Assembly."

6. After the operative paragraph 2 insert the following:

"Invites the interested specialized agencies and inter-governmental organizations concerned with problems of international conservation of the living resources of the sea, to send observers to the Conference."

7. Replace the present operative paragraph 5 by the following:

"Decides to refer the report of that scientific and technical conference to the International Law Commission as a further technical contribution to be taken into account in its study of the questions to be dealt with in the final report which it is to prepare pursuant to resolution [899 (IX)]."

DOCUMENT A/C.5/618

Financial implications of the draft resolution adopted by the Sixth Committee (A/C.6/L.346)

Estimate submitted by the Secretary-General

[Original text: English]

[10 December 1954]

1. The Sixth Committee, at its 438th meeting, held on 7 December 1954, adopted a draft resolution (A/C.6/L.346) which proposes that an international technical conference on the conservation of the living resources of the sea be convened at the Headquarters of the Food and Agriculture Organization on 18 April 1955. The draft resolution requests the Secretary-General to arrange for the necessary staff and facilities required for the conference, it being understood that the technical services of Member States and the technical and secretarial services of the Food and Agriculture Organization shall be utilized as fully as practicable in the arrangements for such a conference. The Secretary-General would be requested to circulate for information the report of the conference to the Governments of all States invited to participate in the conference. The report would be referred to the International Law Commission.

2. Should the draft resolution be adopted by the General Assembly, it would be the intention of the Secretary-General to consult immediately with Member States and the Food and Agriculture Organization, as well as other inter-governmental organizations, including UNESCO, that have a scientific interest in the subject, concerning arrangements for the conference. It is to be hoped that considerable technical and secretarial assistance will be forthcoming at no expense to the United Nations.

At the same time, it appears likely that United Nations expenditure would be required for the engaging of certain consultants for short periods to assist in substantive preparations. In addition, there may be a necessity to reimburse the Food and Agriculture Organization in some measure for conference services, including language and translation services, subject to negotiations with that organization. Further, it would be necessary to finance the travel and subsistence expenses of perhaps three substantive officials of the Secretariat who would attend the conference from Headquarters. Costs would also be incurred in connexion with the possible printing of the report to be referred to the International Law Commission and perhaps in connexion with the printing of individual expert papers to be presented at the conference.

3. It is not possible, pending the negotiations entailed in substantive and administrative preparations for the conference, to estimate with any precision the additional cost which would have to be borne by the United Nations budget. Under the circumstances, therefore, in the event of the adoption of the draft resolution by the General Assembly, the Secretary-General would propose that he be authorized to meet necessary financial requirements from the Working Capital Fund up to a maximum sum of \$25,000.

DOCUMENT A/2854

Report of the Sixth Committee

[Original text: French]

[10 December 1954]

1. As part of its work relating to the régime of the high seas, the International Law Commission, at its fifth session, held from 1 June to 14 August 1953, adopted certain draft articles on fisheries (A/2456, paragraph 94). It recommended that the General Assembly should adopt the draft articles by resolution and enter into consultation with the United Nations Food and Agriculture Organization with a view to the preparation of a draft convention incorporating the principles adopted by the Commission (A/2456, paragraph 102).

2. By its resolution 798 (VIII) of 7 December 1953, the General Assembly decided "not to deal with any aspect of the régime of the high seas or of the régime of territorial waters until all the problems involved have been studied by the International Law Commission and reported upon by it to the General Assembly".

3. By their joint letter of 20 August 1954 (A/2707) addressed to the Secretary-General, the delegations of Brazil, China, Liberia, the Netherlands, the United

Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations requested that the following item be included in the provisional agenda of the ninth regular session of the United Nations General Assembly: « Economic development of fisheries and question of fishery conservation and regulation ». An explanatory memorandum was attached in conformity with rule 20 of the General Assembly's rules of procedure.

4. Subsequently, the delegation of Turkey, Nicaragua and Honduras, by letters addressed to the Secretary-General and dated 27 August (A/2707/Add.1), 18 September (A/2707/Add.2) and 21 September 1954 (A/2707/Add.3), respectively, associated themselves with the delegations named above.

5. In the explanatory memorandum the said delegations pointed out that the process decided upon by the General Assembly (see paragraph 2, above) might consume a great number of years. Meanwhile, the number and intensity of fisheries disputes might well continue to grow and remain unsolved. They pointed out further that the question of high seas fisheries presented a number of special problems that were probably capable of solution only with the assistance of a specialized body. Those problems were in large measure of an economic and technical character. Even if the Assembly were to wait a number of years before discussing any draft articles on fisheries, such a discussion by the Assembly of these articles would probably not be productive unless the Assembly had before it the views of fisheries experts on the problems. No reason could be seen for delaying the meeting of such experts until or after the Assembly discussion. Conversely, it was felt that it was logical that they should meet as soon as possible in order that their conclusions could be forwarded to the General Assembly promptly and without necessitating a delay in fruitful consideration of fisheries problems by that body. The delegations in question considered therefore that after the discussion of the problem a resolution should be adopted whereby problems of the economics and conservation of high seas fisheries would be referred either to the Food and Agriculture Organization or to a special governmental conference of experts for consideration and recommendations.

6. At its 478th plenary meeting, held on 25 September 1954, the General Assembly decided to include the item in the agenda of its ninth session and referred it to the Sixth Committee, which considered it at its 435th to 438th meetings, held from 3 to 7 December 1954.

7. During debate, the Sixth Committee considered a joint draft resolution proposed by Belgium, China, France, Greece, Iceland, Netherlands, Panama, Turkey, United Kingdom, and United States of America (A/C.6/L.343) and amendments thereto proposed jointly by Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay (A/C.6/L.345).

8. Those amendments were later superseded by a revised text proposed by the same countries with the exception of Colombia (A/C.6/L.345/Rev.1).

9. The preamble to the joint draft resolution (A/C.6/L.343) consisted of three paragraphs, setting forth the following considerations: (a) that the International Law Commission has proposed for the consideration of the General Assembly draft articles covering certain basic aspects of the international regulation of fisheries; (b) that the problem of the international conservation and regulation of fisheries involves matters of a technical character that require consideration on a wide international basis by qualified technical and administrative experts; (c) that an international technical conference should be held in the near future to

consider the problems of fishery conservation and regulation and make recommendations thereon. Under the terms of the five operative paragraphs the General Assembly was to: (1) request the Secretary-General to convene an international technical conference at a place to be determined by him not later than July 1955, to study, make recommendations, and report on the problem of the international conservation and regulation of fisheries; (2) invite all States Members of the United Nations and States members of the specialized agencies to participate in the conference and to include among their representatives individual experts competent in the field of fishery conservation and regulation; (3) request the Secretary-General to arrange for the necessary staff and facilities which would be required for the conference, it being understood that the technical services of Member Governments and the technical and secretarial services of the Food and Agriculture Organization should be utilized as fully as practicable in the arrangements for such a conference; (4) request the Secretary-General to circulate for information the report of the conference to the Governments of all States invited to participate in the conference; and (5) place the report on the provisional agenda of the tenth regular session of the General Assembly.

10. Under the revised amendments proposed by Chile, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay (A/C.6/L.345/Rev.1) the joint draft resolution was to be amended in the following respects: (1) at the end of the first paragraph of the preamble the following words were to be added: "and considering also that that Commission has not yet concluded its study of related questions"; (2) in the second paragraph of the preamble the words "and regulation" and "technical and administrative" were to be deleted; (3) in the third paragraph of the preamble the words "and regulation" were to be deleted; (4) between the third paragraph of the preamble and the first operative paragraph two paragraphs were to be inserted, reading as follows:

(a) "Recalling that, by resolution 798 (VIII) of 7 December 1953, the General Assembly, having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters are closely linked together juridically as well as physically, decided, consequently, not to deal with any aspect of those topics until all the problems involved had been studied by the International Law Commission and reported upon by it to the General Assembly";

(b) "Having regard to the fact that the technical studies relating to the conservation, protection and regulation of fisheries and other resources of the sea are also closely linked to the solution of the problems mentioned in the preceding paragraph";

(5) Operative paragraph 1 was to be replaced by a paragraph wherein the General Assembly would request the Secretary-General to convene an international technical conference at the Headquarters of the Food and Agricultural Organization on 18 April 1955 to study the problem of the international conservation of the living resources of the sea and to make appropriate scientific and technical recommendations which should take into account the principles of the resolution and not prejudice the related problems awaiting consideration by the General Assembly; (6) after operative paragraph 2, a paragraph was to be inserted whereby the Assembly would invite the interested specialized agencies and inter-governmental organizations concerned with problems of the international conservation of the living resources of the sea to send observers to the conference; (7) the final operative paragraph was to be replaced by a paragraph wherein the Assembly would decide to refer the report of

that scientific and technical conference to the International Law Commission, as a further technical contribution to be taken into account in its study of the questions to be dealt with in the final report that it would prepare pursuant to the draft resolution relating to the agenda item entitled "Draft articles on the continental shelf", adopted by the Sixth Committee and recommended to the General Assembly for adoption.¹

11. The sponsors of the joint draft resolution (A/C.6/L.343) accepted the revised amendments (A/C.6/L.345/Rev.1).

12. During the debate some delegations expressed the opinion that the problem of fisheries might usefully be studied independently of the other aspects of the régime of the high seas. Any progress towards the solution of the problems relating to fisheries would, indeed, be conducive to progress in related matters. In the opinion of these delegations, the International Law Commission had gone as far as it was possible to go, on the basis of purely legal considerations, towards a solution of the problem of fisheries. Consequently, they argued, an international technical conference should be convened to study the technical and administrative aspects of the conservation and regulation of fisheries. The conference would study the principles proposed by the International Law Commission and consider whether they were appropriate from the technical and administrative point of view and whether they could be applied in practice. It was to be clearly understood, of course, that participation in the conference would not imply any commitments by Governments as to the final solution of the various related problems. The conference would confine itself to making recommendations that the General Assembly would study at the same time as the International Law Commission's report on these problems. The Commission should also have an opportunity of revising its draft articles on fisheries if it believed that the recommendations of the technical conference called for such revision. To postpone the conference until the International Law Commission had submitted its report on the related problems as a whole would unduly delay the solution of an urgent problem.

13. Other delegations, while in favour of a technical conference, stated, however, that the principle of the unity of the general régime of the sea should be respected and maintained. They also pointed out that it would be dangerous for this conference to consider the principles concerning fisheries proposed by the International Law Commission. The conference could hardly consider those principles without expressing a judgment one way or the other and thereby prejudging the General Assembly's later decisions concerning related questions. Furthermore, the problem of the juridical regulation of fisheries would not fall within the competence of a technical conference, but rather within that of a legal body such as the International Law Commission. It would be far more logical if the scientific conclusions of the conference were submitted to the Commission for its information. The Commission could then prepare its report to the eleventh session of the General Assembly, taking the conclusions of the conference into account.

14. Some delegations argued that such a conference should not be convened until the General Assembly had approved the draft articles on fisheries prepared by the International Law Commission. Those draft articles, when adopted, would serve as a basis for the work of the conference. It would be premature to convene the conference before the Assembly had adopted the draft articles.

15. At its 438th meeting, held on 7 December, the Sixth Committee voted paragraph by paragraph on the joint draft resolution proposed by Belgium, China, France, Greece, Iceland, Netherlands, Panama, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/C.6/L.343), as amended by the revised amendments proposed jointly by seven Powers (A/C.6/L.345/Rev.1). The result of the votes was as follows:

(a) The first paragraph of the preamble (A/C.6/L.343), as amended (A/C.6/L.345/Rev.1, point 1), was adopted by 47 votes to none, with 5 abstentions.

(b) The second paragraph of the preamble (A/C.6/L.343), as amended (A/C.6/L.345/Rev.1, point 2), was adopted by 45 votes to none, with 8 abstentions.

(c) The third paragraph of the preamble (A/C.6/L.343), as amended (A/C.6/L.345/Rev.1, point 3), was adopted by 45 votes to 5, with 4 abstentions.

(d) The new fourth paragraph of the preamble (A/C.6/L.345/Rev.1, point 4) was adopted by 50 votes to none, with 1 abstention.

(e) The new fifth paragraph of the preamble (A/C.6/L.345/Rev.1, point 4) was adopted by 49 votes to none, with 2 abstentions.

(f) Operative paragraph 1, as amended (A/C.6/L.345/Rev.1, point 5), was adopted by 39 votes to 5, with 6 abstentions.

(g) Operative paragraph 2 (A/C.6/L.343) was adopted by 40 votes to 5, with 6 abstentions.

(h) The new operative paragraph 3 (A/C.6/L.345/Rev.1, point 6), was adopted by 41 votes to 5, with 5 abstentions.

(i) Operative paragraph 4 (originally paragraph 3) (A/C.6/L.343) was adopted by 40 votes to 5, with 4 abstentions.

(j) Operative paragraph 5 (originally paragraph 4) (A/C.6/L.343) was adopted by 41 votes to 5, with 5 abstentions.

(k) Operative paragraph 6 (originally paragraph 5), as amended (A/C.6/L.345/Rev.1, point 7), was adopted by 41 votes to none, with 10 abstentions.

16. The Committee voted by roll-call on the draft resolution as a whole, as amended. The voting was as follows:

In favour: Argentina, Belgium, Brazil, Burma, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Honduras, Iceland, India, Iran, Iraq, Israel, Mexico, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Australia, Lebanon, Saudi Arabia, Syria.

The draft resolution as a whole (A/C.6/L.343), as amended (A/C.6/L.345/Rev.1), was thus adopted by 41 votes to 5, with 5 abstentions.

Recommendation of the Sixth Committee

17. Accordingly, the Sixth Committee recommends that the General Assembly should adopt the following draft resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/268, below.]

¹ See A/2849, para. 18.

DOCUMENT A/2869**Fortieth report of the Advisory Committee on Administrative and Budgetary Questions: financial implications of the draft resolution submitted by the Sixth Committee (A/2854)**

[Original text: English]
[13 December 1954]

1. The Secretary-General has submitted in document A/C.5/618 a note on the financial implications of the draft resolution adopted by the Sixth Committee (A/2854) on the holding of an international technical conference on the conservation of the living resources of the sea.

2. The following are the principal features of the draft resolution or of the administrative and substantive arrangements proposed for its implementation:

(a) The conference would begin on 18 April 1955 at the headquarters of the Food and Agriculture Organization, in Rome;

(b) The technical services of participating Member States and the technical and secretariat services of FAO would be utilized as fully as practicable;

(c) Expenditure falling on the United Nations budget would include the travel of perhaps three substantive officials from Headquarters, New York, and possibly the following items: engagement of consultants; reimbursement of FAO for certain conference services; printing of the report and technical papers.

3. As is indicated in the Secretary-General's note (A/C.5/618, paragraph 3), it is not possible, pending the necessary consultations with the interested parties, to

estimate precisely the share of the conference costs to be borne by the United Nations. The Secretary-General accordingly proposes that he should be authorized to meet any such expenditure, not exceeding \$25,000 in total, by means of withdrawals from the Working Capital Fund.

4. The Advisory Committee on Administrative and Budgetary Questions has taken note of the special factor cited in paragraph 2(b) above, namely, that technical services outside the United Nations are to be utilized as fully as practicable. The Committee was also informed that, in so far as the United Nations is concerned, the cost of engaging consultant services (A/C.5/618, paragraph 2) is not likely to exceed \$1,500, and that the number of substantive officials to be assigned from Headquarters, New York, may in fact be held to two.

5. Accordingly the Advisory Committee, while concurring in the proposed method of financing the United Nations share of the conference costs, recommends that the limit on advances to be made for the purpose from the Working Capital Fund should be set at the sum of \$15,000, and that an appropriate clause to this effect should be inserted in the draft resolution relating to unforeseen and extraordinary expenses (A/2688, chapter I, appendix II).

DOCUMENT A/2870**Financial implications of the draft resolution submitted by the Sixth Committee (A/2854)****Report of the Fifth Committee**

[Original text: English]
[14 December 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered, at its 483rd meeting, held on 14 December 1954, the financial implications of the draft resolution proposed by the Sixth Committee (A/2854) on the holding of an international technical conference on the conservation of the living resources of the sea.

2. In a note to the Fifth Committee (A/C.5/618), the Secretary-General pointed out that, pending the negotiations entailed in substantive and administrative preparations for the conference, it was not possible to estimate with any precision the additional cost which would have to be borne by the United Nations budget. Accordingly, he proposed that the United Nations share of the expenditures which might follow from the adoption of the draft resolution of the Sixth Committee should be met from the Working Capital Fund up to a maximum of \$25,000.

3. The Advisory Committee on Administrative and Budgetary Questions, in its report on the item (A/2869), while concurring in the proposed method of financing the United Nations share of the costs, recommended that in view of the fact that technical services outside the United Nations were to be utilized as fully as practicable, advances to be made from the Working Capital Fund should be limited to \$15,000.

4. The Fifth Committee decided, by 26 votes to 5, to recommend to the General Assembly that, should it adopt the draft resolution adopted by the Sixth Committee, it would be necessary to include a paragraph in the resolution on unforeseen and extraordinary expenses for the financial year 1955 (A/2688, chapter I, appendix II) reading: "Such commitments not exceeding a total of \$15,000 as are occasioned by the convening of the international technical conference on the conservation of the living resources of the sea."

DOCUMENT A/RESOLUTION/268

[Resolution 900 (IX)]

Resolution adopted by the General Assembly at its 512th plenary meeting, on 14 December 1954

INTERNATIONAL TECHNICAL CONFERENCE ON THE CONSERVATION
OF THE LIVING RESOURCES OF THE SEA

The General Assembly,

Considering that the International Law Commission has proposed for the consideration of the General Assembly draft articles covering certain basic aspects of the international regulation of fisheries (A/2456, paragraph 94), and considering also that that Commission has not yet concluded its study of related questions,

Having regard to the fact that the problem of the international conservation of fisheries involves matters of a technical character which require consideration on a wide international basis by qualified experts,

Being of the opinion that an international technical conference should be held in the near future to consider the problem of fishery conservation and make recommendations thereon,

Recalling that, by resolution 798 (VIII), of 7 December 1953, the General Assembly, having regard to the fact that the problems relating to the high seas, territorial waters, contiguous zones, the continental shelf and the superjacent waters are closely linked together juridically as well as physically, decided, consequently, not to deal with any aspect of those topics until all the problems involved had been studied by the International Law Commission and reported upon by it to the General Assembly,

Having regard to the fact that the technical studies relating to the conservation, protection and regulation of fisheries and other resources of the sea are also closely linked to the solution of the problems mentioned in the preceding paragraph,

1. *Requests* the Secretary-General to convene an international technical conference at the headquarters of the

Food and Agriculture Organization of the United Nations on 18 April 1955 to study the problem of the international conservation of the living resources of the sea and to make appropriate scientific and technical recommendations which shall take into account the principles of the present resolution and shall not prejudice the related problems awaiting consideration by the General Assembly ;

2. *Invites* all States Members of the United Nations and States members of the specialized agencies to participate in the conference and to include among their representatives individual experts competent in the field of fishery conservation and regulation ;

3. *Invites* the interested specialized agencies and inter-governmental organizations concerned with problems of the international conservation of the living resources of the sea, to send observers to the conference ;

4. *Requests* the Secretary-General to arrange for the necessary staff and facilities which would be required for the conference, it being understood that the technical services of Governments of Member States and the technical and secretariat services of the Food and Agriculture Organization shall be utilized as fully as practicable in the arrangements for such a conference ;

5. *Requests* the Secretary-General to circulate the report of the conference for information to the Governments of all States invited to participate in the conference ;

6. *Decides* to refer the report of the said scientific and technical conference to the International Law Commission as a further technical contribution to be taken into account in its study of the questions to be dealt with in the final report which it is to prepare pursuant to resolution 899 (IX) of 14 December 1954.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 512th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution submitted by the Sixth Committee. For the final text, see document A/RESOLUTION/268, above.

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A/2456	Report of the International Law Commission covering the work of its fifth session (1 June - 14 August 1953)		Official Records of the General Assembly, Eighth Session, Supplement No. 9
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A/C.6/L.345	Chile, Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay: amendments to draft resolution A/C.6/L.343		See A/C.6/L.345/Rev.1
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Agenda item 66: Establishment of a world food reserve

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Costa Rica : request for the inclusion of an additional item in the agenda of the ninth session

[Original text: Spanish]
[23 August 1954]

LETTER DATED 22 AUGUST 1954 FROM THE PERMANENT REPRESENTATIVE OF COSTA RICA TO THE UNITED NATIONS, ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to request that the following item be included in the provisional agenda of the ninth session of the United Nations General Assembly: "Establishment of a World Food Reserve".

In accordance with rule 14 of the rules of procedure of the General Assembly, I would ask you to include the above supplementary item in the provisional agenda of the ninth session. In accordance with rule 20, an explanatory memorandum is enclosed.

(Signed) Benjamín NUNEZ
*Permanent Representative of Costa Rica
to the United Nations*

EXPLANATORY MEMORANDUM

1. In February 1946 the General Assembly of the United Nations, deeply concerned at reports of acute food shortages, appealed to Governments and international bodies concerned with food and agriculture, urging them

to make special efforts to remedy the situation. A number of Governments and various organizations have since grappled more vigorously with the problem of feeding mankind and have sought solutions which represent not only a method of overcoming emergencies but an effective means, together with increasing production, of securing a more satisfactory distribution of food supplies.

2. In response to the appeal of the General Assembly of the United Nations, the Food and Agriculture Organization (FAO) convened a Special Meeting on Urgent Food Problems, which was held in Washington from 20 to 27 May 1946. The hope was there expressed that the emergency action so far taken in the field of food and agriculture would be supplemented by the provision of longer term machinery to deal with certain practical international problems connected with such action. Moreover, at that meeting, the Director-General of FAO was requested to submit to the Conference proposals on any extension of the functions of existing organizations or on any new organizations which the survey might indicate as necessary.

3. In compliance with the above request, Lord Boyd Orr, the Director-General of FAO, prepared and submitted

for the consideration of the second session of the Organization, held in Copenhagen in September 1946, the proposal for the establishment of a World Food Board¹.

4. The 47 nations represented at Copenhagen accepted the general objectives laid down by Lord Boyd Orr which were summarized by the Conference as follows²:

"1. Developing and organizing production, distribution, and utilization of the basic foods to provide diets on a health standard for the peoples of all countries;

"2. Stabilizing agricultural prices at levels fair to the producers and consumers alike;"

5. The Conference also agreed on the need for international machinery to achieve these objectives and set up a Preparatory Commission to study all proposals made on the subject. The Commission was composed of sixteen members of FAO and of representatives of various specialized international organizations whose work had some bearing on the problem under study.

6. The Preparatory Commission met in Washington from 28 October 1946 to 24 January 1947. The conclusions it reached and the principles it laid down on the matters referred to it gave added force to the original proposal of the Director-General of FAO for the establishment of a body responsible for seeking a permanent and effective solution of the many problems involved in feeding mankind. However, the Preparatory Commission did not think it necessary to recommend the setting up of any new specialized international agency, considering that the problems involved could be dealt with satisfactorily by existing United Nations agencies or by new machinery within the Food and Agriculture Organization itself. It considered the problem of such importance that it should not be removed from the purview of the FAO Conference. The Conference should have the service of an organ, which would function as a study group on the various aspects of world food problems, as an advisory body to the Director-General and as an instrument for more frequent inter-governmental reviews of the world food and agriculture situation.

7. All these trends of thought which had been prompted by the alarming food shortages of the post-war period and which had been so favourably received by FAO stimulated and gave a new direction to the activities of various recently established international bodies, which now had a clearer picture of their responsibilities in meeting the food needs of all the peoples of the world. Special mention must be made of the attitude of the International Federation of Agricultural Producers which, out of regard for the economic interests of its members, was obliged to consider the problem of surpluses and consequently expressed itself in favour of proposals for the establishment of an international body with power to dispose of such surpluses and hence to foster agricultural production by fixing attractive prices. This attitude had the salutary effect of furthering the interests of the actual consumers and of increasing their numbers.

8. Under the influence of these ideas, many Governments devoted increasing attention to the various aspects of the food problem. Among these Governments must be included Costa Rica, which, though on a modest scale in keeping with its small area and population, decided as

early as 1948 to give partial effect to the principal suggestions made by Lord Boyd Orr and other study groups connected with the FAO.

9. The experiments which Costa Rica has made during the last few years have shown that those proposals are practicable and beneficial to producers and consumers, thus contributing to an improvement in the standards of living of the population as a whole.

Mr. José Figueres, ex-President of Costa Rica and Chief of the National Liberation Party, accordingly thought it advisable to draw further attention to the general proposals submitted to the Copenhagen Conference and now supported by a modest national experiment, with a view to making available to the other peoples of the world the benefits which the Costa Rican people have derived from the application of those proposals. On 1 July 1952, Mr. Figueres, on behalf of his party, urged the Economic and Social Council of the United Nations and the Food and Agriculture Organization to give further consideration to the establishment of a body which, fulfilling the functions implied in its designation—"World Food Reserve"—would be responsible for meeting temporary food shortages, stabilizing international prices of foodstuffs and raw materials and promoting the exchange of regional surpluses. Mr. Figueres supported his request as follows:

"Nothing contributes so rapidly to an increase in production as security of the market. Nothing is more discouraging than unforeseeable fluctuations and exchange speculations in the produce of man's labour. Only a world reserve can ensure stability and enable future needs to be provided for in the world market.

"The political leaders of under-developed countries like ours, and like all the Latin American countries, are deeply concerned at the possibility of a fall in the prices of our export products. If we raise the standard of living and the cultural level of our peoples to the extent permitted by productivity at the moment and are then faced with a reduction in our national income owing to external causes, we may be afflicted by disasters worse than our present backwardness.

"In view of this insecurity, it might seem advisable for us to reduce the proportion of our international trade and to gear our way of life, so far as possible, to the output of our national economy. Such a policy would be undesirable from the standpoint of world development and the realization of the ideals of unity and peace pursued by the United Nations.

"When all is said, the interchange of products and the international distribution of labour will not secure the welfare of the economically weak countries until such time as a world organization stabilizes markets and prices for reasonable periods. Nor would those countries be able to build up capital from their own savings unless such stability were achieved.

"The stability of prices can be secured without compulsory measures by means of a system of reserves and exchange of surpluses."

10. This appeal made in 1952 on behalf of a considerable portion of a country's population deserves further consideration in the light of the latest reports on the food situation to reach the organs of the United Nations. In presenting his Organization's report, the representative of the FAO made the following statement³ to the Economic and Social Council:

"In the light of recent studies, it was now considered that increased production, favoured by good harvests

¹ Food and Agriculture Organization of the United Nations, *Proposals for a World Food Board*, Washington, 5 July 1946.

² *Ibid.*, *Report of the Second Session of the Conference*, Washington, December 1946.

³ *Official Records of the General Assembly, Eighth Session, Supplement No.3, para. 189 and 195.*

during the past two years, particularly in North America, made it doubtful whether, statistically, world food production was in fact lagging behind world population growth. Indeed, substantial surpluses of foodstuffs were available in North America, but they were not readily available to the world owing to balance of payments and transport difficulties, although some surpluses had generously been placed at the disposal of the rest of the world by the United States and Canadian Governments. In less-favoured regions, however—and those comprised the greatest part of the world's population—the *per capita* consumption of food was still markedly less than before the War....

"...FAO had felt it necessary to emphasize the gravity of the world food problem, but its attitude was not one of pessimism. On the contrary, it believed, in contrast to the neo-Malthusians, that the technical problems of food production could be overcome. The most formidable obstacles were political, social and economic, not technical."

11. Resolutions No. 13 on obstacles to trade and No. 14 on the disposal of agricultural surpluses adopted by the Food and Agriculture Organization at its seventh session⁴ seem to indicate precisely what those political, social and economic obstacles are. The careful definition of the term "surpluses" which has been accepted since 1949 would appear to indicate that surpluses are supplies of food and agricultural commodities for which effective demand exists at current price levels on the basis of payment in the currency of the producing country⁵.

12. The careful attention with which the Committee on Commodity Problems has carried out the difficult task assigned to it as the inter-governmental body responsible for reviewing the problems created by agricultural surpluses and for studying the appropriate methods of solving them is a matter of common knowledge. With the extension of its terms of reference at the special session of the FAO Conference in November 1950, the Committee became the body responsible for analysing and interpreting the international situation with respect to essential commodities, and for advising the Council on the action which seemed most appropriate. The Committee was also given the task of studying such problems as it considered to be within the competence of the FAO, whether they arose from difficulties in connexion with the balance of payments or from other causes.

13. These efforts, which do credit to FAO, also make it obvious that mankind's food problem has passed beyond the purely technical stage of production and, as the FAO representative informed the Economic and Social Council, has developed complex economic, social and political aspects with such extensive international ramifications and implications that it must necessarily be dealt with by the highest organ of the world community, the United Nations General Assembly, which must assume full responsibility for meeting the needs of the peoples.

14. Consequently, the Costa Rican Government has decided to submit for the consideration of the General Assembly at its ninth regular session a proposal for the

establishment of an organ capable of fulfilling all the functions of a "World Food Reserve". The debate which will be held on the item, as well as the experience already obtained by the different bodies which have attempted, on occasions with commendable success, to find some sort of partial solution of the overall problem, will serve to determine the structure, method of operation and international character with which this organ should be endowed. Whatever form the solution of these questions may take, the proposed World Food Reserve, if it is to be effective in achieving equitable food distribution among the peoples of the world, must fulfil at least the following general functions:

(a) The prevention of any restriction of production and the stimulation of increased consumption;

(b) The stabilization of international foodstuff prices;

(c) The promotion of exchanges of regional and seasonal surpluses;

(d) The encouragement, with due regard for the main factors affecting the national economy of each country, or the transfer of the production of foodstuffs to the areas in which they can be raised most cheaply and efficiently;

(e) The handling of any serious shortages that may temporarily affect any sector of the world population.

15. The name given to the proposed organ clearly expresses the idea of the accumulation of food stocks. Such accumulation will not be an end in itself. The stocks would be used for different purposes, depending on whether they are operating reserves, reserves against high prices or reserves permitting price stabilization. In any case, it is most important for every country to have the assurance that the world is maintaining food stocks against the danger of successive poor harvests or other natural calamities. It is equally important for agricultural producers to know that their work will be properly rewarded and consequently to be able to plan increased production.

16. The Costa Rican Government is well aware of the many practical problems and serious obstacles which will be encountered in attempting to achieve these noble aims. Neither has it any wish to underestimate the great efforts made along these lines of human thought and social endeavour by men and organizations which enjoyed the double advantage of thorough familiarity with the various aspects of the problem and a humanitarian attitude towards the peoples of the world. It is precisely because of all the thought and action already devoted to combating hunger that the Costa Rican Government is asking the United Nations General Assembly to deal, *ex profeso* and with the full authority with which it is vested, with the world food problem. The General Assembly, drawing on the knowledge and experience of its Members, will itself select the best method of giving effect to the proposal submitted for its consideration by the Costa Rican Government—the establishment of a World Food Reserve to assume the responsibility for feeding the entire population of the globe.

⁴ Food and Agriculture Organization of the United Nations, *Report of the 7th Session of the Conference, 23 November-11 December 1953*, Rome 1954.

⁵ *Ibid.*, pages 43 to 50.

DOCUMENT A/C.5/619

Financial implications of the draft resolution adopted by the Second Committee (A/2855) : estimate submitted by the Secretary-General

[Original text : English]
[10 December 1954]

1. The Second Committee, at its 337th meeting held on 9 December 1954, adopted a draft resolution (A/2855, para. 7) proposing that the Food and Agriculture Organization (FAO) be requested to prepare a report on the establishment of a world food reserve for submission to the Economic and Social Council which would report on the matter to the General Assembly.

2. In view of the fact that FAO would be responsible for the preparation of the report, it is estimated that the costs to the United Nations, limited to the issue in 1955 of a report of about forty printed pages, would be :

	\$
(a) Translation and typing into three languages (Staff costs if they were to be calculated separately)	1,500
(b) Printing of the report to the Economic and Social Council in three languages	1,900

3. It would be the intention of the Secretary-General in the event of the approval of the draft resolution by the General Assembly, to attempt to meet these requirements without requesting additional appropriations for the purpose.

DOCUMENT A/2855

Report of the Second Committee

[Original text : English]
[10 December 1954]

1. The General Assembly, at its 478th plenary meeting on 25 September 1954, allocated to the Second Committee the agenda item "Establishment of a world food reserve". The Committee considered the item during six meetings (A/C.2/SR.328, 329, 333 to 335 and 337). Nine delegations, as well as the representative of the Food and Agriculture Organization, took part in the general debate.

2. The Committee had before it a letter dated 22 August 1954 (A/2710 and Corrs. 1 and 2) from the Permanent Representatives of Costa Rica to the United Nations addressed to the Secretary-General, requesting the inclusion of the item in the agenda of the session and enclosing an explanatory memorandum; it also received, at its 334th meeting, a joint draft resolution submitted by Bolivia, Costa Rica, El Salvador, Indonesia, Saudi Arabia and Uruguay (A/C.2/L.250). Under the operative part of the draft resolution the General Assembly would (1) state that it was desirable that the following questions should be studied: (a) the desirability of establishing a world food reserve within the framework of the United Nations; (b) the possibility of that reserve acting as an institution to relieve emergency situations and as an organ for stabilizing prices in an anti-cyclical direction; (2) request the Secretary-General to make that study in co-operation with the Food and Agriculture Organization, bearing in mind the proposals on the subject previously made in various organs; and (3) request the Secretary-General to report to the General Assembly the results of this study and the conclusions reached for consideration at its tenth regular session.

3. At its 335th meeting, the Committee received a revised text (A/C.2/L.250/Rev.1) of the joint draft resolution, sponsored by Australia, Bolivia, Costa Rica, El Salvador, France, Indonesia, Netherlands, Peru, Saudi Arabia and Uruguay. The revised text read as follows:

"The General Assembly,

"Being convinced of the need for continued national action and international co-operation:

"(a) To raise the levels of production and standards of consumption of food in many areas of the world where famine or chronic malnutrition is a major problem,

"(b) To seek practicable methods of preventing unduly large short-term fluctuations in agricultural prices and to this end to promote the rational disposal of intermittent agricultural surpluses,

"Considering that in some countries the establishment of a food reserve for various purposes has been operated efficiently,

"Recalling the various resolutions adopted by international institutions upon this subject in the past,

"Considering that no factual and comprehensive study has been made of the following:

"(a) The feasibility of establishing a world food reserve within the framework of the United Nations,

"(b) The feasibility of such a reserve acting as an institution which would contribute to relieve emergency situations and to counteract excessive price fluctuations,

"1. Expresses its appreciation of the valuable work being done in these fields by the Food and Agriculture Organization;

"2. Asks the Secretary-General to request the Food and Agriculture Organization, taking into account the discussions at the ninth session of the General Assembly and the proposals previously made on this subject, to prepare a factual and comprehensive report of what has been and is being done in this connexion for submission to the Economic and Social Council;

"3. Requests the Economic and Social Council to report on this matter, with its conclusions, to the General Assembly."

4. At the same meeting verbal amendments were submitted by:

(i) The Union of South Africa, proposing to replace in sub-paragraph (b) of the first paragraph of the preamble the words "to seek practicable methods of preventing" by the words "to prevent";

(ii) Australia, proposing that the second paragraph of the preamble should read "Considering that in some countries a food reserve has been established for various purposes and has operated efficiently". Both these amendments were accepted by the co-sponsors of the joint draft resolution.

5. Various other verbal amendments were suggested, particularly with regard to the fourth paragraph of the preamble, and it was agreed at the 335th meeting that the Chairman should submit to the Committee, in a further revised text, his proposed modifications in the light of the suggestions made in the course of the discussion. At its 336th meeting, the Committee received the further revised text (A/C.2/L.250/Rev.2). This incorporated the two modifications proposed by the Union of South Africa and Australia and accepted by the sponsors, and also the proposed changes made by the Chairman. The fourth paragraph of the preamble of the new text read as follows:

“Considering that no factual report has been made dealing comprehensively with the following:

“(a) The feasibility of establishing a world food reserve within the framework of the United Nations,

“(b) The feasibility of such a reserve acting as an institution which would contribute to relieve emergency situations and to counteract excessive price fluctuations”.

In operative paragraph 2 of the revised text the General Assembly would “request” the Secretary-General to “invite” the Food and Agriculture Organization, taking into account the discussions at the ninth session of the General Assembly and the proposals previously made on this subject, to prepare a factual and comprehensive report of what has been and is being done in this connexion, for submission to the Economic and Social Council. The Committee also received at the same

meeting a statement, submitted by the Secretary-General, of the financial implications (A/C.2/L.250/Rev.2/Add.1) of the draft resolution.

6. The revised joint draft resolution (A/C.2/L.250/Rev.2) was voted upon at the 337th meeting as follows, a separate vote being taken, at the request of the representative of the Union of Soviet Socialist Republics, on the second and fourth paragraphs of the preamble and operative paragraph 1.

The second paragraph of the preamble was adopted by 38 votes to none, with 6 abstentions.

The fourth paragraph of the preamble was adopted by 35 votes to none, with 9 abstentions.

Operative paragraph 1 was adopted by 39 votes to none, with 6 abstentions.

The joint draft resolution as a whole was adopted by 43 votes to none, with one abstention.

Recommendation of the Second Committee

7. The Second Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

ESTABLISHMENT OF A WORLD FOOD RESERVE

[Text adopted without change by the General Assembly. See document A/RESOLUTION/256 below.]

DOCUMENT A/2863

Report of the Fifth Committee

*[Original text: English]
[11 December 1954]*

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered at its 482nd meeting held on 11 December 1954, the financial implications of the draft resolution adopted by the Second Committee on the establishment of a world food reserve (A/2855, para. 7).

2. The Committee examined a report from the Secretary-General in this connexion (A/C.5/619), in which the Secretary-General stated that the estimated costs to the United Nations would be limited to the issue in 1955

of a report to the Economic and Social Council. The Secretary-General further stated his intention to attempt to meet this cost, which he estimated at a maximum of \$3,400, without requesting an additional appropriation.

3. In the light of its examination of this question, the Fifth Committee decided unanimously to recommend to the General Assembly that, in the event of the adoption of the draft resolution proposed by the Second Committee, the Secretary-General would undertake to absorb any resulting expenditures for the above-noted purpose within the total of the 1955 budget.

DOCUMENT A/RESOLUTION/256

[Resolution 827 (IX)]

Resolution adopted by the General Assembly at its 511th plenary meeting on 14 December 1954

ESTABLISHMENT OF A WORLD FOOD RESERVE

The General Assembly,

Being convinced of the need for continued national action and international co-operation:

(a) To raise the levels of production and standards of consumption of food in many areas of the world where famine or chronic malnutrition is a major problem,

(b) To prevent unduly large short-term fluctuations in agricultural prices and to this end to promote the rational disposal of intermittent agricultural surpluses,

Considering that in some countries a food reserve has been established for various purposes and has operated efficiently,

Recalling the various resolutions adopted by international institutions on this subject in the past,

Considering that no factual report has been made dealing comprehensively with the following:

(a) The feasibility of establishing a world food reserve within the framework of the United Nations,

(b) The feasibility of such a reserve acting as an

institution which would contribute to relieve emergency situations and to counteract excessive price fluctuations,

1. *Expresses its appreciation* of the valuable work being done in these fields by the Food and Agriculture Organization ;

2. *Requests* the Secretary-General to invite the Food and Agriculture Organization, taking into account the

discussions at the ninth session of the General Assembly and the proposals previously made on this subject, to prepare a factual and comprehensive report of what has been and is being done in this connexion, for submission to the Economic and Social Council ;

3. *Further requests* the Economic and Social Council to report upon this matter, with its conclusions, to the General Assembly.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 511th plenary meeting, on 14 December 1954, the General Assembly adopted the draft resolution (A/2855, para. 7) submitted by the Second Committee. For the final text, see document A/RESOLUTION/256 above.

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A/C.2/L.250/Rev.1	Australia, Bolivia, Costa Rica, El Salvador, France, Indonesia, Netherlands, Peru, Saudi Arabia and Uruguay: revised draft resolution		Mimeographed document only. See A/2855, para. 3
A/C.2/L.250/Rev.2	Australia, Bolivia, Costa Rica, El Salvador, France, Indonesia, Netherlands, Peru, Saudi Arabia and Uruguay: revised draft resolution		Mimeographed document only. Same text as document A/RESOLUTION/256
A/C.2/L.250/Rev.2/Add.1	Financial implications of the draft resolution submitted by Australia, Bolivia, Costa Rica, El Salvador, France, Indonesia, Netherlands, Peru, Saudi Arabia and Uruguay (A/C.2/L.250/Rev.2): estimate submitted by the Secretary-General		Mimeographed document only. See document A/C.5/619
A/C.2/L.255	Draft report of the Second Committee		Mimeographed document only. Same text as document A/2855
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Agenda item 67: International co-operation in developing the peaceful uses of atomic energy: report of the United States of America

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DOCUMENT A/2734

United States of America: request for the inclusion of an additional item in the agenda of the ninth session

[Original text: English]
[23 September 1954]

LETTER DATED 23 SEPTEMBER 1954 FROM THE CHAIRMAN OF THE UNITED STATES DELEGATION ADDRESSED TO THE SECRETARY-GENERAL

added to the agenda of the General Assembly as an important and urgent question.

In connexion with the above-mentioned request, I attach an explanatory memorandum, in accordance with rule 20 of the rules of procedure.

I have the honour to request, under rule 15 of the rules of procedure, that an item entitled "International co-operation in developing the peaceful uses of atomic energy: report of the United States of America" be

(Signed) H. C. LODGE, Jr.
Chairman of the
United States delegation

Explanatory memorandum

1. The President of the United States, in his statement to the eighth session of the General Assembly on 8 December 1953 (470th meeting), made far-reaching proposals for the setting up of an international atomic energy agency under the aegis of the United Nations to develop plans whereby the peaceful use of atomic energy would be expedited. The President further indicated the willingness of the United States to take up with the Powers "principally involved" the development of plans for such an agency.

2. During the past year, the United States has engaged in discussions on this subject with the Powers principally involved with atomic energy matters, and particularly with the Soviet Union. While the attempt to secure the co-operation of the USSR in this endeavour has not been successful, the other Governments with which the United States has discussed this proposal have indicated general agreement on the objectives of the proposal and on the general nature of the international atomic energy agency.

3. The United States intends to proceed immediately, in conjunction with the other nations principally involved, to create an international agency to develop the con-

structive uses of atomic energy. This approach excludes no nation from participation in this great venture. As more precise plans take shape, all nations interested in participating and willing to take on the responsibilities of membership will be welcome to join in the planning and execution of this programme.

4. The United States believes an international scientific conference of representatives of Governments and scientists would be useful in identifying the technical areas in which progress can best be made in applying atomic energy to peaceful ends, and accordingly suggests that the United Nations should convene such a conference. The United States intends at the appropriate time to describe in greater detail the nature of such a conference and its objectives.

5. There have been other significant developments during the past year in connexion with peaceful uses of nuclear energy concerning which the United States will report.

6. The United States believes that an explanation of these matters is of such import to all nations that it warrants the addition of this item to the General Assembly's agenda as an important and urgent matter.

DOCUMENT A/2738

Letter dated 25 September 1954 from the representative of the United States of America to the United Nations, addressed to the Secretary-General, transmitting copies of the communications exchanged between the Governments of the United States of America and the Union of Soviet Socialist Republics

[Original text: English]
[27 September 1954]

I have the honour to refer to my note to you, dated 23 September 1954, which has been circulated to the Members of the United Nations as document A/2734.

There are transmitted herewith copies of the communications exchanged between the Governments of the United States of America and the Union of Soviet Socialist Republics concerning the peaceful uses of atomic energy. It is requested that copies of these communications be circulated to the Members of the United Nations.

(Signed) Henry Cabot LODGE, Jr.

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1. NOTE HANDED TO MR. ZARUBIN, SOVIET UNION AMBASSADOR TO WASHINGTON, BY MR. DULLES, UNITED STATES SECRETARY OF STATE, ON 11 JANUARY 1954

1. The United States suggests that the conversation with reference to atomic energy should initially be conducted through diplomatic channels, reserving the right of any participant to propose shifting the deliberations to the United Nations pursuant to its resolution (General Assembly resolution 715 (VIII)) suggesting private discussions under the auspices of the Disarmament Commission.

2. It is suggested that the diplomatic discussions take place at Washington and wherever else it is convenient for the participants to meet. Presumably Mr. Molotov and Mr. Dulles would have a private discussion at Berlin.

3. It is suggested that procedural talks should in their initial stage be limited to the Soviet Union and the United States, with the participation of the other nations principally involved as determined in the light of the subject matter to be discussed.

4. The United States is prepared to consider any proposal that the Soviet Union sees fit to make with reference to atomic, hydrogen and other weapons of mass destruction.

5. However, the United States believes that the first effort should be to proceed on a modest basis which might engender the trust and confidence necessary for planning of larger scope. That is why the United States urges an early discussion of the proposal made by President Eisenhower on 8 December 1953 (470th plenary meeting). The United States is prepared to have concrete private discussions about this plan and its possible implementation.

6. The United States suggests that privacy will best serve practical results at this time and that these talks should not be used for propaganda purposes by either side.

2. NOTE HANDED TO MR. DULLES, UNITED STATES SECRETARY OF STATE, BY MR. ZARUBIN, SOVIET UNION AMBASSADOR TO WASHINGTON, ON 19 JANUARY 1954

In connexion with the aide-mémoire handed by Mr. Dulles, Secretary of State, to the Ambassador, Mr. Zarubin, on 11 January, the Soviet Government considers it necessary to communicate the following.

1. Paragraph 1 of the United States aide-mémoire states :

[For the text, see communication No. 1, para. 1, above.]

On this point there are no remarks.

2. Paragraph 2 of the United States aide-mémoire states :

[For the text, see communication No. 1, para. 2, above.]

On paragraph 2 there are no remarks.

3. In paragraph 3 of the United States aide-mémoire it is said :

[For the text, see communication No. 1, para. 3, above.]

Agreement is expressed regarding the considerations stated in paragraph 3 of the aide-mémoire, keeping in mind that at the specified stage of the negotiations there will be considered the necessity of drawing into the negotiations all Powers that bear the chief responsibility for maintaining peace and international security.

4. Paragraph 4 of the United States aide-mémoire states :

[For the text, see communication No. 1, para. 4, above.]

In this connexion, it is necessary to recall the statement made by the Soviet Government on 21 December 1953, pointing out that the Soviet Government proceeds on the basis of the assumption that during the course of the negotiations there will be considered at the same time the proposal of the Soviet Union with regard to an agreement under which the States participating in the agreement would assume the unconditional obligation not to use the atomic, hydrogen or any other weapon of mass destruction.

5. In paragraph 5 of the United States aide-mémoire it is said :

[For the text, see communication No. 1, para. 5, above.]

The Soviet Government agrees to consider President Eisenhower's proposal of 8 December 1953, and likewise agrees to enter into the said negotiations relating to this proposal. At the same time, the Soviet Government considers it necessary to negotiate to the effect that in the discussion of this proposal made by the United States and the proposal made by the USSR as mentioned in paragraph 4, the principle of rotation be observed, with one conference being devoted to the consideration of the United States proposal and the next being devoted to the consideration of the USSR proposal.

6. Paragraph 6 of the United States aide-mémoire states :

[For the text, see communication No. 1, para. 6, above.]

On this paragraph there are no remarks.

3. DRAFT DECLARATION HANDED TO MR. DULLES, UNITED STATES SECRETARY OF STATE, BY MR. MOLOTOV, SOVIET UNION MINISTER FOR FOREIGN AFFAIRS, IN BERLIN, ON 30 JANUARY 1954

Draft declaration of the Governments of the United States of America, the United Kingdom, France, the Chinese People's Republic and the Soviet Union concerning unconditional renunciation of the use of atomic, hydrogen and other forms of weapons of mass destruction

The Governments of the United States of America, the United Kingdom, France, the Chinese People's Republic and the Union of Soviet Socialist Republics,

Determined to deliver humanity from the threat of destructive war with the use of atomic, hydrogen and other forms of weapons of mass destruction,

Desirous of assisting in every way in the utilization of the great scientific discoveries in the field of atomic energy only for peaceful purposes, for the well-being of peoples and the amelioration of their living conditions,

Considering that the unconditional renunciation by States of the use of atomic, hydrogen and other forms of weapons of mass destruction corresponds to the basic purposes of the Organization of the United Nations and would constitute an important step on the road to the complete withdrawal from national armaments of the atomic, hydrogen and other forms of weapons of mass destruction, with the establishment of strict international control guaranteeing the execution of agreement concerning the prohibition of the use of atomic energy for military purposes,

Animated by the aspirations of the peoples for a reduction in international tension,

Solemnly declare that they take upon themselves the unconditional obligation not to use atomic, hydrogen and other forms of weapons of mass destruction ;

Call on other countries to adhere to the present declaration.

4. AIDE-MÉMOIRE HANDED TO MR. DULLES, UNITED STATES SECRETARY OF STATE, BY MR. MOLOTOV, SOVIET UNION MINISTER FOR FOREIGN AFFAIRS, IN BERLIN, ON 13 FEBRUARY 1954

1. In the aide-mémoire presented by the Ambassador of the Union of Soviet Socialist Republics in Washington to the Secretary of State of the United States of America on 19 January 1954,¹ the Soviet Government expressed the view that at a subsequent stage of the negotiations on the atomic problem all the Powers bearing primary responsibility for the maintenance of peace and international security should be invited to take part.

In a private talk with Mr. Dulles on 30 January last, Mr. Molotov explained that the Powers referred to are the five Powers, namely, the United States of America, the Soviet Union, the United Kingdom, France and the Chinese People's Republic.

2. In that talk, Mr. Dulles expressed the view that the United Kingdom, France and also Canada and Belgium should be invited to join in the negotiations on the atomic problem, and he explained that Canada and Belgium should take part as countries possessing resources of atomic materials.

3. In connexion therewith, the Soviet Government states that it would have no objection to the participation in the negotiations on the atomic problem, at an appropriate stage, besides the five Powers, of Canada and Belgium, and also believes it necessary to have Czechoslovakia invited to take part in the said negotiations as a country possessing atomic materials.

5. LETTER DATED 16 FEBRUARY 1954 FROM MR. DULLES, UNITED STATES SECRETARY OF STATE, TO MR. MOLOTOV, SOVIET UNION MINISTER FOR FOREIGN AFFAIRS

Berlin, 16 February 1954

I refer to your aide-mémoire, which you handed me on 13 February 1954,² regarding the discussions on the atomic proposal.

In your numbered paragraph 2, you state that I "expressed the view that the United Kingdom, France and also Canada and Belgium should be invited to join in the negotiations on the atomic problem, and (he) explained that Canada and Belgium should take part as countries possessing resources of atomic materials". This statement does not fully accord with my recollection of what I said on the subject on 30 January. I would like to clear up the apparent misunderstanding. At that discussion I said that the United Kingdom, Canada and France had all made progress in the atomic field. I then referred to Belgium and other countries which were important sources of raw material. In these circumstances, I indicated that, if we shifted our talks from a bilateral basis to a broader conference, at that stage the United States would raise the problem of what countries should participate.

In connexion with the general subject of possible future participation, I should like to call your attention once more to a general statement which I have made repeatedly here in Berlin. This is that the United States is not prepared to participate in any conference with the Chinese Communist régime on the theory that it has, or shares, any special position of responsibility for the maintenance of international peace and security.

I shall hope to be in a position to hand to Ambassador Zarubin in Washington, shortly after my return, a memorandum on the substance of the President's proposal.

(Signed) John Foster DULLES

6. LETTER DATED 18 FEBRUARY 1954 FROM MR. MOLOTOV, SOVIET UNION MINISTER FOR FOREIGN AFFAIRS, TO MR. DULLES, UNITED STATES SECRETARY OF STATE

Berlin, 18 February 1954

I confirm the receipt of your letter of 16 February 1954.

Inasmuch as you are already preparing to depart today, I will send my reply to your letter through the Ambassador of the Soviet Union in Washington, Mr. Zarubin.

(Signed) V. MOLOTOV

7. MEMORANDUM HANDED TO MR. BEDELL SMITH, ACTING UNITED STATES SECRETARY OF STATE, BY MR. ZARUBIN, SOVIET UNION AMBASSADOR TO WASHINGTON, ON 10 MARCH 1954

In connexion with the letter from the Secretary of State of the United States of America of 16 February 1954³ addressed to Mr. Molotov, Minister of Foreign Affairs of the Union of Soviet Socialist Republics, I am instructed by Mr. Molotov to state the following.

The views expressed in the letter that it is not considered expedient to define at present which specific countries should be invited to participate in the talks on the atomic question at a later stage of the talks have been noted.

As already stated in the aide-mémoire handed to Mr. Dulles by Mr. Zarubin on 19 January,⁴ as well as in the private discussion held by Mr. Molotov and Mr. Dulles at Berlin, the Soviet Government agrees to negotiate with the Government of the United States of America on the atomic question on a bilateral basis. At the same time, in case it is decided to shift these negotiations to a broader basis, there is no objection to an additional examination of the question as to the participants in such negotiations.

With regard to the possible participation of the Chinese People's Republic in the negotiations on the atomic question at a subsequent stage, the opinion of the Soviet Government on this question was stated in the aide-mémoire of 13 February.⁵

8. MEMORANDUM HANDED TO MR. ZARUBIN, SOVIET UNION AMBASSADOR TO WASHINGTON, BY MR. DULLES, UNITED STATES SECRETARY OF STATE, ON 19 MARCH 1954

Outline of an International Atomic Energy Agency

The United States Government wishes to submit additional tentative views amplifying the proposals for an international atomic energy agency as presented by the President of the United States to the United Nations General Assembly on 8 December 1953 (470th meeting).

I. THE OBJECTIVES OF THE UNITED STATES PROPOSALS

The United States proposes that there should be established, under the aegis of the United Nations, an international atomic energy agency to receive supplies

¹ See communication No. 2 above.

² See communication No. 4 above.

³ See communication No. 5 above.

⁴ See communication No. 2 above.

⁵ See communication No. 4 above.

of nuclear materials from those Member nations having stocks of such materials to be used for the following objectives :

A. To encourage world-wide research and development of peaceful uses of atomic energy by assuring that engineers and scientists of the world have sufficient materials to conduct such activities and by fostering the interchange of information ;

B. To furnish nuclear materials to meet the needs of agriculture, medicine, and other peaceful activities, including the eventual production of power.

II. THE INTERNATIONAL ATOMIC ENERGY AGENCY

A. The agency would be created by and derive its authority under the terms of a treaty among the participating nations. To the greatest extent practicable, the treaty should define standards and principles which would govern the agency in the discharge of its functions.

B. Membership

All signatory States would be members of the agency.

C. Governing body

(i) The highest executive authority in the agency should be exercised by a board of governors, of limited membership, representing Governments. In determining the composition of the board of governors, it might be desirable to take account of geographic distribution and membership by prospective beneficiaries. It is expected that the principal contributors would be on the board of governors.

(ii) It is suggested that decisions of the board of governors generally should be taken by some form of majority vote. Arrangements could be worked out to give the principal contributing countries special voting privileges on certain matters, such as allocations of fissionable material.

D. Staff

The staff of the agency should be headed by an administrative head or general manager, appointed for a fixed term by the board of governors and subject to its control and, of course, include highly qualified scientific and technical personnel. Under the general supervision of the board, the administrative head should be responsible for the appointment, organization and functioning of the staff.

E. Financing

(i) Funds for the central facilities and fixed plant of the agency and its research projects should be provided through appropriation by the participating States in accordance with a scale of contributions to be agreed upon. It is suggested that it might be possible to utilize the general principles governing the scale of contributions by individual Members to the United Nations.

(ii) Funds for specific projects submitted by Member nations to utilize the materials or services of the agency should be provided by the recipient country concerned through specific arrangements in each case.

F. The administrative headquarters of the agency could be located at a place mutually agreed upon.

G. Relationship to the United Nations and other international bodies

The agency should submit reports to the United Nations Security Council and General Assembly when requested by either of these organs. The agency should also consult and co-operate with other United Nations bodies whose work may be related to that of the agency.

H. The facilities of the agency would include :

(i) Plant, equipment and facilities for the receipt, storage and issuance of nuclear materials ;

(ii) Physical safeguards ;

(iii) Control laboratories for analysis and verification of receipts and inventory control of nuclear materials ;

(iv) Necessary housing for administrative and other activities of the agency not included in the preceding categories ;

(v) Those facilities, as might in time be necessary, for such purposes as education and training, research and development, fuel fabrication and chemical processing.

III. FUNCTIONS OF THE AGENCY

A. Receipt and storage of materials

(i) All Member nations possessing stocks of normal and enriched uranium, thorium metal, U-233, U-235, U-238, plutonium and alloys of the foregoing would be expected to make contributions of such material to the agency.

(ii) The United States would be prepared to make, as a donation, a substantial initial contribution of nuclear material towards the needs of the agency. The USSR would make an equivalent donation towards these needs.

(iii) The agency would specify the place, method of delivery and, when appropriate, the form and composition of materials it received. The agency would also verify stated quantities of materials received and would report to the members these amounts. The agency would be responsible for storing and protecting materials in a way to minimize the likelihood of surprise seizure.

B. Allocation of materials by the agency

(i) The agency would review proposals submitted by participating members desiring to receive allocations of agency stocks in the light of uniform and equitable criteria, including :

(a) The use to which material would be put, including scientific and technical feasibility ;

(b) The adequacy of plans, funds, technical personnel, etc., to assure effective use of the material ;

(c) Adequacy of proposed health and safety measures for handling and storing materials and for operating facilities ;

(d) Equitable distribution of available materials.

(ii) Title to nuclear materials would initially remain with the agency, which would determine fair payment to be made for use of materials.

(iii) In order to ensure that adequate health and safety standards were being followed, and in order to assure that allocated fissionable material was being used for the purposes for which it was allocated, the agency would have the continuing authority to prescribe certain design and operating conditions, and health and safety regulations, to require accountability and operating records, to specify disposition of by-product fissionable materials and wastes, to retain the right of monitoring and to require progress reports. The agency would also have authority to verify status of allocated material inventories and to verify compliance with the terms of issuance.

(iv) Information about all transactions entered into by the agency would be available to all members.

C. Information and service activities of the agency

(i) All Member nations possessing information relevant to the activities of the agency would be expected to make contributions from that information to the agency.

(ii) In addition to data developed as a result of its own activities, the agency would have available:

(a) Data developed by participating countries as a result of the utilization of the materials, information, services and other assistance of the agency;

(b) Data already publicly available in some of the countries;

(c) Data developed and previously held by principals or other members and voluntarily contributed to the agency.

(iii) The agency would encourage the exchange of scientific and technical information among nations, and be responsible for making wide dissemination of the data in its possession.

(iv) The agency would serve as an intermediary securing the performance of services by one participating country for another. Among the specific activities the agency might provide would be the following:

(a) Training and education;

(b) Services concerned with developing codes for public health and safety in connexion with the utilization of fissionable materials;

(c) Consultative technical services in connexion with the establishment and carrying on of programmes;

(d) Processing of nuclear materials (i.e., chemical separation and purification, fabrication of fuel elements, etc.);

(e) Supply of special materials, such as heavy water;

(f) Design and supply of specialized equipment;

(g) Special laboratory services such as conduct of experiments and tests;

(h) Aid in making financial arrangements for the support of appropriate projects.

9. AIDE-MÉMOIRE HANDED TO MR. DULLES, UNITED STATES SECRETARY OF STATE, BY MR. MOLOTOV, SOVIET UNION MINISTER FOR FOREIGN AFFAIRS, AT GENEVA, ON 27 APRIL 1954

1. In connexion with the memorandum of the Government of the United States of America dated 19 March 1954,⁶ containing supplementary explanations concerning the international organ (agency) of atomic energy, discussed in President Eisenhower's statement of 8 December 1953, the Soviet Government considers it necessary to state the following considerations.

2. In the aforementioned statement of the President of the United States which underlined the special danger of the atomic weapon, a proposal was made that the appropriate States allocate a small part of the atomic materials out of their stocks for the disposal of the international agency to use for peaceful needs. In the memorandum of 19 March, several details of the organization of the aforementioned international agency were given, but those remarks which were made by the Soviet Government in its statement of 21 December 1953 concerning the statement of the President of the United States on 8 December 1953 were completely ignored. Nevertheless, these remarks of the Soviet Government aim to achieve an agreement concerning the prohibition of atomic weapons and to secure the acceptance of an obligation by the States in the very near future not to use atomic and hydrogen weapons, which are by their nature weapons of aggression.

3. In his address of 8 December 1953 the President of the United States declared:

"My country wants to be constructive, not destructive. It wants agreements, not wars, among nations" [470th plenary meeting, para. 97].

In this statement the President of the United States also said: "The United States, heeding the suggestion of the General Assembly of the United Nations, is instantly prepared to meet privately with such other countries as may be 'principally involved', to seek 'an acceptable solution' to the atomic armaments race which overshadows not only the peace, but the very life of the world" [ibid., para. 108].

4. These statements of the President of the United States expressed wishes for peace, a yearning to find a solution of the problem of the atomic armament race, together with representatives of other countries, and a desire to achieve "agreements, not wars, among nations". Inasmuch as it is the constant aspiration of the Government of the USSR to assist in strengthening peace among nations and, under present conditions, in particular, to assist in the elimination of the threat of an atomic war, the Soviet Government has expressed readiness to take part in the appropriate negotiations.

5. However, the Soviet Government has considered and still considers it necessary to call special attention to the following.

6. First, the proposal of the United States that the appropriate States place a small part of atomic materials out of their stocks at the disposal of the international organ to be used for peaceful needs, cannot assist in the achievement of the aims set forth in the aforementioned address of the President of the United States. By such an allocation of a small part of the atomic materials for peaceful needs, the principal mass of the atomic materials will go, as before, for the production of new atomic and hydrogen bombs, which means a further accumulation of atomic weapons and the possibility of creating new weapons of this type of more destructive force. Such a situation means that the States which have the opportunity to produce atomic and hydrogen weapons will not be restrained at all in the further increase of stocks of this weapon.

7. The allocation of a small portion of atomic materials out of the stocks in existence to be utilized for peaceful needs may only create the appearance that the quantity of atomic materials allocated for the production of atomic and hydrogen weapons is being decreased. But in reality that is not the case at all. The production of atomic materials in a number of countries has been growing with each year so fast that the allocation of a certain part for peaceful needs will by no means reduce the quantity of the newly produced atomic and hydrogen bombs. Consequently, even in case the United States proposal should be carried out, it would be impossible to say that the atomic armament race is being stopped, as was said in the statement of the President of the United States of 8 December 1953.

8. The level of science and technique which has been reached at the present time makes it possible for the very application of atomic energy for peaceful purposes to be utilized for increasing the production of atomic weapons.

9. It is well known that it is practically feasible to carry out on an industrial scale a process of obtaining electrical power for peaceful needs by utilizing atomic materials, in which the quantity of the fissionable atomic materials applied in the process not only fails to decrease but, on the contrary, increases. And the harmless atomic

⁶ See communication No. 8 above.

materials are converted into explosive and fissionable materials which are the basis for the production of atomic and hydrogen weapons. In other words, the fact that the peaceful application of atomic energy is connected with the possibility of simultaneous production of atomic materials utilized for the manufacture of the atomic weapon is indisputable and has been proved in practice. Such a situation not only fails to lead to a reduction of the stocks of atomic materials utilized for the manufacture of atomic weapons, but also leads to an increase of these stocks without any limitations being applied either to the constantly increasing production of these materials in individual States or to production by the international agency itself.

10. Consequently, the proposal of the United States concerning the allocation of a certain portion of atomic materials to be utilized for peaceful purposes not only fails to stop the atomic armament race, but leads to its further intensification.

11. Secondly, the United States proposal of 8 December 1953, as well as the United States memorandum of 19 March 1954, completely evades the problem of the inadmissibility of the use of atomic weapons, which are weapons of mass destruction.

12. The acceptance of President Eisenhower's proposal would by no means restrict the aggressor in utilizing atomic weapons for any purpose and at any time and, consequently, would not diminish at all the danger of a war with the use of atomic and hydrogen weapons.

13. Thus, the acceptance of the aforementioned proposal of the United States would not introduce any change into the existing situation, when States which have at their disposal atomic materials and appropriate manufacturing and technical possibilities for the production of atomic weapons produce them on an increasing scale and accumulate stocks of atomic and hydrogen bombs of more and more destructive power. Besides, all this takes place under conditions of complete absence of any international agreement whatsoever which binds States in the application of atomic and hydrogen weapons.

14. However, it cannot be denied that recently there has been widespread uneasiness in many countries in connexion with the increase in the destructive power of the atomic weapon, and especially in view of the appearance of the hydrogen weapon. It would be wrong not to consider these well-known facts and the increasingly insistent demands not to permit the use of the atomic and the hydrogen weapon in warfare.

15. All this justifies the conclusion that neither the United States proposal of 8 December 1953 nor the United States memorandum of 19 March 1954 meets the basic purpose—elimination of the threat of atomic war.

16. In its statement of 21 December 1953 the Soviet Government pointed out that if the Government of the United States, as well as the Government of the USSR, was striving to reduce international tension and strengthen peace, then the efforts of both Governments should be directed towards concluding an agreement for prohibiting the atomic weapon and towards establishing a suitable and effective international control over this prohibition. With such an international prohibition against the atomic weapon, broad possibilities would be opened for the use of atomic energy for peaceful purposes. Since the statement of 8 December 1953 of the President of the United States and the United States memorandum of 19 March 1954 both evade the question of prohibiting the atomic weapon and actually ignore the possibility of further unlimited increase in the production of this weapon and its use by an aggressor, the United States

proposal for the creation of an international agency for the utilization of atomic energy does not reduce the danger of atomic warfare in the slightest.

17. Moreover, it may even serve ends that are the exact opposite. This proposal to use some portion of the atomic materials for peaceful purposes may create the deceptive appearance of curtailing the production of the atomic weapon and may lead to the relaxing of vigilance on the part of nations with regard to the growing threat of war with the use of this weapon of aggression and mass destruction of people.

18. The fact that heretofore it has been impossible to conclude an appropriate agreement for the unconditional prohibition of atomic, hydrogen and other types of weapons of mass destruction not only does not diminish the importance of efforts in this direction but, on the contrary, makes such efforts still more necessary, taking into account the ever-increasing danger for nations in connexion with the continuing race in the production of the atomic and the hydrogen weapon. This applies especially to those States which have available the relevant resources in atomic materials and are producing the atomic and the hydrogen weapon.

19. If the matter were reduced merely to agreements between States that, for peaceful purposes, there should be allotted only some small portion of the atomic materials, but the production of the atomic weapon in the future also should not be restricted at all, then such an international agreement would in fact grant an inadmissible sanction to the production of the atomic weapon, which would suit the convenience of the aggressive forces only. This sort of international sanction of the production of the atomic weapon not only would not facilitate the conclusion of an agreement for its prohibition but would, on the contrary, be a new obstacle on the road to the conclusion of such an agreement.

20. It is indispensable that not merely some portion, but the entire mass of atomic materials be directed entirely to peaceful purposes, that the achievements of science in this field serve not purposes of war and mass destruction of people but purposes of improving economic life and culture, which would open up unprecedented opportunities for improving industry, agriculture, and transportation, for use in medicine, for perfecting technical processes and the further progress of science.

21. The prohibition of the atomic and the hydrogen weapon and the utilization of all atomic materials for peaceful purposes, supplying the proper aid to regions that are economically weak, would at the same time promote the possibility of concluding an agreement on the matter of a decisive reduction in conventional types of armaments. This would make it possible greatly to alleviate the tax burden which nations are bearing as a result of the existence in many States of inordinately swollen armies, since the armament race goes on.

22. Desiring to facilitate the possibility of concluding an agreement for the unconditional and complete prohibition of the atomic weapon and the establishment of appropriate international control, the Soviet Government, having expressed its readiness to take part in negotiations with respect to the proposal of the Government of the United States, has, on its part, introduced the following proposal for consideration:

Being guided by the desire to reduce international tension, the States participating in the agreement undertake the solemn and unconditional obligation not to use the atomic, the hydrogen, or any other weapon of mass destruction.

23. This proposal was set down as the basis for the draft of a declaration of the Governments of the United States, the United Kingdom, France, the Chinese People's Republic, and the Soviet Union, a draft which the Soviet Government communicated on 30 January 1954⁷ to the Government of the United States, as well as to the Governments of the United Kingdom, France and the Chinese People's Republic. The adoption of the obligation of unconditional repudiation of the use of the atomic and the hydrogen weapon by States, and first of all by the great Powers, would mean a great step towards relieving humanity of the threat of atomic war, with its countless sacrifices and hardships.

24. The Soviet Government observes that the Government of the United States has so far not only failed to recognize the necessity for the urgent prohibition of the atomic and hydrogen weapon and for the establishment of appropriate international control over this prohibition, but it has also failed to express readiness to come to an understanding on the unconditional repudiation by States of the use of the atomic, the hydrogen, or any other weapon of mass destruction. In this connexion the Soviet Government attaches special importance to achieving co-ordination between the positions of the USSR and the United States with regard to the adoption by States of the solemn and unconditional obligation not to use the atomic, the hydrogen, or any other weapon of mass destruction. Consideration of the separate proposals regarding partial utilization of atomic materials for peaceful purposes, without agreement between States on repudiating the use of the atomic weapon, would not contribute anything at all towards reducing international tension and the danger of war. Besides, it might lead to a blunting of the vigilance of nations with regard to this danger.

25. In view of the considerations cited, and in accordance with President Eisenhower's statement concerning the desire of the United States to reduce international tension, the Soviet Government considers it urgently necessary in the first place to arrive at an agreement between the USSR and the United States on the question of repudiating the use of the atomic weapon, without which the negotiations initiated cannot yield the proper results, in which the peoples of our countries and other States are interested.

26. As far as the other questions dealt with in the United States memorandum of 19 March 1954 are concerned, the inadequacy and one-sidedness of which are obvious, they can be considered as a supplement, after arriving at agreement on the fundamental questions.

10. INFORMAL PAPER LEFT WITH MR. MOLOTOV, SOVIET UNION MINISTER FOR FOREIGN AFFAIRS, BY MR. DULLES, UNITED STATES SECRETARY OF STATE, AT GENEVA, ON 1 MAY 1954

1. I have now read the aide-mémoire of the Soviet Union of 27 April 1954⁸ re the proposal for an "international atomic energy agency" submitted to the Soviet Ambassador in Washington on 19 March 1954.⁹ This aide-mémoire criticizes the proposal on the grounds that it would not substantially reduce atomic material stock-piles, or control the making or use of atomic weapons or remove the threat of atomic war.

2. These criticisms misconstrue the purpose of the United States proposal of 19 March 1954. By its terms,

⁷ See communication No. 3 above.

⁸ See communication No. 9 above.

⁹ See communication No. 8 above.

this proposal was not intended as a measure for the control of atomic weapons or for solving itself the various other problems mentioned in the Soviet note. Its purpose was the more limited one of initiating international co-operation in the field of atomic energy on a basis which would avoid many of the obstacles which have heretofore blocked any agreement. In this way the proposal could contribute to improving relations among the co-operating nations and thereby to facilitating the solution of the more difficult problem of effective control of atomic energy for military purposes.

3. Accordingly, the United States cannot concur in the view of the Soviet Union that the creation of an international agency to foster the use of atomic materials for peaceful purposes would not be useful in itself. On the contrary, it believes that such an agency could have valuable results both in encouraging closer co-operation among the participating nations and in expediting more extensive use of atomic energy for purposes beneficial to mankind. The United States therefore regrets that the Soviet Union is not willing to explore this matter further at this time.

4. In view of the lack of interest now of the Soviet Union in pursuing this proposal, the United States will feel free to examine the creation of such an agency with other nations which might be interested. If the Soviet Union should later decide that it wishes to take part in any such discussions, the United States will, of course, welcome its participation.

5. The United States proposal of 19 March 1954 was, of course, not intended as a substitute for an effective system of control of atomic energy for military purposes. The United States will continue, as heretofore, to seek means of achieving such control under reliable and adequate safeguards. It is prepared to continue exchanges of views with the Soviet Union for that purpose, and will shortly submit to the Soviet Union comments on its proposal referred to in its aide-mémoire of 27 April 1954.

11. MEMORANDUM HANDED TO MR. ZARUBIN, SOVIET UNION AMBASSADOR TO WASHINGTON, BY MR. MERCHANT, ASSISTANT UNITED STATES SECRETARY OF STATE, ON 9 JULY 1954

The United States has further considered the draft declaration of 30 January 1954¹⁰ and the aide-mémoire of 27 April 1954¹¹ delivered by the Soviet Union to the United States. The United States wishes to make the following comments.

I

1. The President's speech of 8 December 1953 to the United Nations General Assembly pointed out the dangers of the atomic armaments race and stressed the desire of the United States to remove these dangers by any effective method which includes adequate safeguards against violations and evasions. The United States would welcome any system of disarmament which would serve to protect the peoples of the world from the threat of war and relieve them of the heavy burden of military defence in a manner consistent with their security.

2. The United States is also aware of the difficulties which have been experienced since 1946 in trying to negotiate a disarmament plan. From that date until the present, the United States has persistently sought, alone

¹⁰ See communication No. 3 above.

¹¹ See communication No. 9 above.

and in concert with other nations, to find ways of easing the burden of armaments and of lessening the threat of war. In the United Nations Atomic Energy Commission from 1946 through 1948, in the Commission for Conventional Armaments from 1947 through 1950, in the special meetings of the six permanent members of the United Nations Atomic Energy Commission in 1949 and 1950, and in the United Nations Disarmament Commission since 1951, the overwhelming majority of nations was able to reach agreement—the Soviet Union alone prevented progress.

3. Despite this discouraging record, the President, in his address on 8 December 1953, stated that the United States, heeding the resolution of 28 November 1953 of the General Assembly of the United Nations [*resolution 715 (VIII)*], was "prepared to meet privately with such other countries as may be 'principally involved' to seek 'an acceptable solution' to the atomic armaments race which overshadows not only the peace, but the very life, of the world" [47th plenary meeting, para. 108].

II

4. In his address, the President also stated that the United States would carry into these talks a new proposal for an international atomic energy agency to expedite the use of atomic energy to serve the peaceful pursuits of mankind. In its memorandum of 19 March 1954,¹² the United States explained in more detail its views on the method for converting this conception into a practical reality. The aide-mémoire of 27 April 1954 of the Soviet Union appears to misconstrue completely the purpose of this specific proposal.

5. This proposal was intended to make a beginning towards bringing to the peoples of the world the peaceful benefits of atomic energy. This offer by the United States to join with other nations having atomic facilities to furnish fissionable material and atomic energy technology for the common benefit would provide a new opportunity for international co-operation. Successful co-operation in the implementation of the President's proposal would surely result in an improved atmosphere which, in turn, could significantly improve the prospects for genuine, safeguarded international disarmament. The proposal itself was not put forward as a disarmament plan.

6. The Soviet aide-mémoire of 27 April 1954 states in effect that the USSR will not co-operate in steps to achieve peaceful benefits of atomic power for the world until the United States agrees to a ban on the use of atomic weapons. The primary reason given for this position is that under the President's United Nations proposal, stockpiles of weapon-grade material could continue to increase after the international agency had been established. Yet the Soviet proposal for a ban on weapons' use would not in any way prevent such increases in stockpiles. Accordingly, the United States cannot agree that the Soviet position provides a valid objection to proceeding at this time with steps for promoting the peaceful uses of atomic energy.

7. The Soviet Union also appears to assume that any form of peaceful utilization of atomic energy must necessarily increase stocks of materials available for military purposes. In reality, however, ways can be devised to safeguard against diversion of materials from power-producing reactors. And there are forms of peaceful utilization in which no question of weapon-grade material arises.

8. The United States believes that the nations most advanced in knowledge regarding the constructive uses of atomic energy have an obligation to make it available, under appropriate conditions, for promoting the welfare of peoples generally. At the present stage of nuclear technology, the United States believes that it is now possible to make a beginning in this direction. Accordingly, the United States will feel free to go ahead with its proposal with other interested nations, even though the Soviet Union does not wish to pursue it at this time. If at a later time the Soviet Union should decide to take part in any such discussions, the United States will continue to welcome such participation.

III

9. The Soviet Union refers to its proposal of 30 January 1954¹³ for an international agreement calling for unconditional renunciation of the use of atomic, hydrogen and other forms of weapons of mass destruction. The United States has thoroughly and earnestly considered this proposal in accordance with its oft-declared policy to examine with an open mind all suggested approaches to the problem of disarmament.

10. In the opinion of the United States, any effective plan for disarmament must provide satisfactory answers to two fundamental questions:

(a) First, will the plan result in an actual reduction or elimination of national armaments in a manner consistent with the security of each nation? A paper promise not to use weapons will not enable the nations safely to reduce their armaments. The very existence of any weapon poses the possibility of its use, despite promises not to do so, which can be broken without notice.

(b) Secondly, will the plan materially reduce or eliminate the danger of aggression and warfare? If any plan tended, in fact, to increase the danger of resort to war by a potential aggressor, it would not accomplish the basic purpose of disarmament.

11. The Soviet Union's proposal of 30 January 1954 fails to meet either of these basic tests, or to offer any hope for beneficial results in the disarmament field:

(a) It would leave unimpaired existing armaments and continued armament production. This is clear from the terms of the Soviet proposal itself. There would be only an exchange of promises not to make use of weapons which are still retained. There could be no certainty that these assurances would be observed. The maintenance of stocks of weapons and the continued manufacture of weapons would bear ominous witness to the danger that the assurances might be disregarded.

(b) The danger of aggression and war would not be lessened if the Soviet proposal were put in effect. Indeed, it could be increased, since the deterrent effect upon a potential aggressor of the existence of nuclear weapons would doubtless be lessened if his possible victims had undertaken an obligation not to use them. Such an aggressor might be tempted to initiate an attack in the hope that the ban would prevent or delay the use of such weapons in the defence of his victims. Yet the aggressor with nuclear weapons would be in a position to repudiate his past assurances and employ nuclear weapons whenever it suited his interests. Thus such a plan might merely serve to induce aggression and weaken its victims.

12. Not only does the Soviet proposal fail to meet the necessary tests of any effective plan to prevent atomic

¹² See communication No. 8 above.

¹³ See communication No. 3 above.

warfare, but it would in fact harm the chances of adoption of any such effective plan. For surely the Soviet proposal, if it were accepted, would tend to create the deceptive impression that the danger of atomic warfare had somehow been limited and weaken the vigilance of the people regarding a threat which had, if anything, increased. This false sense of security could discourage further efforts to achieve genuine disarmament under effective safeguards, which would actually enhance the security of all, reduce the danger of war and lighten the heavy burden of armaments.

IV

13. The United States reaffirms, as it did in the resolution adopted by the United Nations General Assembly on 17 November 1950 [*resolution 380 (V)*], that, whatever the method used, aggression itself is the gravest of all dangers. Only if there is aggression will the world be exposed to the horrors of modern war.

14. The signatories of the United Nations Charter have undertaken solemn assurances not to commit aggression. In conformity with its historic traditions, the United States will never violate that pledge. But, as indicated, the United States is convinced that the only truly effective way to ensure that aggression will not take place and that nuclear weapons will not be used in war is to adopt a safeguarded, balanced system of disarmament. Such a system could materially reduce the chance of successful aggression, and thereby minimize the risk of any aggression at all.

15. The United States continues to believe that a solution of the armaments problem is essential. Despite its inability to accept the Soviet proposal, the United States is ready at all times to discuss acceptable measures for effective disarmament under proper safeguards. It is prepared to do so either in the continuation of private exchanges or in the United Nations Disarmament Commission. In view of the urgency of disarmament, the United States will welcome such a continuation if the Soviet considers it a useful means for seeking a common approach to this problem.

16. The United States also hopes that, in the light of the foregoing, the Soviet Union will wish to comment further on the concrete proposal submitted by the United States on 19 March 1954. In any event the United States is prepared to renew with the Soviet Union at any time the talks on the President's proposal.

12. AIDE-MÉMOIRE HANDED TO MR. BOHLEN, UNITED STATES AMBASSADOR TO MOSCOW, BY MR. GROMYKO, DEPUTY SOVIET UNION MINISTER FOR FOREIGN AFFAIRS, ON 22 SEPTEMBER 1954

1. The Soviet Government has examined the United States Government's memorandum of 9 July 1954,¹⁴ which was in answer to the Soviet Union Government's aide-mémoire of 27 April 1954¹⁵ and considers it necessary to state the following.

2. In the above-mentioned aide-mémoire of 27 April 1954, the Soviet Government set forth certain observations in connexion with the United States Government's proposal concerning the establishment of an international organ for atomic energy, which was discussed in President Eisenhower's statement of 8 December 1953 [*470th plenary meeting*]. The Soviet Government drew attention to the fact that the implementation of the United States proposal, which provides that appropriate States allot

from their stockpiles a certain part of atomic materials to the disposition of the international organ to be used for peaceful purposes, cannot contribute to stopping the atomic armaments race. In this connexion the fact was pointed out that States which have the ability to produce atomic and hydrogen weapons will in no way be hampered in further increase of stockpiles of them by allotting only a small part of atomic materials to peaceful purposes while the main body of these materials will as before go for production of atomic weapons.

3. In the above-mentioned aide-mémoire of 27 April 1954, the Soviet Government also drew attention to the fact that the United States proposal avoids the question of the impermissibility of using atomic weapons which are weapons of mass destruction, and that acceptance of this proposal of the United States would bring about no change in the existing situation, whereby States disposing of atomic materials and corresponding possibilities for production of atomic weapons are producing them on an ever-increasing scale and are building up stockpiles of atomic and hydrogen bombs of ever greater destructive force.

4. Such a situation would mean that, in fact, inadmissible international approval would be given to the production of atomic weapons, a fact which not only would not facilitate the attainment of agreement regarding prohibition of atomic weapons and their removal from State armaments but, on the contrary, would create new obstacles in the path of reaching such agreement. It is not hard to understand that this would serve the purpose only of a potential aggressor; thus the United States proposal does not satisfy the basic aim—to remove the threat of atomic war.

5. In its memorandum of 9 July 1954, the Government of the United States speaks of its desire to seek, together with other countries, ways of lessening the threat of war and lightening the armaments burden. The Soviet Government is of the opinion that, if the Government of the United States as well as the Government of the Soviet Union desires to lessen the threat of war and lighten the armaments burden, the efforts of both Governments should be directed towards the attainment of an agreement regarding prohibition of atomic weapons, with the establishment of strict international supervision over this prohibition, and regarding substantial limitation on conventional armaments of States.

6. With just this end in mind, the Soviet Government has more than once advanced proposals in the United Nations providing for the conclusion of an international convention regarding unconditional prohibition of atomic weapons and other types of weapons of mass destruction and regarding substantial limitation of conventional armaments. In advancing these proposals, the Soviet Government has based itself on the fact that they answer the ever-increasing popular demands to put an end to the armaments race, including in the field of atomic weapons, and to take urgent measures to deliver humanity from the horrors of destructive atomic war. Despite the assertion contained in the United States memorandum of 9 July 1954, it is not the Soviet Union but the Government of the United States which has up to the present time prevented the conclusion of an agreement under conditions acceptable to all sovereign and equal States, both regarding prohibition of atomic weapons and also regarding substantial limitation of conventional armaments with establishment of effective supervision over fulfilment of such decisions.

7. International agreement regarding prohibition of atomic weapons with establishment of appropriate supervision over this prohibition would open wide possibilities for the use of atomic energy for peaceful purposes.

¹⁴ See communication No. 11 above.

¹⁵ See communication No. 9 above.

8. As is known, up to this time it has not been possible to reach appropriate international agreement regarding unconditional prohibition of atomic, hydrogen and other types of weapons of mass destruction, in view of the fact that the United States, from the very beginning of the arising of the atomic problem, has refused to take part together with other States in an international agreement prohibiting atomic weapons.

9. However, the circumstance that it has not been possible to reach such agreement up to the present time should not diminish the significance of efforts to reach the required agreement between interested States.

10. Such a new effort on the Soviet Government's part to find a way out of the existing situation was the Soviet Union proposal that States take upon themselves the unconditional obligation not to use atomic, hydrogen or other types of weapons of mass destruction. This proposal in the form of a draft of an appropriate declaration by States was transmitted to the United States Secretary of State, Mr. Dulles, on 30 January 1954.¹⁶

11. Renunciation by the States of the use of atomic, hydrogen and other types of weapons of mass destruction would be an important step on the path towards removal from State armaments of these types of weapons and establishment of strict international supervision guaranteeing fulfilment of an agreement regarding prohibition of use of atomic energy for military purposes. Acceptance of the above-mentioned declaration would have tremendous significance in the matter of removing the threat of war in which atomic weapons would be used, would contribute to strengthening international trust and lessening international tension, and also to improving atmosphere, to the importance of which the United States Government refers in its aide-mémoire.

12. As is apparent from the United States Government's memorandum of 9 July 1954, the Government of the United States of America has taken a negative position with regard to the above-mentioned proposal of the Soviet Union. As an objection to the Soviet proposal, the United States Government refers to the alleged fact that it cannot be sure that an agreement regarding unconditional renunciation by States of the use of atomic and hydrogen weapons will be carried out. However, if one takes this point of view, one must in such a case recognize that almost any international treaty or any agreement, and also consequently obligations undertaken in accordance with it, must be placed in doubt. It stands to reason that it is impossible to agree with this, since it contradicts established principles and standards of relations between States.

13. In reality, the international obligations of States which could arise out of a declaration regarding the renunciation of the use of weapons of mass destruction could have not less but rather far more significance than certain important international agreements concluded in the past whose positive significance is generally recognized.

14. It is known that during the First World War, when there was as yet no corresponding international agreement, there were widely used such weapons of mass destruction as suffocating and poisonous gases, and also other types of chemical weapons, which met with the decisive condemnation of peoples. Specifically in this connexion the necessity was recognized of concluding an international agreement forbidding the use of such types of weapons of mass destruction of people. As a result,

the Geneva Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare, was signed on 17 June 1925. It is known that this protocol played an important role in preventing the use of chemical and bacteriological weapons during the Second World War, as a result of which the peoples were spared the grave consequences of use of these weapons by the belligerents.

15. This fact shows that international agreements containing obligations not to use specific types of weapons in war are not only possible but necessary and are important means of struggling for the strengthening of peace. This should be all the more applicable to an agreement concerning the most destructive weapons known to mankind, atomic and hydrogen weapons.

16. Also groundless is the allegation contained in the United States Government's aide-mémoire that international agreement on the renunciation by States of the use of atomic and hydrogen weapons could increase the danger of war, as is also the assertion that the existing situation, which is characterized by an unlimited race in the field of production of atomic weapons, creates greater security than the conclusion of an agreement on renunciation by States of the use of the types of weapons mentioned. Such an assertion is in clear contradiction to the actual situation and to the facts. It was specifically with the appearance of atomic and then hydrogen weapons, and also of rocket and other new types of weapons of mass destruction of ever-growing destructive force, that the armaments race, including the race in production of atomic and hydrogen weapons, especially gained intensity and at the same time the threat increased of atomic war, with all the grave consequences ensuing therefrom for all peoples.

17. On the other hand, the renunciation by States of the use of atomic and hydrogen weapons would change the international situation, would assist in further reduction of tension in international relations and would lighten the burden of the armaments race and excessive expenditures on the maintenance in many States of swollen armed forces. This, in its turn, would create conditions for the transition to the next step, to complete the prohibition of atomic and hydrogen weapons and their removal from the armaments of States.

18. In the Soviet Government's aide-mémoire of 27 April 1954, attention was drawn to the fact that it is possible to carry out the process, on an industrial scale, of generating electrical energy through utilization of atomic materials whereby the quantity of fissionable materials used does not decrease but rather, on the contrary, increases. At the same time, non-dangerous materials are turned into dangerous and explosive materials capable of serving as the basis for production of atomic and hydrogen weapons. This means that the peaceful use of atomic energy is tied to the possibility of simultaneously producing explosive atomic materials for manufacture of atomic weapons, which inevitably leads to an increase in the scale of production of atomic weapons and an increase in the stocks of these.

19. In the United States Government's memorandum it is stated that forms of peaceful utilization of atomic energy are possible in which ways can be found to guarantee against seepage of materials from factories producing energy and that, according to the opinion of the United States Government, there are forms of peaceful utilization in which the question of materials going into production of atomic weapons does not arise. The Soviet Government is ready to examine in course of further negotiations the United States Government's views on this question.

¹⁶ See communication No. 3.

20. The proposal of the United States Government and the proposal of the Soviet Government as well as the views expressed by both Governments in the course of negotiations show that it has not yet been possible to harmonize the positions of the parties on a number of substantive questions. In the course of negotiations the Soviet Government insisted, and continues to insist, on the necessity for international agreements which would ensure that atomic energy would not be permitted to be used for military purposes and would make its use possible only for peaceful purposes, for the good of mankind. The United States Government also states that it desires to co-operate in the peaceful utilization of atomic energy.

21. Inasmuch as the reconciling of the positions of the United States and the Soviet Union on this question has an important significance for the achievement of international agreement regarding the use of atomic energy for peaceful purposes, the Soviet Government deems it desirable for both Governments to continue efforts to bring the positions of the parties closer together. One must not consider that the possibilities of making the positions of the parties agree have been exhausted, especially if one takes into account the fact that a number of concrete questions which arise, both in connexion with the proposal of the Soviet Union and in connexion with the proposal of the United States, have not yet been subjected to proper examination. Moreover, thorough examination of these questions could assist in further clarification of the possibilities of reaching an appropriate agreement.

22. In this connexion, the Soviet Government would consider it expedient to draw the attention of the United States Government to certain important principles which one must not overlook in considering the question of international co-operation in the field of peaceful uses of atomic energy. The Soviet Government proceeds from the principle that an important prerequisite to international agreement in this field is recognition that any such agreement should not place any one State or group of States in a privileged position whereby this State or group of States could enforce its will on other States. This is particularly worthy of emphasis in connexion with the United States Government's proposal having to do with the structure and governing bodies of the international agency.

23. Any international organ created on the basis of an appropriate agreement between States can only successfully carry out its functions if its competence, sufficiently wide to permit it effectively to fulfil the tasks entrusted to it, is not at the same time utilized to the detriment of the security of some of the other States. It can answer its purpose only if its competence and tasks, as well as its practical activity, are in conformity with generally recognized principles of the Charter of the United Nations.

24. The Soviet Government shares the opinion of the United States Government regarding the thesis that the appropriate international organ would report concerning its activity to the Security Council and the General Assembly. It goes without saying that when, in this connexion, questions arise having to do with the security of some of the other States, necessary decisions must be taken specifically by the Security Council in accordance with its powers as the organ on which is placed principal responsibility for the maintenance of peace and international security. This was recognized as early as January 1946 when the first decision of the United Nations concerning atomic problems was taken [*General Assembly resolution 1 (I)*].

25. The Soviet Government, taking into consideration the declaration of the Government of the United States of America concerning its willingness at any time to renew the negotiations connected with the peaceful uses of atomic energy, for its part declares its willingness to continue these negotiations for the examination of the proposals of the Soviet Government as well as the proposals of the Government of the United States of America.

26. In conclusion, the Soviet Government would like to know the opinion of the United States Government as to whether it is not desirable that all documents which have been mutually exchanged between the Governments of the Union of Soviet Socialist Republics and the United States of America during the course of the conversations which have taken place on the atomic problem should be published in the Press of the Soviet Union as well as the Press of the United States of America respectively in order that public opinion might be informed concerning the contents of these negotiations. In this connexion, the Soviet Government takes into consideration the fact that, in the course of the conversations which have taken place between the Soviet Union and the United States of America, communications have appeared in the Press which have imprecisely elucidated certain questions concerning the position of the parties.

13. LETTER DATED 23 SEPTEMBER 1954 FROM MR. BOHLEN, UNITED STATES AMBASSADOR TO MOSCOW, TO MR. GROMYKO, DEPUTY SOVIET UNION MINISTER FOR FOREIGN AFFAIRS

I have the honour to refer to the aide-mémoire which you handed to me on 22 September¹⁷ and to inform you that the United States Government is willing to publish all documents exchanged between the Governments of the Union of Soviet Socialist Republics and the United States of America regarding the proposal advanced by the President of the United States of America on 8 December 1953 [*470th plenary meeting*], with respect to the international use of atomic energy for peaceful purposes.

(Signed) Charles E. BOHLEN

14. EXCERPT FROM THE STATEMENT MADE AT THE 475TH MEETING OF THE UNITED NATIONS GENERAL ASSEMBLY, ON 23 SEPTEMBER 1954, BY MR. DULLES, UNITED STATES SECRETARY OF STATE

The past year has been marked by intensive efforts in the field of atomic energy. The United States has sought to share its commanding position in this field in ways which would permit many to join in a great new adventure in human welfare. We hoped to turn atomic energy from an instrument of death into a source of the enrichment of life.

I vividly recall that day—8 December 1953 [*470th meeting*—when we here heard President Eisenhower propose that the nations possessing atomic material should co-operate under the auspices of the United Nations to create a world atomic bank into which they would each contribute fissionable material that would then be used for the purposes of productivity rather than of destruction. I shared the drama of that moment and sensed the universal applause which then greeted that proposal—applause which echoed round the world.

Because it oftentimes seems that negotiations publicly conducted with the Soviet Union tend to become mere propaganda contests, President Eisenhower proposed that

¹⁷ See communication No. 12 above.

these new negotiations should be privately conducted. So the United States, after consultation with others, prepared and submitted a concrete, detailed proposal to carry out President Eisenhower's great conception. I myself met several times with the Soviet Foreign Minister at Berlin and at Geneva to discuss this matter. We are quite willing that all documents exchanged between the United States and the Soviet Union during these negotiations should be published.

We hoped and believed that if the Soviet Union would join with the United States, the United Kingdom and other nations possessing fissionable material and atomic "know-how", this act of co-operation might set a pattern which would extend itself elsewhere.

The plan we submitted could not have hurt anyone. It was motivated by the hope of lifting the darkest cloud that hangs over mankind. Its initial dimensions were not sufficient to impair the military capacity of the Soviet Union, and there was no apparent reason for its rejection. Above all, it was a practicable, easily workable plan, not dependent upon elaborate surveillance.

Nevertheless, the proposal was in effect rejected by the Soviet Union last April. Its rejection was not because of any alleged defects in the plan itself. Any such defects would certainly have been subjected to negotiation. The Soviet position was, in effect, to say, "We will not co-operate to develop peacetime uses of atomic energy unless it is first of all agreed to renounce all those uses which provide the free nations with their strongest defence against aggression".

To date, the Soviet Union Government has shown no willingness to participate in the implementation of President Eisenhower's plan except on this completely unacceptable condition. Yesterday, when it was known that I would speak on this topic day, the Soviet Union broke a five months' silence by delivering a note in Moscow affirming its readiness to talk further. But the note still gave no indication that the Soviet Union had receded from its negative position.

The United States, of course, remains ready to negotiate with the Soviet Union, but we are not ready to suspend any longer our efforts to establish an international atomic agency.

The United States is determined that President Eisenhower's proposal shall not languish until it dies. We are determined that it shall be nurtured and

developed, and we shall press on in close partnership with those nations which, inspired by the ideals of the United Nations, can make this great new force a tool of humanitarianism and of statesmanship, and not merely a fearsome addition to the arsenal of war.

The United States here proposes an agenda item which will enable us to report further on our efforts to explore and to develop the vast possibilities for the peaceful uses of atomic energy. These efforts have been and will be directed primarily towards the following ends:

(a) The creation of an international agency, whose initial membership will include nations from all regions of the world—and it is hoped that such an agency will start its work as early as next year;

(b) The calling of an international scientific conference to consider this whole vast subject, to meet in the spring of 1955 under the auspices of the United Nations;

(c) The opening early next year, in the United States, of a reactor training school where students from abroad may learn the working principles of atomic energy with specific regard to its peacetime uses;

(d) The invitation to a substantial number of medical and surgical experts from abroad to participate in the work of our cancer hospitals—in which atomic energy techniques are among the most hopeful approaches to controlling this menace to mankind.

I want to make it perfectly clear that our planning excludes no nation from participation in this great venture. As our proposals take shape, all nations interested in participating and willing to take on the responsibilities of membership will be welcome to join with us in the planning and the execution of this programme.

Even though much is denied us by Soviet negation, nevertheless much remains that can be done. There is denied the immense relaxation of tension which might have occurred had the Soviet Union been willing to begin to co-operate with other nations in relation to what offers so much to fear, so much to hope. Nevertheless, there is much to be accomplished in the way of economic and humanitarian gains. There is no miracle to be wrought overnight. But a programme can be made and vitalized to assure that atomic energy can bring to millions a better way of life. To achieve that result is our firm resolve.¹⁸

DOCUMENT A/C.1/758

Summary of internal Secretariat studies of constitutional questions relating to agencies within the framework of the United Nations

[Original text: English]
[15 November 1954]

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¹⁸ See *Official Records of the General Assembly, Ninth Session, Plenary Meetings, 475th meeting, paras. 97 to 108.*

Note. This summary is by no means exhaustive; only such information and analysis are provided as seem to have most direct bearing on the subject. Main emphasis has been placed on constitutional relationships, with only incidental attention to actual practices.

I. FORM AND STRUCTURE OF AGENCIES

1. Existing agencies within the framework of the United Nations may be classified as:

- Subsidiary organs of the United Nations;
- Specialized agencies;
- Special bodies.

2. *Subsidiary organs.* A subsidiary organ is one which is established by or under the authority of a principal organ of the United Nations, in accordance with Article 7, paragraph 2, of the Charter, by resolution of the appropriate body. Such an organ is an integral part of the Organization.

3. Through numerous committees and commissions, administrative organs, judicial bodies and operational agencies, the United Nations has had extensive experience with subsidiary organs. They vary greatly as regards origin, composition, structure, function and duration of existence. In the context of this paper, the operational agencies may merit special note. Most subsidiary organs have in common their establishment by parent bodies which presumably may change their terms of reference and composition, issue policy directives to them, receive their reports and accept or reject their recommendations. Generally speaking, a subsidiary organ may be abolished or modified by action of the parent body. Conceivably, a subsidiary organ could have a structure which would permit it a considerable measure of operational autonomy and would afford, if necessary, a special position for some participating States in recognition of special responsibilities.

4. *Specialized agencies.* A specialized agency is an agency established by inter-governmental agreement, having wide international responsibilities in economic, social, cultural, educational, health and related fields, and brought into relationship with the United Nations in accordance with Articles 57 and 63 of the Charter by means of an agreement negotiated with the United Nations. Since specialized agencies are established by treaty, unlike subsidiary organs, changes in their basic organization and terms of reference would have to be made in the same way. In the basic structure of specialized agencies, provision is made for a general conference of all members, for a governing body of limited membership—in some cases with qualified voting procedure on certain questions—and for an executive head and international secretariat.

5. United Nations organs, particularly the Economic and Social Council and the General Assembly, have, under the Charter, specific functions with respect to specialized agencies. The more important of these functions may usefully be indicated, although it is to be noted that in actual practice the extent of their implementation has varied, and that in important respects the original intent has not been fully realized. In the next two paragraphs the provisions are set out, without regard to practice.

6. The Economic and Social Council may enter into agreements with the specialized agencies (subject to approval by the General Assembly), defining the terms on which the agencies shall be brought into relationship with the United Nations (Article 63 of the Charter). It may co-ordinate the activities of the specialized agencies

through consultation with them, and through recommendations to the agencies, to the General Assembly and to Members of the United Nations (Article 63). It may take appropriate steps to obtain regular reports from the specialized agencies and may make arrangements with them to obtain reports on steps taken to give effect to its own recommendations and to recommendations made by the General Assembly (Article 64). It may make arrangements for representatives of the specialized agencies and of the Economic and Social Council to participate without vote in each other's deliberations (Article 70).

7. As regards the functions of the General Assembly with respect to the specialized agencies, Article 17, paragraph 3, of the Charter provides that it shall consider and approve financial and budgetary arrangements with specialized agencies and shall examine the administrative budgets of such agencies with a view to making recommendations to the agencies concerned. Article 58 provides that the United Nations shall make recommendations for the co-ordination of the policies and activities of the specialized agencies—a responsibility vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council (Article 60). The Trusteeship Council, under the Charter (Article 91), and the Security Council, under most of the agreements, may avail themselves of the assistance of the specialized agencies.

8. With a view to promoting and facilitating co-ordination among the United Nations and the specialized agencies, the Administrative Committee on Co-ordination—consisting of the Secretary-General, as chairman, and the executive heads of the specialized agencies—was set up pursuant to a resolution adopted by the Economic and Social Council on 21 September 1946 (resolution 13 (III)). Through this committee, continuous and informal consultations on programmes and administrative questions are maintained on the executive level under broad directives from both the General Assembly and the Economic and Social Council.

9. *Special bodies.* There are examples of existing international bodies which are neither subsidiary organs nor specialized agencies, namely, the Permanent Central Opium Board (PCOB), established under the International Opium Convention of 19 February 1925, and the Narcotic Drugs Supervisory Body, established under the Convention on narcotic drugs of 13 July 1931. These may be described as special bodies within the framework of the United Nations. On the one hand, like the specialized agencies, they have been established by treaty and, on the other, while enjoying wide operational autonomy, they have a position within the United Nations similar in some respects to that of subsidiary organs.

10. A new special body, established by treaty, could be related to the United Nations in virtually any degree deemed desirable. Thus it is possible to envisage a new agency which would be set up by treaty but which at the same time would be integrated into the United Nations through acceptance by the United Nations, either by resolution or by agreement, of functions assigned to it in the treaty.

11. The treaty might provide, for instance, that the General Assembly, in addition to co-ordinating the work of the agency with the work of other United Nations organs, be empowered to perform some or all of the functions normally performed by a general conference of members, such as general policy direction. At the same time, the operational autonomy essential to such an agency could be provided and guaranteed in the treaty by which it was established. An agency established in

this form would have the stability in basic organization and terms of reference of a body based on a treaty, while maintaining a relationship with the United Nations roughly analogous to that of a subsidiary organ.

12. A looser relationship than the above may also be envisaged, for example, one which would be somewhat analogous to that of a specialized agency, but under which functions with respect to specialized agencies normally exercised by the Economic and Social Council under the authority of the General Assembly would be performed by the General Assembly itself. Although there is no existing precedent, it is conceivable that such a relationship between the United Nations and a new agency established by treaty could be defined by an agreement outside the scope of Articles 57 and 63 of the Charter. An arrangement of this nature affords the possibility of somewhat greater flexibility in the relationship with the United Nations than in the case of a specialized agency, while ensuring general policy direction and over-all co-ordination by the General Assembly.

II. RELATIONSHIP OF THE SPECIALIZED AGENCIES TO THE UNITED NATIONS

13. If a new agency were established as a subsidiary organ, its relationship to other United Nations organs would be defined in the resolution creating it. On the other hand, were it to be established by treaty, it is presumed that the treaty would define in general terms the relationship between the agency and the United Nations. The treaty would probably also authorize the conclusion of a special agreement with the United Nations which would set forth the details of that relationship. Should the agency take the form of a specialized agency, such a special agreement would be necessary. Should it be a "special body", the details of its relationship to the United Nations could be defined in the treaty establishing it and approved by resolution of the United Nations organs concerned or by formal agreement.

14. With regard to the possible relationship between the United Nations and a new agency, whatever its form, it is useful to note the basic principles which are incorporated in the agreements concluded between the United Nations and the specialized agencies. In considering the possible application of such provisions to any new agency, however, it might be helpful to consider carefully the extent to which they have been applied in practice, how they might usefully be developed and the possible desirability of modifying them in certain respects, in the interest of more effective operation and co-ordination.

15. *Recognition of status.* Under the agreements with the specialized agencies, the United Nations recognizes the agency concerned as a specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein. The agreements with the International Bank for Reconstruction and Development and the International Monetary Fund depart from this basic pattern by recognizing that the Bank and the Fund are, and are required to function as, independent international organizations.

16. *Reciprocal representation.* According to the basic pattern followed in the specialized agency agreements with the United Nations, representatives of the Organization are entitled to participate without vote in any meetings of the specialized agencies. Representatives of the specialized agencies are entitled to be invited to meetings of the Economic and Social Council and its com-

missions and committees, to meetings of the General Assembly and its Main Committees, and to meetings of the Trusteeship Council; to submit written statements to those bodies; and to participate without vote in their deliberations on matters within the scope of the agencies' activities.

17. In the agreements with the Bank and the Fund, the United Nations representation is limited to attendance and participation without vote in meetings of the Board of Governors (plenary organ) and in meetings specially called to consider the United Nations point of view in matters of concern to the United Nations.

18. *Reciprocal right to propose agenda items.* A standard clause in specialized agency agreements provides that, subject to preliminary consultation, the agency shall include in the agenda of its plenary and executive organs items proposed to it by the United Nations, and that the Economic and Social Council and its commissions and the Trusteeship Council shall include in their agenda items proposed by the plenary or executive organ of the agency. The agreements with the Bank and the Fund merely provide that the agency and the United Nations organs concerned will "give due consideration to the inclusion in their agenda of items proposed" by the other.

19. *Recommendations of the United Nations.* In general, specialized agency agreements include an undertaking by the agency to submit to its appropriate organs all formal United Nations recommendations, to consult thereon with the United Nations, and to report to the United Nations on action taken on its recommendations.

20. In the case of the Bank and the Fund, however, it is provided that the United Nations and the agency will not present formal recommendations to each other without reasonable prior consultation, and formal recommendations made after such consultation will be considered as soon as possible.¹⁹

21. *Exchange of information and documents and submission of reports.* Specialized agency agreements generally provide that, subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents should be made between the United Nations and an agency. They also provide for regular and special reports by the agency. The Bank and the Fund are not required to furnish information if such action would, in their judgment, constitute a violation of confidence or interference with the orderly conduct of their operations.

22. *Assistance to the United Nations.* In general, specialized agency agreements provide that the agency shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, and shall participate in and co-operate with any body or bodies which the Economic and Social Council may

¹⁹ The agreement with the Bank also includes the following provision:

"The United Nations recognizes that the action to be taken by the Bank on any loan is a matter to be determined by the independent exercise of the Bank's own judgment in accordance with the Bank's articles of agreement. The United Nations recognizes, therefore, that it would be sound policy to refrain from making recommendations to the Bank with respect to particular loans or with respect to terms or conditions of financing by the Bank. The Bank recognizes that the United Nations and its organs may appropriately make recommendations with respect to the technical aspects of reconstruction or development plans, programmes or projects" (article IV, paragraph 3).

establish for the purpose of facilitating co-ordination. They further provide for assistance by the agency on request to the Security Council and the Trusteeship Council and for the co-operation of the agency in giving effect to Chapter XI of the Charter.

23. The agreements with the International Telecommunication Union (ITU), Universal Postal Union (UPU) and World Meteorological Organization (WMO) contain only a general undertaking of the agency to co-operate with and render assistance to the United Nations, so far as consistent with the agency's basic instrument and the position of the agency's members which are not Members of the United Nations. There is no undertaking on the part of the Bank or the Fund to furnish assistance to the Security Council, but only "have due regard for decisions of the Security Council under Articles 41 and 42 of the United Nations Charter".

24. In 1951, at the request of the Economic and Social Council (resolution 363 (XII)), the International Labour Organisation (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO), Food and Agricultural Organization of the United Nations (FAO), World Health Organization (WHO) and International Civil Aviation Organization (ICAO) undertook to furnish assistance if requested by the General Assembly under resolution 377 (V), entitled "Uniting for peace".

25. *Personnel, statistical, administrative and technical services.* Specialized agency agreements generally recognize the desirability of developing a single unified international civil service, and to that end provide for developing common personnel standards, avoiding discrepancies in employment conditions and facilitating interchange of personnel; for co-ordinating statistical services; and for establishing common administrative and technical service facilities. Separate articles in most of the agreements provide in detail for co-operation on each of these subjects.

26. The agreements with ITU, UPU and WMO provide for the development of common personnel standards but make no reference to the aim of developing a single unified international civil service. The agreements with the Bank and the Fund, while containing no provision for interchange of personnel or for the development of common administrative services, provide for consultation with the United Nations on personnel and administrative matters of mutual interest. Statistical information is to be exchanged only if it is non-confidential.

27. *Budgetary and financial arrangements.* The agreements generally provide that the agency is to consult the United Nations in the preparation of its budget, to transmit budget proposals to the United Nations General Assembly for examination, and to conform to standard practices and forms recommended by the United Nations. A number of the specialized agency agreements also provide that the United Nations and the agency shall consult together concerning either arrangements for including the budget of the agency within the general budget of the United Nations, or the desirability of making such arrangements. In fact, the budget of no specialized agency has been included in the general budget of the United Nations, and certain other budgetary provisions in the agreements have not been fully implemented.

28. The agreements with ITU and UPU provide that the annual budget of the agency is to be transmitted to the General Assembly, but there is no provision for consultations in its preparation and no undertaking to conform to standard practices recommended by the United Nations. The relevant provisions in the agree-

ments with the Bank and the Fund impose still less extensive obligations, containing no provision for transmittal of budgets, consultation thereon, or conformity with standard practices recommended by the United Nations.

29. *Other provisions.* The agreements with the specialized agencies also contain provisions concerning relations with the International Court of Justice, liaison arrangements, inter-agency agreements, financing of special services, use of the United Nations *laissez-passer*, supplementary agreements and revision of the agreement. The agreements with UNESCO and ICAO also contain provisions whereby the Economic and Social Council or the General Assembly may recommend the rejection of applications for membership by non-Members of the United Nations. Agreements with UNESCO, WHO and the International Refugee Organization (IRO) contain provisions for co-ordination of activities and development of joint services with respect to public information. Some agreements also provide for consultations on the location of the permanent headquarters of the agency (ILO, WHO, ICAO, FAO) and for association of regional offices with those of the United Nations (ILO, WHO, ICAO, FAO, UNESCO and IRO).

30. The agreements referred to above, in the nature of the case, relate mainly to procedure and legal forms rather than to the realities of co-operation and co-ordination to which those who framed the Charter attached special importance. While a reasonable degree of co-ordination between the United Nations and the specialized agencies has been achieved, and there has been much willing co-operation, it must be borne in mind that the specialized agencies do not merely enjoy autonomy within their respective technical fields of competence (as do certain subsidiary and special bodies referred to earlier in this summary), but they are in all essential respects fully independent organizations, controlling their own policies and programmes.

III. ESTABLISHING AGENCIES BY TREATY AND BRINGING THEM INTO RELATIONSHIP WITH THE UNITED NATIONS

31. In the light of existing practices, there are various methods which might be followed in negotiating and drafting a treaty establishing an international agency, whether that agency were to take the form of a specialized agency, or a special body. The following basic methods will be considered:

(a) Drafting or approval of treaty by the General Assembly;

(b) Drafting of treaty by inter-governmental conference called by the General Assembly (or by the Economic and Social Council); and

(c) Drafting of treaty by inter-governmental conference called by the sponsoring States without prior action by the United Nations.

32. Under method (a), the constituent instrument of a new agency is drafted or approved by the General Assembly and comes into force when a given number of States become parties to it. That instrument,²⁰ in addition to establishing the membership, structure and terms of reference of the agency, might also determine

²⁰ Various types of constituent instruments may be envisaged, such as a constitution (e.g., FAO, ILO); a convention (e.g., ICAO); an agreement (e.g., United Nations Relief and Rehabilitation Administration); a statute (e.g., Council of Europe); articles of agreement (e.g., Bank and Fund); a charter (e.g., Organization of American States). In all cases, however, the constituent instrument would have the force of a treaty for the States becoming parties to it.

the agency's relationship to the United Nations.²¹ The agency might be a specialized agency or might have a different type of relationship to the Organization. As a preliminary step, the General Assembly might set up a special committee of members for the purpose of preparing a draft of the agency's constituent instrument. This method was employed in the establishment of the International Refugee Organization.

33. Under method (b), the constituent instrument of a new agency is adopted in an inter-governmental conference convened by the General Assembly or the Economic and Social Council which may make recommendations regarding the structure and terms of reference of the agency and its relationship to the United Nations. The convening of the conference might be preceded by the establishment by the General Assembly or the Council of a committee of States for the purposes of preparing a draft of the constituent instrument. In any event, however, the conference would be free to adopt a constituent instrument of its own choosing.²²

34. Under method (c), the constituent instrument establishing an agency would be adopted in an inter-governmental conference convened by a State or a group of States. The United Nations would have no part in the convening of the conference. The conference would adopt the constituent instrument, and the relationship of the agency with the United Nations would be determined by negotiation between the United Nations and the agency.²³

Procedure for bringing an agency into relationship with the United Nations

35. The Charter in Article 63²⁴ lays down in general terms the procedure by which an agency is brought into relationship with the United Nations as a specialized agency. The agreement might be negotiated for the agency either before it comes into existence by some preparatory body for the agency—as in the case of WHO, ITU, IRO and IMCO (Inter-governmental Maritime Consultative Organization)—or after it comes into existence by an organ of the agency itself. On behalf of the United Nations, the negotiations might be conducted (as in the case of all the existing United Nations specialized agency agreements) by the Economic and Social Council's Committee on Negotiations with inter-governmental agencies, or by the Economic and Social Council itself, or by some special body designated by the General Assembly or the Council for the purpose.

36. If a special body were to be created by treaty, either of two types of procedure could be followed in

order to bring it within the United Nations framework. If the special body were analogous to a subsidiary organ, a procedure similar to that adopted in the case of the Permanent Central Opium Board and the Drug Supervisory Body might be found appropriate. Under this procedure, the rights, obligations and functions of the new body within the United Nations framework would be specified in its constituent instrument and accepted by the United Nations (presumably by the General Assembly). There would be no need of formal agreement between the two organizations, although arrangements would have to be made to implement the general provisions of the treaty.

37. If, on the other hand, the special body were more analogous to a specialized agency, the procedure to be followed for bringing it into relationship with the United Nations would be essentially the same as for a specialized agency, except that organs other than the Economic and Social Council might negotiate and enter into the agreement on behalf of the United Nations.

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From the foregoing, it is apparent that various forms of organization, degrees and types of relationship with the United Nations, and methods of establishing such a relationship, may be envisaged in the creation of any new international agency. In making a choice, certain interrelated objectives should be taken fully into account, namely, that the agency, while enjoying fullest autonomy in its operations if that is deemed essential, should have a sufficiently close relationship to the United Nations to ensure effective co-ordination of its programmes and activities with those of other bodies in the United Nations framework.

Furthermore, theoretical possibilities will need to be carefully examined and weighed in the light of experience, especially since experience with existing forms has indicated that actual practice may sometimes deviate widely from original intent.

There may be good reasons why the pattern provided by the specialized agencies²⁵ will not adequately serve the desired objectives. Moreover, it may appear that neither the form of a subsidiary organ,²⁶ nor that of any special body²⁷ so far devised, would be appropriate. It may, therefore, be found advisable, if not necessary, to chart a new course—to depart from precedent in an effort to find the form and relationship best adapted to new and unprecedented circumstances.

²¹ Cf. article X of the Constitution of UNESCO, which reads as follows:

"This Organization shall be brought into relation with the United Nations Organization, as soon as practicable, as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. This relationship shall be effected through an agreement with the United Nations Organization under Article 63 of the Charter, which agreement shall be subject to the approval of the General Conference of this Organization. The agreement shall provide for effective co-operation between the two Organizations in the pursuit of their common purposes, and at the same time shall recognize the autonomy of this Organization, within the fields of its competence as defined in this Constitution. Such agreement may, among other matters, provide for the approval and financing of the budget of the Organization by the General Assembly of the United Nations."

²² For example, the Constitution of the World Health Organization was adopted by the International Health Con-

ference convened by resolution 1(I) of the Economic and Social Council of 15 February 1946.

²³ For example, the Constitution of UNESCO was adopted by a conference held in November 1945 at the invitation of the Government of the United Kingdom. UNESCO was formally brought into relationship with the United Nations on 14 December 1946, the date of the entry into force of the agreement between the two organizations.

²⁴ Article 63 reads as follows:

"1. The Economic and Social Council may enter into agreements with any of the agencies referred to in article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

"..."

²⁵ See paras. 4 to 8 and 13 to 30 above.

²⁶ See paras. 2 and 3 above.

²⁷ See paras. 9 to 12 above.

Annex

NOTE ON ARRANGEMENTS FOR SCIENTIFIC CONFERENCE

Note. Prior to the debate in the First Committee on this item, the Secretariat had studied various aspects of the question of an international scientific conference, with particular reference to the arrangements and responsibilities with which the Secretariat might be involved in the holding of such a conference. The results of that study generally coincided with the views on the conference which have been expressed thus far in the debate. Although this annex, which is a summary of that study, adds nothing substantial to the views set forth in the Committee, it is included in the hope that it may be useful for purposes of reference.

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I. GENERAL OBJECTIVES AND SCOPE OF THE CONFERENCE

The following may be regarded as possible general objectives of an international conference on peaceful uses of atomic energy:

(a) To explore the possibilities for the development of the peaceful uses of atomic energy and to consider the problems involved in such development;

(b) To ascertain the extent to which needs might be met through the application of atomic energy;

(c) To determine the conditions necessary for a satisfactory development and application of atomic energy in countries and areas;

(d) To consider the main problems in the development of international collaboration in the field of atomic energy.

Some comments elaborating on these objectives and indicating the scope of the discussion that would contribute to their achievement may be found helpful.

A. Any scientific conference necessarily has as a primary objective the exchange of information on recent developments and discernible problems. In the present case, this objective calls for the exploration of the possibilities for the development of the peaceful uses of atomic energy and the consideration of the problems involved in such development. Contributions from a wide variety of scientific, engineering and other experts would seem to be basic to the entire conference. For, in the absence of adequate technical data, there can be little in the way of fruitful discussion leading towards the other objectives. However, the selection of the technical subjects to be discussed and the particular papers to be presented, as well as the selection of contributors, will be affected by the other objectives.

In the development of atomic energy, various kinds of problems arise, including technical, legal and economic problems.

Among the technical problems are those relating to the following:

1. Types of reactors, their operation, the hazards of their use, their relative advantages and disadvantages, and generally the available practical experience concerning them;

2. The preparation and use of each kind of fuel, including the problem raised by the reprocessing of used fuel, together with relevant cost considerations and other advantages and disadvantages of different kinds of fuel;

3. The disposal of radio-active waste, which represents a contamination problem even in today's limited utilization of nuclear fuels;

4. The production and costs of isotopes for industrial, agricultural, medical and research purposes;

5. Construction materials for refining plants and reactors, especially in relation to the effects of radiation and the corrosion caused by high temperatures; and

6. The protection of technicians and workers dealing with atomic material, including the social as well as the economic implications.

The legal problems that might be discussed include those relating to patents on both national and international levels and to the ownership, loan or purchase of nuclear materials.

In general, the technical problems and the legal problems have important economic aspects. Among the economic problems are the factors determining the costs of atomic energy and the outlook for reduced costs in the future.

B. The second objective, that of ascertaining the extent to which needs might be met through the application of atomic energy, is one which appears to be of particular interest to those geographical areas which hitherto have enjoyed little development in the field of atomic energy. While it seems unlikely that at a short conference all areas of the world could be satisfactorily surveyed with respect to their economic and other needs and the possibilities of meeting them through atomic energy, the extent to which typical needs could be satisfied is a matter which might appropriately be discussed. In examining how needs could be met through atomic energy, it would be helpful to consider the various ways in which atomic energy can be expected to be useful either immediately or in the foreseeable future, including the production of electrical and mechanical power in fixed or movable generating stations and in ships, railways, and aircraft; the application of isotopes in industry, agriculture and medicine; the use of radiation for testing industrial materials, preserving food, and diagnosing and treating diseases; and the applications to research and teaching of atomic energy in its various aspects. Another type of question that might be considered would concern the availability of raw materials, technicians and equipment.

C. The third objective, that of determining the conditions necessary for a satisfactory development and application of atomic energy, is intended to elicit a realistic appraisal of the possibilities of atomic energy in terms of both time and forms of application and the limitations imposed by varying conditions of geography, national economy and technical skills. Some countries have set up commissions with long-range plans in preparation for the time when atomic technology reaches an advanced stage. They are concerned largely with the training of atomic scientists and engineers, with organizing laboratories and procuring equipment, and with arousing the interest of industrialists, educators, legislators and officials. Evidently, any application of atomic energy, even with extensive assistance either from an international agency or on a bilateral basis, will require the organization of national or regional programmes. Such programmes will vary according to the available resources in trained manpower, uranium and thorium and other necessary materials, industrial plant, commercial strength, etc.

D. The fourth objective, that of considering the main problems in the development of international collaboration in the field of atomic energy, could perhaps best be promoted by discussion directed towards such practical matters as means of providing scientific and technical training, technical areas where co-operative research and development projects might be appropriate, procedures for the exchange of experts and information, ways of making patents generally available, international standards for safety measures, forms of co-operation in materials processing, arrangements for procurement of materials, advantages of joint reactor development programmes, the basis for national specialization in a broad international programme, possibilities of international financial co-operation, etc.

II. PREPARATORY COMMITTEE

Some form of preparatory committee would clearly be necessary to assist the Secretary-General in the organization of a conference of such importance and complexity.

From the viewpoint of efficient operation, the size of the preparatory committee would preferably be not more than nine members, several of whom should have technical qualifications in the field of atomic energy. It would be well if senior scientific officials of certain national agencies could be included. It would no doubt be desired that

appropriate specialized agencies afford assistance to the Secretary-General and the committee. Those most concerned would appear to be UNESCO, WHO, FAO, ILO and the Bank. Because of its special interest in scientific matters, UNESCO may have a particular contribution to make in connexion with the preparations for the conference.

The essential functions of a preparatory committee would be to assist the Secretary-General on such matters as the following:

- (a) Determining the time and place of the conference;
- (b) Drawing up the detailed programme;
- (c) Selecting the contributors of basic papers and making appropriate assignments;
- (d) Issuing invitations to experts and non-governmental organizations;
- (e) Selecting suitable chairman, panel members and rapporteurs; and
- (f) Drafting rules of procedure.

The preparatory committee should begin its work as soon as possible. Since there probably would be various adjustments to make in the details of the programme, the committee should continue to function until the opening of the conference. Continuity could be promoted if some members of the preparatory committee were to become officials of the conference.

III. PARTICIPANTS

The participants, whose status in the conference would vary, might include the following:

(a) Representatives of Member States of the United Nations or of a specialized agency, chosen to the extent possible for their special competence in scientific, technical, economic and other relevant fields;

(b) A limited number of experts in the relevant fields, either designated by their Governments or chosen by the Secretary-General and the preparatory committee after consultation with appropriate international organizations and with the Governments concerned; and

(c) Representatives of interested specialized agencies.

Provision might also be made for attendance as observers of representatives of non-governmental organizations having consultative status with the Economic and Social Council and of representatives of appropriate scientific inter-governmental organizations, of international non-governmental organizations, and possibly of other organizations.

Some limitation on the size of delegations might have to be considered if the conference is not to become unwieldy.

IV. DATE, DURATION, PLACE

(a) Presumably the conference should take place in time for its proceedings to be transmitted to the tenth session of the General Assembly. However, it is estimated that a minimum preparatory period of about six months would be required after the programme of the conference had been outlined to permit the preparation and circulation of papers. As some of the participants might come from universities, it would be desirable to set the date prior to the autumn opening of the academic year. Moreover, the servicing of such a conference could more conveniently be undertaken at a time when neither the General Assembly nor the Economic and Social Council was in session. The period between early August and early September would therefore seem to be a likely time for the conference.

(b) The desirable duration of the conference would seem to be not more than two weeks.

(c) Facilities for the holding of such a conference are readily available at Headquarters and at Geneva. The following cities have also been mentioned as possible locations for the conference: Amsterdam, Brussels, Cambridge (England), Copenhagen, Paris, Rome and Stockholm.

V. ORGANIZATION OF THE WORK OF THE CONFERENCE

Experience has shown that scientific conferences gain much if the basic papers are received by the participants well in advance. This affords opportunity for adequate study and consideration of the ideas put forward; it makes it possible to limit presentations at the working meetings to oral summaries of the papers, thereby allowing greater time for

discussion; and it facilitates the effective use of contributions from experts whose views are held to be important but who may be unable to attend the conference.

Despite the desirability of advance circulation of the papers to participants, it is problematical whether this could be done for all papers for a conference to be held in August 1955. Agreement must be reached on a firm programme before contributions can be requested. Outlines may have to be prepared and circulated to writers of papers in order to avoid overlapping. Not all the experts first approached may be able to undertake the task. Some correspondence undoubtedly will be through Governments—normally a relatively slow process—rather than directly with contributors and participants. Since the volume of papers may be large and many of them may be received at about the same time, their translation (even if confined to abstracts), reproduction and distribution are likely to require several weeks.

Detailed consideration of the organization and procedures of the conference would be relatively unproductive until more was known about the agenda and other basic plans. However, a few methods of general application may be suggested as possibly helpful in promoting a smooth and effective conference. Appropriate experts might be invited to prepare themselves to open the discussions on individual papers or groups of papers. These experts, together with the authors of the papers, might constitute panels for discussing them. The conduct of meetings of sections or groups might be entrusted to chairmen who were authorities on the questions under consideration, and, where feasible, who had been associated with the preparation of the conference. In view of the short duration envisaged for the conference, it might be desirable to divide it into a number of technical sections meeting concurrently.

VI. BUDGETING OF THE CONFERENCE

Under rules at present in effect, the administrative and financial implications of the draft resolution calling the conference would be the subject of the Secretary-General's statement to the First Committee on the financial implications of the resolution. The financial implications of the draft resolution as adopted by the Committee would then be reviewed in the Fifth Committee prior to consideration by the plenary meeting of the Assembly. For the purposes of this review, the Secretary-General's statement of financial implications, modified, if necessary, in the light of the final text of the draft resolution, would be presented to the Fifth Committee. Following the adoption of the draft resolution by the General Assembly, the Secretary-General would place a request for funds before the Fifth Committee.

Since the 1955 budget relates to specific work programmes, all of which are to be carried out in the course of that year, it cannot be expected that any significant amount of conference costs may be absorbed within normal appropriations. To the extent possible, the probable cost of preparing and holding the conference should be estimated and a request for funds presented as a revised budget estimate for the affected sections of the 1955 budget.

For the preparation of a statement of financial implications, assumptions concerning conference arrangements would be necessary.

Among the items which would have an effect on the United Nations budget would be the location and timing of the conference, its size and organization, and the documentation and printing involved.

VII. PRESENTATION OF THE RESULTS OF THE CONFERENCE

It would undoubtedly be desirable to publish a substantial part of the scientific papers and other written material prepared for the conference, and consideration will have to be given to the extent to which this may be feasible.

The records of the conference itself might be published and presented in the form of summaries of discussions prepared by rapporteurs. If this were done, there would seem to be no justification for verbatim or even summary records of the discussions. The rapporteur for each section or committee might issue a separate report, or the rapporteurs might constitute a committee and prepare a joint report, or alternatively a general rapporteur acting on behalf of all the rapporteurs might prepare a general report on the proceedings of the conference.

DOCUMENT A/C.1/L.105

Australia, Belgium, Canada, France, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, and United States of America : joint draft resolution

[Original text : English/French]
[6 November 1954]

The General Assembly,

Believing that the benefits arising from the momentous discovery of atomic energy should be placed at the service of mankind,

Hoping that international co-operation in developing and expanding the peaceful uses of atomic energy will assist in lifting the burdens of hunger, poverty and disease,

Believing also that all nations should co-operate in promoting the dissemination of knowledge in the realm of nuclear technology for peaceful ends,

A

CONCERNING AN INTERNATIONAL ATOMIC ENERGY AGENCY

Recalling the initiative of the President of the United States of America embodied in his address of 8 December 1953,²⁸

Noting that negotiations are in progress for the establishment as quickly as possible of an International Atomic Energy Agency to facilitate the use by the entire world of atomic energy for peaceful purposes, and to encourage international co-operation in the further development and practical application of atomic energy for the benefit of mankind,

1. Suggests that, once the Agency is established, it negotiate an appropriate form of agreement with the United Nations, similar to those of specialized agencies ;

2. Transmits to the States participating in the creation of the Agency, for their careful consideration, the record of the discussion of this item at the present session of the General Assembly ;

3. Suggests that Members of the United Nations be informed as progress is achieved in the establishment of the agency ;

B

CONCERNING THE INTERNATIONAL CONFERENCE ON THE PEACEFUL USES OF ATOMIC ENERGY

1. Declares the interest and concern of the General Assembly in helping in every feasible way to promote the peaceful applications of atomic energy ;

2. Decides that an international technical conference should be held, under the auspices of the United Nations to explore means of developing the peaceful uses of atomic energy through international co-operation and, in particular, to study the development of atomic power and to consider other technical areas—such as biology, medicine, radiation protection and fundamental science—in which international co-operation might most effectively be accomplished ;

3. Invites all States Members of the United Nations or of the specialized agencies to participate in the conference and to include among their representatives individual experts competent in the atomic energy field ;

4. Suggests that the international conference should be held no later than August 1955 at a place to be determined by the Secretary-General and by the Advisory Committee provided for in paragraph 5 ;

5. Requests the Secretary-General, acting upon the advice of a small committee composed of representatives of ———, to issue invitations to this conference, to prepare and circulate to all invitees a detailed agenda, and to provide the necessary staff and services ;

6. Suggests to the Secretary-General and the Advisory Committee that, in making plans for the international conference, they consult with competent specialized agencies, in particular the Food and Agriculture Organization, the World Health Organization, and the United Nations Educational, Scientific and Cultural Organization ;

7. Invites the interested specialized agencies to designate persons to represent them at the conference ;

8. Requests that the Secretary-General circulate for information a report on this conference to all Members of the United Nations, and to other Governments and specialized agencies participating in the conference.

DOCUMENT A/C.1/L.105/Rev.1

Australia, Belgium, Canada, France, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, and United States of America : revised joint draft resolution

[Original text : English/French]
[18 November 1954]

The General Assembly,

Believing that the benefits arising from the momentous discovery of atomic energy should be placed at the service of mankind,

Desiring to promote energetically the use of atomic energy to the end that it will serve only the peaceful

pursuits of mankind and ameliorate their living conditions,

Recognizing the importance and the urgency of international co-operation in developing and expanding the peaceful uses of atomic energy to assist in lifting the burdens of hunger, poverty and disease,

Believing also that all nations should co-operate in promoting the dissemination of knowledge in the realm of nuclear technology for peaceful ends,

²⁸ See Official Records of the General Assembly, Eighth Session, Plenary Meetings, 470th meeting.

A

CONCERNING AN INTERNATIONAL ATOMIC ENERGY AGENCY

Recalling the initiative of the President of the United States of America embodied in his address of 8 December 1953,²⁹

Noting that negotiations are in progress, and the intention that they should continue, for the establishment as quickly as possible of an International Atomic Energy Agency to facilitate the use by the entire world of atomic energy for peaceful purposes, and to encourage international co-operation in the further development and practical application of atomic energy for the benefit of mankind,

1. Expresses the hope that the International Atomic Energy Agency will be established without delay,

2. Suggests that, once the Agency is established, it negotiate an appropriate form of agreement with the United Nations ;

3. Transmits to the States participating in the creation of the Agency, for their careful consideration, the record of the discussion of this item at the present session of the General Assembly ;

4. Suggests that Members of the United Nations be informed as progress is achieved in the establishment of the Agency and that the views of Members who have manifested their interest be fully considered ;

B

CONCERNING THE INTERNATIONAL CONFERENCE ON THE PEACEFUL USES OF ATOMIC ENERGY

1. Declares the interest and concern of the General Assembly in helping in every feasible way to promote the peaceful applications of atomic energy ;

2. Decides that an international technical conference of Governments should be held, under the auspices of the United Nations, to explore means of developing the peaceful uses of atomic energy through international co-operation and, in particular, to study the development of atomic power and to consider other technical areas—such as biology, medicine, radiation protection, and fundamental science—in which international co-operation might most effectively be accomplished ;

3. Invites all States Members of the United Nations or of the specialized agencies to participate in the conference and to include among their representatives individual experts competent in the atomic energy field ;

4. Suggests that the international conference should be held no later than August 1955 at a place to be determined by the Secretary-General and by the Advisory Committee provided for in paragraph 5 ;

5. Requests the Secretary-General, acting upon the advice of a small committee composed of representatives of Brazil, Canada, France, India, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to issue invitations to this conference, to prepare and circulate to all invitees a detailed agenda, and to provide the necessary staff and services ;

6. Suggests to the Secretary-General and the Advisory Committee that, in making plans for the international conference, they consult with competent specialized agencies, in particular the Food and Agriculture Organization, the World Health Organization, and the United Nations Educational, Scientific and Cultural Organization ;

7. Invites the interested specialized agencies to designate persons to represent them at the conference ;

8. Requests that the Secretary-General circulate for information a report on this conference to all Members of the United Nations, and to other Governments and specialized agencies participating in the conference.

DOCUMENT A/C.1/L.106/Rev.1

Union of Soviet Socialist Republics : revised amendments to draft resolution A/C.1/L.105/Rev.1

[Original text : Russian]
[20 November 1954]

1. Operative part of section A, paragraph 2. Amend to read as follows :

“2. Recommends that the Agency should be established as an agency responsible to the General Assembly and, in the cases provided for by the Charter of the United Nations, to the Security Council.”

2. Section B, paragraph 3. Amend to read as follows :

“3. Invites all States Members of the United Nations and of the specialized agencies, as well as all other States which express their desire to do so, to participate in the conference and to include among their representatives individual experts competent in the atomic energy field.”

²⁹ See Official Records of the General Assembly, Eighth Session, Plenary Meetings, 470th meeting.

DOCUMENT A/C.5/608

Financial implications of the draft resolution adopted by the First Committee (A/2805)
Estimate submitted by the Secretary-General[Original text : English]
[27 November 1954]

1. The First Committee, at its 725th meeting, held on 23 November 1954, adopted a draft resolution concerning the convening under the auspices of the United Nations of an international technical conference of Governments on the peaceful uses of atomic energy. The Conference would be held no later than August 1955 at a place to be determined by the Secretary-General upon the advice of an Advisory Committee composed of representatives of seven Member States.

The draft resolution requests the Secretary-General to provide the conference with the necessary staff and services.

2. In the absence of any indication concerning the place at which the conference would be convened and the facilities required, the Secretary-General is not in a position to submit to the present session of the General Assembly a precise estimate of the costs of holding the conference. Should the draft resolution be adopted by the General Assembly, the Secretary-General would propose for the consideration of the General Assembly the following amendment to the draft resolution relating to unforeseen and extraordinary expenses :

*Amendment to the draft resolution relating to unforeseen and extraordinary expenses*³⁰

After paragraph (c), insert the following new paragraph :

“(d) Such commitments as are occasioned by the convening of an international conference on the peaceful uses of atomic energy.”

DOCUMENT A/2805

Report of the First Committee

[Original text : English]
[26 November 1954]

1. On 23 September 1954, the United States of America requested the inclusion of an additional item in the agenda of the ninth session of the General Assembly entitled “International co-operation in developing the peaceful uses of atomic energy: report of the United States of America” and forwarded an explanatory memorandum (A/2734). On 25 September, the United States transmitted copies of communications exchanged between the Governments of the United States of America and the Union of Soviet Socialist Republics concerning the peaceful uses of atomic energy (A/2738). At its 478th meeting, on 25 September, the General Assembly decided to include the item in the agenda of the session and referred it to the First Committee for consideration and report.

2. The First Committee considered the item at its 707th to 725th meetings, held between 5 and 23 November 1954.

3. At the 708th meeting, the representative of the United States introduced, on behalf of Australia, Belgium, Canada, France, the Union of South Africa, the United Kingdom and the United States, a joint draft resolution

(A/C.1/L.105), the operative part of which provided as follows :

[For the text of the operative part, see document A/C.1/L.105, sections A and B, above.]

4. At the 717th meeting, the Secretary-General introduced a paper entitled “Summary of internal Secretariat studies of constitutional questions relating to agencies within the framework of the United Nations” (A/C.1/758) prepared by the Secretariat pursuant to a request made in the Committee at its 710th meeting.

5. At the 722nd meeting, the representative of the United States introduced, on behalf of the sponsors, a revised text of their joint draft resolution (A/C.1/L.105/Rev.1) containing the following modifications.

In the preambular section, a new second paragraph was inserted to state the desire of the General Assembly to promote energetically the use of atomic energy to the end that it would serve peaceful purposes only. The subsequent paragraph was rephrased to emphasize the urgency of the problem.

In section A :

(i) The second paragraph of the original text was modified so that the General Assembly would note not only that negotiations for the establishment of the agency were in progress but also the intention that they should continue.

³⁰ See *Official Records of the General Assembly, Ninth Session, Supplement No. 7, Part One, chapter I, appendix II.*

(ii) A new operative paragraph 1 was inserted expressing the General Assembly's hope that the international atomic energy agency would be established without delay, and the following paragraphs were renumbered accordingly.

(iii) The original paragraph 1 was modified by the deletion of the phrase "similar to those of the specialized agencies", and became paragraph 2.

(iv) The original paragraph 3 was modified by the addition, after the words "the agency", of the phrase "and that the views of Members who have manifested their interest be fully considered".

In section B:

(i) In paragraph 2, the words "of Governments" were inserted after the words "international technical conference".

(ii) In paragraph 5, the membership of the advisory committee, which was not indicated in the original text, was given as follows: "Brazil, Canada, France, India, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America".

6. At the same meeting, the USSR introduced an amendment (A/C.1/L.106) to the revised joint draft resolution (A/C.1/L.105/Rev.1) providing that paragraph 3 of section B should be redrafted to read as follows:

"3. *Invites* all States Members of the United Nations and of the specialized agencies, as well as all other States which express their desire to do so, to participate in the conference and to include among their representatives individual experts competent in the atomic energy field."

7. At the 723rd meeting, India introduced amendments (A/C.1/L.107) to section A of the revised joint draft resolution (A/C.1/L.105/Rev.1) providing as follows:

(i) Replace operative paragraph 3 by the following:

"3. *Suggests* to Member States able and willing to participate in such an agency to co-operate in its early establishment by entering into consultations and negotiations with those States which are already so engaged."

(ii) In paragraph 4, replace the words "views of" by the words "States now engaged in negotiations should seek to consult", and insert the words "and that the views of the States so consulted should" between the words "their interest" and the words "be fully considered".

(iii) Renumber existing paragraph 3 as paragraph 5.

8. At the 724th meeting, the USSR introduced revised amendments (A/C.1/L.106/Rev.1) to the revised joint draft resolution (A/C.1/L.105/Rev.1) providing as follows:

(i) Replace operative paragraph 2 of section A by the following:

"2. *Recommends* that the agency should be established as an agency responsible to the General Assembly and, in the cases provided for by the Charter of the United Nations, to the Security Council."

(ii) Replace paragraph 3 of section B by the following: [For the text, see paragraph 6 above.]

9. At the same meeting, Lebanon introduced the following amendments (A/C.1/L.108) to the revised joint draft resolution (A/C.1/L.105/Rev.1):

(i) Add to the operative part of section A a fifth paragraph reading as follows:

"*Invites* the Secretary-General to communicate to the States participating in the establishment of the agency, or to the agency if it has at that time been established, the results of the work of the conference to be convened under part B of this resolution, so that they may be taken into consideration."

(ii) Amend paragraph 7 of the operative part of section B to read as follows: "*Invites* the interested specialized agencies, and also the international atomic energy agency if it has at that time been established, to designate persons to represent them at the conference."

10. At the 725th meeting, the representative of India declared that his delegation was not pressing its amendments (A/C.1/L.107) to a vote.

11. At the same meeting, the representative of Lebanon withdrew his amendments (A/C.1/L.108). He stated that their intent had been met by the clarification given by the Secretary-General and by the acquiescence of the United States representative to the interpretation by Lebanon of the relevant parts of the seven-Power draft resolution (A/C.1/L.105/Rev.1).

12. At the same meeting, the Committee proceeded to vote on the revised joint draft resolution (A/C.1/L.105/Rev.1) and the USSR revised amendments (A/C.1/L.106/Rev.1).

The preambular section of the revised joint draft resolution was adopted unanimously.

The preamble and operative paragraph 1 of section A were adopted unanimously.

The USSR amendment relating to operative paragraph 2 of section A was rejected by 43 votes to 5, with 12 abstentions.

Operative paragraph 2 of section A was adopted by 55 votes to none, with 5 abstentions.

Paragraphs 3 and 4 of section A and paragraphs 1 and 2 of section B were adopted unanimously.

The USSR amendment relating to paragraph 3 of section B was rejected by 36 votes to 6, with 18 abstentions.

Paragraph 3 of section B was adopted by 54 votes to none, with 6 abstentions.

Paragraphs 4, 5, 6, 7 and 8 of section B were adopted unanimously.

The revised joint draft resolution as a whole was adopted unanimously.

Recommendation of the First Committee

13. The First Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted without change by the General Assembly. See document A/RESOLUTION/230 below.]

DOCUMENT A/2818

Twenty-sixth report of the Advisory Committee on Administrative and Budgetary Questions: financial implications of the draft resolution submitted by the First Committee (A/2805)

[Original text: English]
[30 November 1954]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the statement submitted by the Secretary-General (A/C.5/608) on the financial implications of part B of the draft resolution concerning the international conference on the peaceful uses of atomic energy which the First Committee adopted at its 725th meeting on 23 November 1954 (A/2805).

2. In paragraph 5 of part B, the Secretary-General is requested to provide the necessary staff and services for the conference. The place of the meeting is, however, left for decision to the advisory committee provided for in the same paragraph.

3. In these circumstances, the Secretary-General proposes that expenses connected with the conference should be financed out of the Working Capital Fund as an unforeseen and extraordinary commitment, and that a suitable sub-paragraph (as proposed in document A/C.5/608, paragraph 2) should be inserted in the draft resolution relating to unforeseen and extraordinary expenses.³¹ The Advisory Committee on Administrative and Budgetary Questions concurs in this proposal, on the understanding that an estimate of the costs will in due course be submitted to it.

DOCUMENT A/2820

**Financial implications of the draft resolution submitted by the First Committee (A/2805)
Report of the Fifth Committee**

[Original text: English]
[2 December 1954]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee, at its 471st meeting, held on 1 December 1954, considered the financial implications of the draft resolution proposed by the First Committee (A/2805), which provides, *inter alia*, for the convening of an international technical conference of Governments on the peaceful uses of atomic energy.

2. In a note to the Fifth Committee (A/C.5/608), the Secretary-General pointed out that, in the absence of an indication concerning the place at which the conference would be convened and the facilities required, the possible expenses involved could not be estimated. Accordingly, he proposed that expenditures which might follow from the adoption of the draft resolution of the

First Committee should be met from the Working Capital Fund.

3. The Advisory Committee on Administrative and Budgetary Questions, in its report on this matter (A/2818), concurred in the Secretary-General's proposal.

4. The Fifth Committee decided, without objection, that in the event of the adoption by the General Assembly of the draft resolution proposed by the First Committee, the draft resolution relating to unforeseen and extraordinary expenses³² for 1955 should include an additional sub-paragraph reading as follows:

"Such commitments as are occasioned by the convening of an international conference on the peaceful uses of atomic energy".

DOCUMENT A/RESOLUTION/230

[Resolution 810 (IX)]

Resolution adopted by the General Assembly at its 503rd plenary meeting, on 4 December 1954**INTERNATIONAL CO-OPERATION IN DEVELOPING THE PEACEFUL
USES OF ATOMIC ENERGY**

The General Assembly,

Believing that the benefits arising from the momentous discovery of atomic energy should be placed at the service of mankind,

Desiring to promote energetically the use of atomic energy to the end that it will serve only the peaceful pursuits of mankind and ameliorate their living conditions,

Recognizing the importance and the urgency of international co-operation in developing and expanding the peaceful uses of atomic energy to assist in lifting the burdens of hunger, poverty and disease.

Believing also that all nations should co-operate in promoting the dissemination of knowledge in the realm of nuclear technology for peaceful ends,

A

CONCERNING AN INTERNATIONAL ATOMIC ENERGY AGENCY

Recalling the initiative of the President of the United States of America, embodied in his address of 8 December 1953,³³

³¹ See *Official Records of the General Assembly, Ninth Session, Supplement No. 7, Part One, chapter I, appendix II.*

³² *Ibid.*

³³ See *Official Records of the General Assembly, Eighth Session, Plenary Meetings, 470th meeting.*

Noting that negotiations are in progress, and the intention that they should continue, for the establishment as quickly as possible of an International Atomic Energy Agency to facilitate the use by the entire world of atomic energy for peaceful purposes, and to encourage international co-operation in the further development and practical application of atomic energy for the benefits of mankind,

1. Expresses the hope that the International Atomic Energy Agency will be established without delay ;

2. Suggests that, once the Agency is established, it negotiate an appropriate form of agreement with the United Nations ;

3. Transmits to the States participating in the creation of the Agency, for their careful consideration, the record of the discussion of this item at the present session of the General Assembly ;

4. Suggests that Members of the United Nations be informed as progress is achieved in the establishment of the Agency and that the views of Members which have manifested their interest be fully considered ;

B

CONCERNING THE INTERNATIONAL CONFERENCE ON THE PEACEFUL USES OF ATOMIC ENERGY

1. Declares the interest and concern of the General Assembly in helping in every feasible way to promote the peaceful applications of atomic energy ;

2. Decides that an international technical conference of Governments should be held, under the auspices of the United Nations, to explore means of developing the

peaceful uses of atomic energy through international co-operation and, in particular, to study the development of atomic power and to consider other technical areas—such as biology, medicine, radiation protection, and fundamental science—in which international co-operation might most effectively be accomplished ;

3. Invites all States Members of the United Nations or of the specialized agencies to participate in the conference and to include among their representatives individual experts competent in the atomic energy field ;

4. Suggests that the international conference should be held no later than August 1955 at a place to be determined by the Secretary-General and by the Advisory Committee provided for in paragraph 5 below ;

5. Requests the Secretary-General, acting upon the advice of a small committee composed of representatives of Brazil, Canada, France, India, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, to issue invitations to this conference, to prepare and circulate to all invitees a detailed agenda, and to provide the necessary staff and services ;

6. Suggests to the Secretary-General and the above-mentioned Advisory Committee that, in making plans for the international conference, they consult with competent specialized agencies, in particular the Food and Agriculture Organization, the World Health Organization, and the United Nations Educational, Scientific and Cultural Organization ;

7. Invites the interested specialized agencies to designate persons to represent them at the conference ;

8. Requests that the Secretary-General circulate for information a report on the conference to all Members of the United Nations, and to other Governments and specialized agencies participating in the conference.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 503rd plenary meeting, on 4 December 1954, the General Assembly adopted the draft resolution submitted by the First Committee. For the final text, see document A/RESOLUTION/230 above.

At the same meeting, the General Assembly rejected the amendments submitted by the USSR (A/L.179) to the draft resolution presented by the First Committee.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/12	Report of the First Committee on the establishment of a Commission to deal with the problems raised by the discovery of atomic energy		<i>Official Records of the General Assembly, First part of first session, Plenary Meetings, 17th meeting, p. 257 to 259</i>
A/2402	Report of the Special Committee on Measures to limit the duration of regular sessions of the General Assembly		<i>Ibid., Eighth Session, Annexes, agenda item 54</i>
A/2734	United States of America: request for the inclusion of an additional item in the agenda of the ninth session	1	
A/2738	Letter dated 25 September 1954 from the representative of the United States of America to the United Nations, addressed to the Secretary-General, transmitting copies of the communications exchanged between the Governments of the United States of America and the Union of Soviet Socialist Republics	2	

Document No.	Title	Page	Observations and references
A/2805	Report of the First Committee	22	
A/2818	Twenty-sixth report of the Advisory Committee on Administrative and Budgetary Questions: financial implications of the draft resolution submitted by the First Committee (A/2805)	24	
A/2820	Financial implications of the draft resolution submitted by the First Committee (A/2805)—Report of the Fifth Committee	24	
A/C.1/750	Union of Soviet Socialist Republics: draft resolution		<i>Official Records of the General Assembly, Ninth Session, Annexes, agenda items 20 and 68</i>
A/C.1/758	Summary of internal Secretariat studies of constitutional questions relating to agencies within the framework of the United Nations	13	
A/C.1/759	Draft resolution adopted by the First Committee at its 725th meeting		See A/2805, para. 13
A/C.1/L.74	India: amendments to the draft resolution submitted by Brazil, Canada, Chile, China, Colombia, Denmark, France, Greece, Lebanon, New Zealand, Pakistan, Turkey, the United Kingdom and the United States (A/C.1/L.72)		<i>Official Records of the General Assembly, Eighth Session, Annexes, agenda item 23</i>
A/C.1/L.105	Australia, Belgium, Canada, France, Union of South Africa, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	20	
A/C.1/L.105/Rev.1	Australia, Belgium, Canada, France, Union of South Africa, United Kingdom of Great Britain and Northern Ireland and United States of America: revised draft resolution	20	
A/C.1/L.106	Union of Soviet Socialist Republics: amendment to revised draft resolution A/C.1/L.105/Rev.1		See A/2805, para. 6
A/C.1/L.106/Rev.1	Union of Soviet Socialist Republics: revised amendments to revised draft resolution A/C.1/L.105/Rev.1	21	
A/C.1/L.107	India: amendments to revised draft resolution A/C.1/L.105/Rev.1		See A/2805, para. 7
A/C.1/L.108	Lebanon: amendments to revised draft resolution A/C.1/L.105/Rev.1		See A/2805, para. 9
A/C.5/608	Financial implications of the draft resolution adopted by the First Committee (A/2805)—Estimate submitted by the Secretary-General	22	
A/C.5/L.312	Financial implications of the draft resolution submitted by the First Committee (A/2805)—Draft report of the Fifth Committee		Same text as A/2820
A/L.179	Union of Soviet Socialist Republics: amendments to the draft resolution submitted by the First Committee (A/2805)		Same text as A/C.1/L.106/Rev.1
A/RESOLUTION/230	Resolution adopted by the General Assembly at its 503rd plenary meeting, on 4 December 1954	24	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 810 (IX)</i>
DC/53	Report of the Sub-Committee of the Disarmament Commission		<i>Official Records of the Disarmament Commission, Supplement for April, May and June 1954</i>



Agenda item 69 : Prohibition of propaganda in favour of a new war

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DOCUMENT A/2744

Czechoslovakia : request for the inclusion of an additional item in the agenda of the ninth session

[*Original text : Russian*]
[5 October 1954]

LETTER DATED 5 OCTOBER 1954 FROM THE CHAIRMAN OF THE DELEGATION OF CZECHOSLOVAKIA ADDRESSED TO THE PRESIDENT OF THE GENERAL ASSEMBLY

I have the honour to request you to include in the agenda of the ninth session of the General Assembly, as an item of an important and urgent character, the following : "Prohibition of propaganda in favour of a new war".

In accordance with rule 20 of the rules of procedure of the General Assembly I append an explanatory memorandum on this subject and a draft resolution.

(Signed) Václav DAVID
*Chairman of the delegation of
Czechoslovakia*

Explanatory memorandum

1. The General Assembly of the United Nations, by its resolution 110 (II) of 3 November 1948, condemned all forms of propaganda, in whatsoever country conducted, either designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression. The Assembly likewise requested the Government of each Member of the United Nations to take

appropriate steps to promote friendly relations among nations, based on the principles and purposes of the Charter.

2. Despite this decision by the General Assembly, propaganda for a new war has not been brought to an end ; on the contrary it is becoming increasingly prevalent in many countries. We all know that appeals for war, for the use of war bases in foreign territories and for the invasion and bombardment of industrial centres with the use of atomic and hydrogen weapons are being broadcast through the Press, the radio, the cinema and the television services of certain countries. Not infrequently this propaganda and these appeals for aggressive action are launched with the participation of official persons, occupying responsible positions in the Government services of certain countries.

3. Such propaganda in favour of war is at variance with the Charter, and to conduct it is to violate the obligation of States Members of the United Nations "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace" (Article 1, paragraph 2, of the Charter), and to ensure "that international peace and security, and justice, are not endangered" (Article 2, paragraph 3, of the Charter).

4. This propaganda is being carried on at a time when the peoples are striving to secure an improvement in the relations between States and a relaxation of international tension, and have already achieved important successes in this respect in the termination of the wars in Korea and Indo-China. The propaganda for a new war which is being conducted in certain countries can be construed only as an attempt to aggravate the international situation; and as such it is a matter to which the General Assembly is bound to turn its attention.

5. In submitting this request for the inclusion of a new item in the agenda of the current session of the General Assembly, together with the appended draft

resolution, the Czechoslovak delegation is confident that it is acting in accordance with the peoples' desire for the cessation of propaganda in favour of a new war; which propaganda is one of the most serious obstacles to the relaxation of international tension and the strengthening of universal peace and security.

Czechoslovakia: draft resolution

PROHIBITION OF PROPAGANDA IN FAVOUR OF A NEW WAR

[Text identical with that of A/AC.76/L.16. See A/2844, para. 4, below.]

DOCUMENT A/2844

Report of the "Ad Hoc" Political Committee

[Original text: English]
[7 December 1954]

1. By a letter dated 5 October 1954 addressed to the President of the General Assembly (A/2744), the Chairman of the delegation of Czechoslovakia requested that the item "Prohibition of propaganda in favour of a new war" should be included in the agenda of the ninth session of the General Assembly, and submitted an explanatory memorandum and a draft resolution on the question.

2. The General Assembly, at its 495th meeting on 21 October 1954, on the recommendation of the General Committee, decided to include the item in its agenda, and referred it to the *Ad Hoc* Political Committee for consideration and report.

3. The *Ad Hoc* Political Committee considered the question at its 38th to 41st meetings from 30 November to 2 December.

4. At the 38th meeting on 30 November, the *Ad Hoc* Political Committee had before it the draft resolution submitted by Czechoslovakia (A/AC.76/L.16), according to which the General Assembly (a) considering that the cessation of hostilities in Korea and the restoration of peace in Indo-China had contributed to a relaxation of tension in international relations and that more favourable conditions had consequently been created for the settlement of unsolved international problems and the strengthening of peace; (b) noting at the same time that propaganda in favour of a new war, condemned by the General Assembly on 3 November 1947, not only had not been brought to an end, but was becoming increasingly prevalent in many countries, that appeals for war and for the use of war bases in foreign territories for the invasion and bombardment of the large cities and industrial centres of various countries with the use of atomic and hydrogen weapons were being systematically broadcast through the Press, radio and cinema and that public officials not infrequently called for aggressive action against other States; and (c) recognizing that aggressive propaganda of that kind constituted a serious obstacle to the further relaxation of international tension and the improvement of relations between States, would:

(1) Call upon all Governments strictly to observe the General Assembly resolution of 3 November 1947 condemning all forms of propaganda, in whatsoever country conducted, which was either designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression; and

(2) Recommend that all States, both Members and non-members of the United Nations, should take effective measures against all forms of propaganda tending to create hostility and hatred among nations and increasing the danger of a new world war as being incompatible with the fundamental principles and purposes of the United Nations and as constituting a serious obstacle to the development of normal relations among States and the strengthening of world peace.

5. At the same meeting, the representative of the United States of America introduced a series of amendments (A/AC.76/L.17) to the draft resolution of Czechoslovakia. These amendments, jointly sponsored by Australia, Brazil, Cuba, France, Honduras, Iraq, Pakistan, the Philippines, the United Kingdom and the United States of America, provided for:

(1) Deletion of the second paragraph of the preamble and insertion of the following paragraph:

"*Recalling* its resolutions 110 (II) and 381 (V) concerning the condemnation of propaganda against peace, and resolution 290 (IV) on the essentials of peace which calls upon Member States to act in accordance with the principles set forth in the Charter of the United Nations and in particular calls upon every nation to remove the barriers which deny to peoples the free exchange of information and ideas essential to international understanding and peace;"

(2) Deletion in the third paragraph of the preamble of all words following the word "that" and insertion of the following text: "the maintenance of such barriers constitutes a major obstacle to the strengthening of peace and genuine international co-operation and fosters the continuation of false and hostile propaganda against other States and peoples";

(3) Insertion of the following new operative paragraph before operative paragraph 1:

"*Calls upon* all Governments to give effect faithfully to resolution 290 (IV) on essentials of peace as a guide to the achievement of a genuine peace with freedom and justice";

(4) Deletion in operative paragraph 1 of the words: "*Calls upon* all Governments strictly to observe the General Assembly resolution of 3 November 1947" and insertion of the words: "*Reaffirms* resolutions 381 (V) and 110 (II)";

(5) Deletion of operative paragraph 2.

6. At the 41st meeting on 2 December, the draft resolution of Czechoslovakia (A/AC.76/L.16) was put to the vote, paragraph by paragraph, together with the ten-Power amendments thereto (A/AC.76/L.17), with the following results :

(i) The first paragraph of the preamble was adopted by 38 votes to none, with 10 abstentions.

(ii) The amendment to the second paragraph of the preamble was adopted by 34 votes to 5, with 9 abstentions.

(iii) The first part of the amendment to the third paragraph of the preamble, up to and including the words "international co-operation" was adopted by 35 votes to 5, with 9 abstentions.

(iv) The remainder of the amendment to the third paragraph of the preamble from the words "and fosters" to the end was adopted by 33 votes to 5, with 11 abstentions.

(v) The amendment calling for insertion of a new operative paragraph following the preamble was adopted by 35 votes to 5, with 9 abstentions.

(vi) The amendment to operative paragraph 1 was adopted by 35 votes to 5, with 9 abstentions.

(vii) The amendment calling for deletion of operative paragraph 2 was adopted by 30 votes to 5, with 14 abstentions.

(viii) The draft resolution as a whole, as amended, was then put to the vote by roll-call and was adopted by 35 votes to 5, with 10 abstentions. The vote was as follows :

In favour : Argentina, Australia, Belgium, Brazil, Canada, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, France, Greece, Guatemala, Honduras, Iceland, Iran, Iraq, Lebanon, Liberia, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against : Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstentions : Afghanistan, Burma, Egypt, India, Indonesia, Israel, Saudi Arabia, Syria, Yemen, Yugoslavia.

7. At the same meeting, the representative of New Zealand proposed that the Committee should also recommend the adoption by the General Assembly of a new title for the draft resolution, which would read "Strengthening of peace through the removal of barriers to free exchange of information and ideas". This proposal was put to the vote and adopted by 29 votes to 5, with 13 abstentions.

Recommendation of the Ad Hoc Political Committee

8. The *Ad Hoc* Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution :

STRENGTHENING OF PEACE THROUGH THE REMOVAL OF BARRIERS TO FREE EXCHANGE OF INFORMATION AND IDEAS

[Text adopted without change by the General Assembly. See A/RESOLUTION/250, below.]

DOCUMENT A/RESOLUTION/250

[Resolution 819 (IX)]

Resolution adopted by the General Assembly at its 510th plenary meeting on 11 December 1954

STRENGTHENING OF PEACE THROUGH THE REMOVAL OF BARRIERS TO FREE EXCHANGE OF INFORMATION AND IDEAS

The General Assembly,

Considering that the cessation of hostilities in Korea and the restoration of peace in Indo-China have contributed to a relaxation of tension in international relations and that more favourable conditions have consequently been created for the settlement of unsolved international problems and the strengthening of peace,

Recalling its resolutions 110 (II) of 3 November 1947 and 381 (V) of 17 November 1950 concerning the condemnation of propaganda against peace, and resolution 290 (IV) of 1 December 1949 on the essentials of peace which calls upon Member States to act in accordance with the principles set forth in the Charter of the United Nations and, in particular, calls upon every nation to remove the barriers which deny to peoples the free

exchange of information and ideas essential to international understanding and peace,

Recognizing that the maintenance of such barriers constitutes a major obstacle to the strengthening of peace and genuine international co-operation and fosters the continuation of false and hostile propaganda against other States and peoples,

1. *Calls upon* all Governments to give effect faithfully to resolution 290 (IV) of 1 December 1949 on essentials of peace as a guide to the achievement of a genuine peace with freedom and justice ;

2. *Reaffirms* resolutions 381 (V) of 17 November 1950 and 110 (II) of 3 November 1947 condemning all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 510th plenary meeting, on 11 December 1954, the General Assembly adopted the draft resolution submitted by the *Ad Hoc* Political Committee (A/2844, para. 8). For the final text, see A/RESOLUTION/250, above.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2744	Czechoslovakia : request for the inclusion of an additional item in the agenda of the ninth session	1	
A/2844	Report of the Ad Hoc Political Committee	2	
A/AC.76/L.16	Czechoslovakia : draft resolution		Incorporated in A/2844, para. 4
A/AC.76/L.17	Australia, Brazil, Cuba, France, Honduras, Iraq, Pakistan, the Philippines, the United Kingdom of Great Britain and Northern Ireland and the United States of America : amendments to draft resolution A/AC.76/L.16		Incorporated in A/2844, para. 5
A/AC.76/L.19	Draft resolution adopted by the Ad Hoc Political Committee at its 41st meeting, on 2 December 1954		Same text as A/RESOLUTION/250
A/BUR/86	Note by the Secretary-General transmitting a proposal for a new agenda item on measures to be taken against propaganda and the inciters of a new war, submitted by the Union of Soviet Socialist Republics		See <i>Official Records of the General Assembly, Second Session, First Committee</i> , annex 13 a, p. 575
A/C.1/219	Amendment to the USSR proposal concerning propaganda and the inciters of a new war, submitted by the delegation of Australia		<i>Ibid.</i> , annex 13 b, p. 575
A/C.1/224	Joint draft resolution concerning measures to be taken against propaganda and the inciters of a new war, submitted by the delegations of Australia, Canada and France, in the place of their three separate proposals		<i>Ibid.</i> , annex 13 f, p. 577
A/C.1/L.105	Australia, Belgium, Canada, France, the Union of South Africa, the United Kingdom of Great Britain and Northern Ireland and the United States of America : draft resolution		<i>Ibid.</i> , <i>Ninth Session Annexes</i> , agenda item 67
A/C.1/L.105/Rev.1	Australia, Belgium, Canada, France, the Union of South Africa, the United Kingdom of Great Britain and Northern Ireland and the United States of America : revised draft resolution		<i>Ibid.</i>
A/L.185	Czechoslovakia : draft resolution		Same text as A/AC.76/L.16
A/RESOLUTION/250	Resolution adopted by the General Assembly at its 510th plenary meeting, on 11 December 1954—Strengthening of peace through the removal of barriers to free exchange of information and ideas	3	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 819 (IX)
S/3220	Letter dated 28 May 1954 from the representative of Thailand to the President of the Security Council		See <i>Official Records of the Security Council, Ninth Year, Supplement for April, May and June 1954</i>

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ANNEXES

NINTH SESSION

NEW YORK, 1954

Agenda item 70: Complaint of acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts

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DOCUMENT A/2756

Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session

[Original text: Russian]
[15 October 1954]

LETTER DATED 15 OCTOBER 1954 FROM THE CHAIRMAN OF THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS, ADDRESSED TO THE PRESIDENT OF THE GENERAL ASSEMBLY

I have the honour to ask you to include in the agenda of the ninth session of the General Assembly, as an urgent and important question, the following item: "Acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts".

In accordance with rule 20 of the rules of procedure, I attach hereto an explanatory memorandum and a draft resolution on the question.

I would ask you to arrange for the distribution of the attached explanatory note and draft resolution as official documents of the General Assembly.

(Signed) A. VYSHINSKY
Chairman of the USSR Delegation

Explanatory memorandum on acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts

As a result of the cessation of hostilities in Korea and the restoration of peace in Indo-China, favourable conditions have been created for the settlement of other outstanding international problems and the further

relaxation of international tension. This relates also to Asia and the Far East, where certain problems of great importance for the maintenance of peace in that area still remain unsolved. One of those highly important problems is that of Taiwan, which was forcibly seized by United States armed forces, in violation of China's sovereign rights and of the relevant international agreements, and is still held under United States military control.

The situation in the area of Taiwan and the China seas, far from changing for the better, has been aggravated by the acts of aggression against the People's Republic of China which are being committed with increasing frequency by armed forces controlled by the United States Seventh Fleet. This situation is reflected in the systematic provocative attacks by Kuomintang warships and aircraft against Chinese towns and coastal islands.

United States armed forces—naval vessels and military aircraft—are participating directly in the acts of provocation against the People's Republic of China. United States warships are staging provocative naval demonstrations off the Chinese coast and providing cover for the Chiang Kai-shek warships and aircraft which are committing acts of provocation against the People's Republic of China.

Kuomintang warships and aircraft are carrying out piratical raids against the merchant vessels of various countries on the high seas, seizing the vessels and meting out brutal treatment to their crews.

The situation which has been created in the area of Taiwan and the China seas by these acts on the part of the United States of America is converting that area into a breeding-ground of war in the Far East, with all the dangers that implies.

The aggressive acts of the United States armed forces in this area are creating a dangerous situation fraught with serious consequences for the cause of international peace and security. Direct responsibility for the situation that has arisen rests with aggressive circles in the United States of America, which, after the cessation of hostilities in Korea and the restoration of peace in Indo-China, are

converting the area of Taiwan and the China seas into a new breeding-ground of war, creating a serious threat to peace and exacerbating the international situation.

The delegation of the USSR considers that this situation, which carries with it a threat to peace and security in the Far East, justifies the inclusion of this urgent and important question in the agenda of the General Assembly as a new item.

Union of Soviet Socialist Republics : draft resolution

ACTS OF AGGRESSION AGAINST THE PEOPLE'S REPUBLIC OF CHINA AND RESPONSIBILITY OF THE UNITED STATES NAVY FOR THOSE ACTS

[Text identical with that of A/AC.76/L.23, below.]

DOCUMENT A/AC.76/L.23

Union of Soviet Socialist Republics : draft resolution

[Original text : Russian]
[9 December 1954]

The General Assembly,

Noting that recently, as a result of the cessation of hostilities in Korea and the restoration of peace in Indo-China, favourable conditions have been created for the settlement of other outstanding international problems and the further relaxation of international tension,

Noting with concern that in the area of the island of Taiwan and the China seas acts of aggression in the form of unprovoked armed attacks on the towns and coastal areas of China, which are converting that area into a new breeding-ground of war and represent a serious threat to peace, are being committed by armed forces under the control of the United States of America,

Noting also that piratical attacks on the high seas on

the merchant vessels of various countries, the seizure of such vessels and the brutal maltreatment of their crews, are being carried out by the armed forces based in the above-mentioned area,

1. *Condemns* these acts of aggression, which create a threat to the maintenance of peace and security in the Far East ; and

2. *Recommends* that the Government of the United States of America, which is responsible for the situation which has arisen in that area, should take the necessary steps to put an end to the said acts of aggression and to the piratical attacks on the merchant vessels of various countries.

DOCUMENT A/2871

Report of the "Ad Hoc" Political Committee

[Original text : English]
[14 December 1954]

1. By a letter dated 15 October 1954 (A/2756), the Chairman of the delegation of the Union of Soviet Socialist Republics requested that the item "Acts of aggression against the People's Republic of China and responsibility of the United States Navy for those acts" be included in the agenda of the ninth session.

2. At the 497th plenary meeting on 4 November 1954, the General Assembly decided, on the recommendation of the General Committee, to include the item in the agenda and to refer it to the First Committee for consideration and report on the understanding that, should the agenda of the First Committee prove to be overburdened, the item would then be transferred to the Ad Hoc Political Committee.

3. At its 504th plenary meeting on 4 December, the General Assembly, on the recommendation of the General Committee, decided to transfer the item from the First Committee to the Ad Hoc Political Committee.

4. The Ad Hoc Political Committee considered the item at its 48th to 50th meetings held on 9 and 10 December 1954.

5. At the 48th meeting, the Union of Soviet Socialist Republics submitted a draft resolution (A/AC.76/L.23), whereby the General Assembly (a) noting that recently, as a result of the cessation of hostilities in Korea and the restoration of peace in Indo-China, favourable conditions had been created for the settlement of other outstanding international problems and the further relaxation of international tension ; (b) noting with concern that in the area of the island of Taiwan and the China seas acts of aggression in the form of unprovoked armed attacks on the towns and coastal areas of China, which were converting that area into a new breeding-ground of war and represented a serious threat to peace, were being committed by armed forces under the control of the United States of America ; and (c) noting also that

piratical attacks on the high seas on the merchant vessels of various countries, the seizure of such vessels and the brutal maltreatment of their crews, were being carried out by the armed forces based in the above-mentioned area; would (1) condemn those acts of aggression, which created a threat to the maintenance of peace and security in the Far East; and (2) recommend that the Government of the United States of America, which was responsible for the situation which had arisen in that area, should take the necessary steps to put an end to the said acts of aggression and to the piratical attacks on the merchant vessels of various countries.

6. At the 50th meeting on 10 December the Committee proceeded to vote on the draft resolution (A/AC.76/L.23) in parts as follows:

The first paragraph of the preamble was adopted by 20 votes to 12, with 15 abstentions.

The remainder of the draft resolution was rejected by 39 votes to 5, with 7 abstentions.

Since the operative parts of the draft resolution were rejected, the draft resolution as a whole was not adopted.

7. Consequently no draft resolution is proposed by the *Ad Hoc* Political Committee under this item.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly rejected a draft resolution (A/L.190) submitted by the Union of Soviet Socialist Republics.

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A/1373	Letter dated 20 September 1950 from the head of the United States delegation to the Secretary-General		<i>Official Records of the General Assembly, Fifth Session, Annexes, agenda item 68</i>
A/2756	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session	1	
A/2871	Report of the "Ad Hoc" Political Committee	2	
A/AC.76/1/Add.2	Allocation of agenda items—Letter dated 6 December 1954 from the President of the General Assembly to the Chairman of the <i>Ad Hoc</i> Political Committee		Mimeographed document only
A/AC.76/L.16	Czechoslovakia: draft resolution		<i>Official Records of the General Assembly, Ninth Session, Annexes, agenda item 69</i>
A/AC.76/L.23	Union of Soviet Socialist Republics: draft resolution	2	
A/C.1/660	Union of Soviet Socialist Republics: draft resolution		<i>Ibid., Fifth Session, Annexes, agenda item 75, document A/1774, para. 6</i>
A/L.190	Union of Soviet Socialist Republics: draft resolution		Same text as A/AC.76/L.23
S/1757	Union of Soviet Socialist Republics: draft resolution		<i>Official Records of the Security Council, Fifth Year, No. 72</i>

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ANNEXES

NINTH SESSION

NEW YORK, 1954

Agenda item 71: Complaint of violation of the freedom of navigation in the area of the China seas

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DOCUMENT A/2741

Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session

[Original text: Russian]
[30 September 1954]

LETTER DATED 30 SEPTEMBER 1954 FROM THE CHAIRMAN OF THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE PRESIDENT OF THE GENERAL ASSEMBLY

I have the honour to request you to include in the agenda of the ninth session of the General Assembly, as an item of an important and urgent character, the following: “Violation of the freedom of navigation in the area of the China seas”.

In accordance with rule 20 of the rules of procedure I append an explanatory memorandum on this subject.

(Signed) A. VYSHINSKY
Chairman of the USSR delegation

Explanatory Memorandum concerning violation of the freedom of navigation in the area of the China seas

1. In recent months, cases of piratical attack on merchant vessels of various countries in the China seas and of the seizure of such ships by Kuomintang naval vessels have become more frequent. One of the victims of these criminal acts has been the Soviet tanker *Tuapse*,

which was seized by the Chiang Kai-shek forces on 23 June 1954 and has still not been set free while according to the information available the members of the crew of this Soviet ship are being subjected to flagrant coercion. Another instance of such criminal acts was the seizure by Kuomintang naval vessels of the Polish merchant vessels *Prezydent Gottwald*, on 13 May 1954, and *Praca*, on 4 October 1953. A number of other piratical acts have been carried out by the Chiang Kai-shek forces against merchant vessels of Denmark, the United Kingdom and other countries.

2. Such acts are a gross violation of the universally recognized principle of freedom of navigation on the high seas, and constitute a crime which the General Assembly is bound to condemn in strong terms, particularly since those guilty of these acts are not only the Chiang Kai-shek forces but also those who encourage them.

3. The USSR delegation believes that the above facts warrant the inclusion of this important and urgent question as a new item in the agenda of the General Assembly.

DOCUMENT A/2741/Add.1**Union of Soviet Socialist Republics : request for the inclusion of an additional item in the agenda of the ninth session****Addendum**

[Original text : Russian]
[18 October 1954]

LETTER DATED 18 OCTOBER 1954 FROM THE CHAIRMAN OF THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE PRESIDENT OF THE GENERAL ASSEMBLY

Referring to my letter of 30 September 1954 (A/2741) concerning the inclusion in the agenda of the ninth session of the General Assembly of the item "Violation of the freedom of navigation in the area of the China seas", and also to the decision of the General Assembly of 6 October 1954 to defer for several days the consideration of the question of including the above item in the agenda, I have the honour to draw your attention to the fact that although more than a week has elapsed since the adoption of this decision by the General Assembly, there have not been any further developments as regards this question.

In view of the above and also of the fact that the question submitted by the Soviet delegation does not concern isolated cases of attacks on merchant vessels on the high seas, but a whole series of criminal acts constituting a gross violation of the universally recognized principle of freedom of navigation on the high seas, the delegation of the USSR deems it necessary again to request you to include in the agenda of the ninth session of the General Assembly, as an important and urgent question, the item: "Violation of the freedom of navigation in the area of the China seas".

(Signed) A. VYSHINSKY
Chairman of the USSR delegation

DOCUMENT A/AC.76/L.24**Union of Soviet Socialist Republics : draft resolution**

[Original text : Russian]
[13 December 1954]

The General Assembly,

Noting that in recent months there has been an increasing number of cases in the China seas in which naval vessels based on the island of Taiwan and controlled by the United States authorities have carried out piratical raids on merchant vessels of various countries on the high seas, have seized these vessels and have subjected the members of their crews to flagrant coercion,

Considering that such acts are a gross violation of the universally recognized principle of freedom of navigation on the high seas, constitute a serious obstacle to international trade and tend to increase tension in the Far East,

Strongly condemns these acts and calls upon the United States Government to take the necessary steps to prevent such acts in the future and to free the seized foreign merchant vessels and their crews at present in the ports of the island of Taiwan.

DOCUMENT A/AC.76/L.25**Syria : draft resolution**

[Original text : English]
[14 December 1954]

The General Assembly,

Considering the importance of strict adherence to the established principles of freedom of peaceful navigation on the open seas and the importance of free navigation on the high seas for the maintenance and development of friendly relations amongst nations,

1. *Calls upon* all concerned to resolve their differences by recourse to appropriate peaceful processes,

2. *Calls upon* Member States that in strict adherence to the principle of freedom of navigation on the high seas, they should abstain from acts which could be considered contrary to this principle.

DOCUMENT A/2882

Report of the "Ad Hoc" Political Committee

[Original text : English]
[16 December 1954]

1. By a letter dated 30 September 1954 (A/2741), addressed to the President of the General Assembly, the Chairman of the delegation of the Union of Soviet Socialist Republics requested that the item "Violation of the freedom of navigation in the area of the China seas" should be placed on the agenda of the ninth session.

2. At its 492nd plenary meeting, on 6 October 1954, the General Assembly, on the recommendation of the General Committee, decided to defer for a few days consideration of the question of including the above item in the agenda.

3. By a letter dated 18 October 1954 (A/2741/Add.1) the Chairman of the delegation of the USSR renewed his request for inclusion of the item in the agenda of the ninth session of the General Assembly.

4. At its 497th plenary meeting on 4 November 1954, the General Assembly, on the recommendation of the General Committee, approved the inclusion of the item in the agenda and decided to refer it to the First Committee for consideration and report, on the understanding that, should the agenda of the First Committee prove to be overburdened, the item would then be transferred to the *Ad Hoc* Political Committee. At its 504th plenary meeting on 4 December the General Assembly, on the recommendation of the General Committee, decided to transfer the item from the First Committee to the *Ad Hoc* Political Committee.

5. The *Ad Hoc* Political Committee considered the item at its 51st to 55th meetings held between 13 and 15 December 1954.

6. At the 51st meeting of the Committee, the Union of Soviet Socialist Republics submitted a draft resolution (A/AC.76/L.24) whereby the General Assembly, noting that in recent months there had been an increasing number of cases in the China seas in which naval vessels based on the island of Taiwan and controlled by the United States authorities had carried out piratical raids on merchant vessels of various countries on the high seas, had seized those vessels and had subjected the members of their crews to flagrant coercion; and considering that such acts were a gross violation of the universally recognized principle of freedom of navigation on the high seas, constituted a serious obstacle to international trade and tended to increase tension in the Far East; would strongly condemn those acts and call upon the United States Government to take the necessary steps to prevent such acts in the future and to free the seized foreign merchant vessels and their crews at present in the ports of the island of Taiwan.

7. At the 53rd meeting, Syria submitted a draft resolution (A/AC.76/L.25) whereby the General Assembly, considering the importance of strict adherence to the established principles of freedom of peaceful navigation

on the open seas and the importance of free navigation on the high seas for the maintenance and development of friendly relations amongst nations, would (1) call upon all concerned to resolve their differences by recourse to appropriate peaceful processes; and (2) call upon Member States, in strict adherence to the principle of freedom of navigation on the high seas, to abstain from acts which could be considered contrary to that principle.

8. At the 54th meeting, on 15 December, a joint draft resolution (A/AC.76/L.26) was submitted by Cuba, the Philippines and the United States of America. Under that draft resolution, the General Assembly, recalling its resolution 899 (IX) of 14 December 1954 which, *inter alia*, had requested the International Law Commission to complete its final report concerning the régime of the high seas, the régime of territorial waters and related problems in time for the General Assembly to consider those matters at its eleventh session, would (1) decide to transmit to the International Law Commission the records and documents, including the draft resolution of Syria contained in document A/AC.76/L.25, of the meetings of the *Ad Hoc* Political Committee at which item 71 of the agenda of the ninth session of the General Assembly had been considered; and (2) invite the Governments of Member States to transmit to the International Law Commission their views concerning the principle of freedom of navigation on the high seas.

9. At the 55th meeting on 15 December, the representative of the USSR stated that he would not press for a vote on the draft resolution contained in document A/AC.76/L.24.

10. The Committee then proceeded to vote as follows:

On the motion of the representative of Belgium, the Committee decided by 33 votes to 5, with 16 abstentions, to give priority in voting to the joint draft resolution (A/AC.76/L.26).

The joint draft resolution (A/AC.76/L.26) was adopted by 35 votes to 5, with 15 abstentions.

11. After the vote on the joint draft resolution, the representative of Syria stated that he did not insist on a vote being taken on the Syrian draft resolution (A/AC.76/L.25)

Recommendation of the Ad Hoc Political Committee

12. The *Ad Hoc* Political Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

COMPLAINT OF VIOLATION OF THE FREEDOM OF NAVIGATION IN THE AREA OF THE CHINA SEAS

[Text adopted without change by the General Assembly. See A/RESOLUTION/289, below.]

DOCUMENT A/RESOLUTION/289

[Resolution 821 (IX)]

Resolution adopted by the General Assembly at its 514th plenary meeting on 17 December 1954

COMPLAINT OF VIOLATION OF THE FREEDOM OF NAVIGATION IN
THE AREA OF THE CHINA SEAS

The General Assembly,

Recalling its resolution 899 (IX) of 14 December 1954 which, *inter alia*, requested the International Law Commission to complete its final report concerning the régime of the high seas, the régime of territorial waters and related problems in time for the General Assembly to consider these matters at its eleventh session.

1. *Decides* to transmit to the International Law Commission the records¹ and documents,² including the draft resolution of Syria contained in document A/AC.76/L.25. of the meetings of the *Ad Hoc* Political Committee at which item 71 of the agenda of the ninth session of the General Assembly was considered;

2. *Invites* the Governments of Member States to transmit to the International Law Commission their views concerning the principle of freedom of navigation on the high seas.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 514th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the *Ad Hoc* Political Committee (A/2882, para. 12). For the final text see A/RESOLUTION/289, above.

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A/2744	Czechoslovakia: request for the inclusion of an additional item in the agenda of the ninth session		See <i>Official Records of the General Assembly, Ninth Session, Annexes</i> , agenda item 69
A/2756	Union of Soviet Socialist Republics: request for the inclusion of an additional item in the agenda of the ninth session		<i>Ibid.</i> , agenda item 70
A/2849	Report of the Sixth Committee		<i>Ibid.</i> , agenda item 64
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A/AC.76/L.23	Union of Soviet Socialist Republics: draft resolution		See <i>Official Records of the General Assembly, Ninth Session, Annexes</i> , agenda item 70
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A/AC.76/L.26	Cuba, the Philippines and the United States of America: draft resolution		Adopted without change. See A/2882, paras. 8 and 12. and A/RESOLUTION/289
A/RESOLUTION/289	Resolution adopted by the General Assembly at its 514th plenary meeting, on 17 December 1954	4	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21</i> , resolution 821 (IX)

¹ *Official Records of the General Assembly, Ninth Session, Ad Hoc Political Committee*, 51st to 55th meetings, inclusive.

² *Ibid.*, *Annexes*, agenda item 71.



Agenda item 72 : Complaint of detention and imprisonment of United Nations military personnel in violation of the Korean Armistice Agreement

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DOCUMENT A/2830

United States of America : request for the inclusion of an additional item in the agenda of the ninth session

[Original text : English]
[4 December 1954]

LETTER DATED 4 DECEMBER 1954 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE SECRETARY-GENERAL

The Government of the United States of America, as the Unified Command of United Nations forces in Korea, proposes herewith the inclusion of the following additional item in the agenda of the ninth regular session of the General Assembly :

“Complaint of detention and imprisonment of United Nations military personnel in violation of the Korean Armistice Agreement”.

Pursuant to rule 20 of the rules of procedure, an explanatory memorandum is attached.

In view of the urgency and importance of this item, I request that a meeting of the General Committee be convened at the earliest possible moment.

(Signed) Henry Cabot LODGE, Jr.

EXPLANATORY MEMORANDUM

A United States Air Force B-29 type aircraft, on a mission of the United Nations Command in Korea, was attacked fifteen miles south of the Yalu River near the

North Korean town of Sonchon and shot down on 12 January 1953. The officers and men of the United States Air Force on the plane were captured. More than a year and a half later, and long after the conclusion of the Korean Armistice Agreement providing for the release of all captured personnel desiring repatriation, eleven officers and men from the above-mentioned aircraft were brought before a Chinese Communist military tribunal and sentenced to long terms of imprisonment.

This is a clear-cut violation of the Armistice Agreement.

The United States Government first learned of this action by the Chinese Communist authorities through a broadcast of the Peking radio on 24 November 1954. Immediately thereafter, the United States Government sought to communicate with the Chinese Communist authorities, both directly in Geneva and through the United Kingdom Government, to protest this serious violation of the Korean Armistice Agreement. The Chinese Communist authorities rejected these representations.

The Government and people of the United States are shocked and outraged by the treatment thus accorded to its airmen who were serving the cause of peace under the Charter, and hold these same feelings for the men of

other nations who are held prisoner. The Governments of other nations having troops in Korea share this feeling of indignation at this violation of the Armistice Agreement.

The United States believes this conduct of the Chinese Communist authorities has created a serious situation for the United Nations, which called for the action in

Korea to repel Communist aggression, and which requested the United States to provide a Unified Command of United Nations forces in Korea. The United States believes the United Nations must now act promptly and decisively to bring about the release of these eleven officers and men and all other captured personnel of the United Nations Command still detained.

DOCUMENT A/2843

United States of America : request for the inclusion of an additional item in the agenda of the ninth session

[Original text : English]
[7 December 1954]

LETTER DATED 7 DECEMBER 1954 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE SECRETARY-GENERAL

With further reference to my communication of 4 December 1954 [A/2830], I have the honour to request that you circulate this letter to all Members of the General Assembly in connexion with the proposed agenda item : "Complaint of detention and imprisonment of United Nations military personnel in violation of the Korean Armistice Agreement".

In addition to those referred to in my communication of 4 December, there are four American airmen who were captured while engaged on missions of the United Nations Command in the Korean conflict, and whose detention is admitted by the Chinese Communists. This detention is in violation of the Armistice Agreement. The facts concerning their cases are as follows :

First Lieutenant Lyle W. Cameron, of Lincoln, Nebraska, was the pilot of an F-84 type aircraft which departed Taegu Air Base, Korea, on 26 October 1952, to participate in an armed reconnaissance mission between Kanggye and Huichon in North Korea. After reaching the target area, and while bombing locomotives, his plane was damaged and he had to bail out. He landed safely at a point several miles south of Kanggye, and reported by his emergency radio that he was unhurt and would hide along a ridge. The other flight members soon left the area due to fuel shortage ; upon returning later in the day, they found no trace of Lieutenant Cameron. The Peking radio on 30 October 1952, announced that Lieutenant Cameron had been captured after his plane was lost over China. In December of 1952, so-called news releases with pictures of Lieutenant Cameron were widely distributed by the Communists, who publicized his mission and the shooting down of his plane as an example of American aggression against China.

Captain Harold E. Fischer, of Swea City, Iowa, was the leader of a flight of F-86 type aircraft on a mission, 7 April 1953, in North Korea along the Yalu River. Hostile fighters were encountered and engaged in battle. Following this engagement, Captain Fischer radioed the

other members of the flight to get out of the area. No further contact was made with Captain Fischer, and the Air Force failed to locate him or his aircraft. Propaganda broadcasts from Peking, on 10 April 1953, reported that Captain Fischer's aircraft had been shot down and that he was captured.

First Lieutenant Roland W. Parks, of Omaha, Nebraska, was a member of a flight of F-86 type aircraft which departed from Suwon Air Base, Korea, to participate in a combat mission over North Korea on 4 September 1952. During a sweep in North Korea along the Yalu River, hostile fighters were encountered and engaged in battle at an altitude of 28,000 feet. In the ensuing action, Lieutenant Parks became separated from the flight, and subsequently radioed that his gyro and radio compasses were inoperative and that he did not know his position. Repeated attempts to direct him toward friendly territory were unsuccessful ; when it became apparent that he was low on fuel, he was requested to describe the terrain over which he was flying. His reply revealed that he was apparently over the Liaotung Peninsula in Manchuria. Five minutes later, Lieutenant Parks radioed that his engine had failed, and that he was bailing out. He appears to have been at this time in the vicinity of Dairen, Manchuria.

Lieutenant Colonel Edwin L. Heller, of Wynnewood, Pennsylvania, was leader of a flight of F-86 type aircraft on a combat mission in North Korea along the Yalu River on 23 January 1953. Hostile fighters were encountered and engaged in battle. During the ensuing action, Colonel Heller's aircraft was damaged by hostile fire and when last seen was at an altitude of 40,000 feet. Propaganda broadcasts from Peking on 28 January 1953 alleged that Colonel Heller had invaded Manchuria and was captured when he bailed out of his damaged plane.

Chinese Communist representatives at Geneva admitted earlier this year that the Chinese Communists held these four jet pilots. Each of them continues to be detained by the Chinese Communist régime in violation of the Korean Armistice Agreement.

(Signed) Henry Cabot LODGE, Jr.

DOCUMENT A/L.182

Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, Netherlands, New Zealand, Philippines, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America : draft resolution

[Original text : English]
[7 December 1954]

[Text adopted without change by the General Assembly. See document A/RESOLUTION/247 below.]

DOCUMENT A/RESOLUTION/247[*Resolution 906 (IX)*]**Resolution adopted by the General Assembly at its 509th plenary meeting on 10 December 1954***The General Assembly,*

Having considered the item proposed by the United States of America as the Unified Command regarding eleven members of the United States armed forces under the United Nations Command captured by Chinese forces when undertaking a mission on 12 January 1953, at the direction of the United Nations Command,

Recalling the provisions of article III of the Korean Armistice Agreement (S/3079) regarding the repatriation of prisoners of war.

1. *Declares* that the detention and imprisonment of the eleven American airmen, members of the United Nations Command, referred to in document A/2830, and the detention of all other captured personnel of the United

Nations Command desiring repatriation is a violation of the Korean Armistice Agreement;

2. *Condemns*, as contrary to the Korean Armistice Agreement, the trial and conviction of prisoners of war illegally detained after 25 September 1953;

3. *Requests* the Secretary-General, in the name of the United Nations, to seek the release, in accordance with the Korean Armistice Agreement, of these eleven United Nations Command personnel, and all other captured personnel of the United Nations Command still detained;

4. *Requests* the Secretary-General to make, by the means most appropriate in his judgment, continuing and unremitting efforts to this end and to report progress to all Members on or before 31 December 1954.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 509th plenary meeting, on 10 December 1954, the General Assembly adopted the draft resolution submitted by Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, the Netherlands, New Zealand, the Philippines, Thailand, Turkey, the Union of South Africa, the United Kingdom of Great Britain and Northern Ireland and the United States of America (A/L.182). For the final text, see document A/RESOLUTION/247, above.

DOCUMENT A/2891**Interim report of the Secretary-General on the implementation of resolution 906 (IX)**

[*Original text: English*]
[30 December 1954]

1. The General Assembly at its 509th plenary meeting, on 10 December 1954, adopted resolution 906 (IX) under which the Secretary-General was requested, in the name of the United Nations, to seek the release, in accordance with the Korean Armistice Agreement, of eleven United Nations Command personnel, and all other captured personnel of the United Nations Command still detained.

2. Under paragraph 4 of the operative part of the resolution the Secretary-General was requested to make, by the means most appropriate in his judgment, continuing and unremitting efforts to this end and to report progress to all Members on or before 31 December 1954. The Secretary-General immediately addressed a cablegram, dated 10 December 1954, to the Prime Minister of the State Council and Minister for Foreign Affairs of the People's Republic of China (A/2888) expressing the desire to meet with him in Peking for direct talks.

3. The Prime Minister of the State Council and Minister for Foreign Affairs of the People's Republic of China, in a cablegram dated 17 December 1954 addressed to the Secretary-General (A/2888), replied that he would

be prepared to receive the Secretary-General in Peking to discuss pertinent questions with him.

4. In a cablegram dated 17 December 1954 addressed to the Prime Minister of the State Council and Minister for Foreign Affairs of the People's Republic of China (A/2888), the Secretary-General said that in view of the necessary practical arrangements he was not yet in a position to set a date for his arrival but that he would take the opportunity, while in Stockholm, of discussing such arrangements with the Ambassador of the People's Republic of China.

5. On 19 December 1954, the Secretary-General met in Stockholm with General Keng Piao, Ambassador of the People's Republic of China, and discussed with him various practical matters relating to the Secretary-General's forthcoming visit to Peking. This discussion served to clarify some of the pertinent arrangements.

6. The Secretary-General is leaving today, 30 December, for his visit to Peking, his departure having been somewhat delayed as the preparatory arrangements have been more time-consuming than at first anticipated.

CHECK LIST OF DOCUMENTS

Document No.	Title	Page	Observations and references
A/2616	Note by the Secretary-General, transmitting a cablegram dated 7 December 1953 from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China, addressed to the Secretary-General		Mimeographed document only
A/2641	The Korean Question—Reports of the Neutral Nations Repatriation Commission covering the period 9 September 1953 to 21 February 1954		See <i>Official Records of the General Assembly, Eighth Session, Supplement No. 18</i>
A/2642	The Korean Question—Report of the United Nations Command on the operation of the Neutral Nations Repatriation Commission		<i>Ibid.</i> , Supplement No. 19
A/2830	United States of America: request for the inclusion of an additional item in the agenda of the ninth session	1	
A/2843	United States of America: request for the inclusion of an additional item in the agenda of the ninth session	2	
A/2888	Exchange of cablegrams between the Secretary-General and the Prime Minister of the State Council and Minister for Foreign Affairs of the People's Republic of China		Mimeographed document only
A/2889	Cablegram dated 17 December 1954 addressed to the Secretary-General by the Minister for Foreign Affairs of the People's Republic of China		Ditto
A/2891	Interim report of the Secretary-General on the implementation of resolution 906 (IX)	3	
A/L.182	Australia, Belgium, Canada, Colombia, Ethiopia, France, Greece, Luxembourg, Netherlands, New Zealand, Philippines, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution	2	
A/RESOLUTION/247	Resolution adopted by the General Assembly at its 509th plenary meeting on 10 December 1954	3	See also <i>Official Records of the General Assembly, Ninth Session, Supplement No. 21, resolution 906 (IX)</i>
S/1722	Cablegram dated 27 August 1950 to the Secretary-General from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China		See <i>Official Records of the Security Council, Fifth Year, Supplement for June, July and August 1950</i>
S/1743	Cablegram dated 30 August 1950 to the Secretary-General from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China		<i>Ibid.</i>
S/1808	Cablegram dated 24 September 1950 to the Secretary-General from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China, concerning the bombing by air forces of the territory of China		See <i>Official Records of the Security Council, Fifth Year, Supplement for September through December 1950</i>
S/1857	Cablegram dated 18 October 1950 to the Secretary-General, for transmittal to the President of the Security Council, from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China, concerning an alleged violation of the territorial air of China		<i>Ibid.</i>
S/3079	Note dated 7 August 1953 from the acting representative of the United States of America to the Secretary-General transmitting a special report of the United Nations Command on the armistice in Korea, in accordance with the Security Council resolution of 7 July 1950 (S/1588)		See <i>Official Records of the Security Council, Eighth Year, Supplement for July, August and September 1953</i>

Agenda item 73: Commemoration of the tenth anniversary of the United Nations in 1955

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DOCUMENT A/2864

Secretary-General: request for the inclusion of an additional item in the agenda of the ninth session

[Original text: English]
[11 December 1954]

LETTER DATED 10 DECEMBER 1954 FROM THE SECRETARY-GENERAL TO THE PRESIDENT OF THE GENERAL ASSEMBLY

New York, 10 December 1954

I have the honour to request you to include in the agenda of the ninth regular session of the General Assembly the following additional item:

"Commemoration of the tenth anniversary of the United Nations in 1955."

I attach copies of an explanatory memorandum on this subject together with two annexes containing documents relevant to the consideration of the question by the General Assembly.

(Signed) Dag HAMMARSKJOLD
Secretary-General

COMMEMORATION OF THE TENTH ANNIVERSARY OF THE UNITED NATIONS IN 1955

Explanatory memorandum

1. The Secretariat has received numerous indications of public interest regarding the plans of the United Nations for a suitable commemoration of the tenth anniversary of the signing of the United Nations Charter

in San Francisco on 26 June 1945 and of the Charter's coming into force on 24 October 1945. As regards the latter date, the General Assembly decided, at its second regular session in 1947 (resolution 168 (II)), that 24 October should be observed as United Nations Day, and in view of the increasing interest and widening participation in successive observances of United Nations Day throughout the world, it may be anticipated that the observance of United Nations Day in the tenth year of the Organization will meet with still greater success in promoting wider public interest in the purposes and the work of the United Nations.

2. Indeed, it is quite probable that, in addition to the above two dates, public-spirited citizens in various countries will tend to focus attention on the role of the United Nations in world affairs on appropriate occasions throughout its tenth-anniversary year and in connexion with meaningful dates as regards their own country's participation in the work of the United Nations.

3. The Secretary-General feels that all such commemorative efforts deserve encouragement by the Governments of Member States from the point of view of public understanding of international issues and of popular support for efforts to strengthen international co-operation in all fields of human endeavour.

4. The Secretary-General believes that the tenth anniversary of the signing of the Charter in San Francisco on 26 June 1945 offers an opportunity for special observance by the United Nations as a whole which merits the sympathetic consideration of the General Assembly.

5. It will be recalled that, during the closing days of the United Nations Conference on International Organization at San Francisco in 1945, the officials of that city extended an invitation to the United Nations to return to San Francisco for a fitting commemoration of its tenth anniversary in 1955. The Secretary-General is in receipt of a communication from Mayor Elmer E. Robinson of San Francisco referring to resolutions passed by the Board of Supervisors, inviting the United Nations to that city for a fitting commemoration of the tenth anniversary of the signing of the Charter in meetings of approximately two weeks' duration culminating on Charter Day, 26 June.

6. The general satisfaction of all delegations with the arrangements and warm hospitality provided by the city in 1945, and the continuing interest over the decade of the citizens of San Francisco and the area in the United Nations, provide a basis for the current invitation of San Francisco to the United Nations.

7. The provisional plan, as suggested by city officials and civic leaders and discussed with the Secretary-General and his representatives, would provide for meetings and appropriate cultural events covering the period from 13 to 26 June. The commemoration would centre around the role of the United Nations and the specialized agencies in world affairs during the past decade and in the future. The programme would be divided into two major parts, the first covering the period from 13 to 22 June inclusive and consisting of well planned programmes in which delegates, as well as distinguished scholars, public figures and senior members of the Secretariat would participate. The events would consist of seminars, panel discussions and large public meetings. The general approach in the treatment of subject matter would be functional, consisting of an analysis of world problems and future trends and of the role of the organized international community in this context. An effort would be made to avoid emphasis on either organizational structure or on the cataloguing of organizational activities.

8. The second period—from 23 to 26 June—in contrast to the first phase, would be official in character and would be conducted in the form of meetings in which Members of the General Assembly would participate. These meetings would be devoted to a general debate in which the representatives, including Foreign Ministers, would interpret the policies of their Governments on world affairs in relation to the past, present and possible future role of the United Nations in the various aspects of its work.

9. Civic leaders plan to print a commemorative volume consisting of speeches and the proceedings of the meetings in the conviction that the entire programme will command the participation of people of high rank and competence in their fields.

10. The Secretary-General shares the belief of the City officials that the meetings could be so arranged as to have an appreciable effect, through the media of public information, upon world public opinion in relation to the United Nations.

11. As for material arrangements and costs, the City of San Francisco, through its Board of Supervisors, has allocated \$150,000 to the commemoration meetings, which will cover the costs of the renovation of buildings, the

installation of necessary equipment, local hospitality and transportation, cultural events and exhibits, and travel expenses of special guests.

12. In reaching a decision with regard to the invitation, the General Assembly will wish to have before it recommendations of the Advisory Committee on Administrative and Budgetary Questions and of the Fifth Committee regarding costs which the United Nations might be expected to bear.

13. While this special meeting of the Assembly is *sui generis*, the United Nations has an interest in assuring its success if it is undertaken. The Secretary-General considers that it would be appropriate for the Assembly to authorize payment of the travel expenses of at least one representative from each Member State. The presence of members of the Secretariat would be required for participation in the first phase of the programme and for limited servicing of the meetings.

14. Attached, as annex I, is the text of the letter dated 7 December 1954 from the Mayor of San Francisco, transmitted through the United States representative to the United Nations, extending a formal invitation to the United Nations to hold in San Francisco a fitting commemoration of the tenth anniversary of the signing of the United Nations Charter. Annex II contains the text of a draft resolution for consideration by the General Assembly in connexion with this item.

ANNEX I

LETTER DATED 7 DECEMBER 1954 FROM THE MAYOR OF THE CITY OF SAN FRANCISCO ADDRESSED TO THE GENERAL ASSEMBLY OF THE UNITED NATIONS

(Transmitted to the Secretary-General by the Representative of the United States of America to the United Nations)

The City of San Francisco, birthplace of the United Nations, considering that it is appropriate to hold a meeting of the United Nations General Assembly in San Francisco during the year 1955, which marks the tenth anniversary of the founding of the United Nations, does hereby formally extend to said United Nations a cordial invitation to hold in San Francisco a fitting commemoration of the tenth anniversary of the signing of the United Nations Charter, for a period of approximately two weeks, culminating on 26 June 1955.

The invitation hereby extended is forwarded by me pursuant to resolution of the Board of Supervisors of the City and County of San Francisco, duly adopted on 6 December 1954.

(Signed) Elmer E. ROBINSON

ANNEX II

DRAFT RESOLUTION

The General Assembly,

Recalling that the Charter of the United Nations was signed on 26 June 1945 in San Francisco and that it came into force on 24 October 1945,

Considering that both the tenth anniversary of the signing of the Charter and the tenth anniversary of its coming into force on the date which the General Assembly has designated as United Nations Day provide fitting occasions to promote greater understanding of the purposes and of the work of the United Nations,

1. *Calls upon* the Governments of all Member States and invites the Governments of non-Member States to give all appropriate support to programmes in their own countries designed to commemorate the tenth anniversary of the United Nations in 1955 by furthering public discussion of the role of the United Nations and its specialized agencies in world affairs;

2. *Invites* the specialized agencies of the United Nations to participate in the world-wide observances of the tenth anniversary in 1955 and to co-ordinate their plans with those of the United Nations;

3. *Invites* the non-governmental organizations having consultative status with the United Nations and all others whose objectives include support for the United Nations to lend their assistance in these observances;

4. *Accepts* the invitation of the City of San Francisco and thanks the officials and the people of that City for their hospitality;

5. *Decides* to commemorate the tenth anniversary of the signing of the Charter in the City of San Francisco by holding a series of meetings for approximately two weeks, culminating in a four-day commemorative meeting of Members of the General Assembly from 23 to 26 June 1955;

6. *Requests* the Secretary-General to develop the programme of the above commemorative meetings in consultation with the civic authorities of the City of San Francisco; and, to this end,

7. *Authorizes* the Secretary-General to conclude an agreement with the City of San Francisco on the allocation of costs relating to the holding of these meetings;

8. *Authorizes* the payment of the travel expenses of one representative of each Member from the permanent duty station, whether at Headquarters, the capital city or elsewhere, to San Francisco and return;

9. *Authorizes* the payment of travel and subsistence expenses of such members of the Secretariat and the payment of such other expenses as the Secretary-General may deem necessary.

DOCUMENT A/C.5/620

Statement of financial implications submitted by the Secretary-General

[Original text: English]
[13 December 1954]

In connexion with the proposal to commemorate the tenth anniversary of the signing of the Charter in the city of San Francisco (A/2864), the Secretary-General wishes to submit the following statement on the financial implications of holding the proposed series of meetings in that city in 1955.

The plan as outlined in document A/2864 would provide for meetings and appropriate cultural events covering the period 13 to 26 June 1955. As indicated in that document, the city of San Francisco, through its Board of Supervisors, has allocated \$150,000 to be used to meet certain of the costs of the commemoration. Preliminary discussions with authorities of the city of San Francisco have led to the conclusion that the following facilities will be provided without charge to the United Nations:

(a) A General Assembly Hall equipped to meet conference requirements, including provision of the necessary delegation desks and the usual Assembly Hall podium arrangements; installation of simultaneous interpretation equipment supplied by the United Nations; facilities for Press, radio and television coverage; adequate lighting for motion picture and television purposes;

(b) At least three medium sized conference rooms for use during the first nine days;

(c) Sound amplification and sound recording facilities in the General Assembly Hall and the conference rooms; a telecommunications control room for "feeding" output to studios, etc.;

(d) Office space for Secretariat, specialized agencies, and accredited representatives of information media; a documents reproduction area; public rooms for delegates and visitors, including a suitably equipped first-aid station; exhibition space and installations;

(e) Furniture and miscellaneous office supplies and equipment for the secretariat and representatives of information media, including typewriters;

(f) Facilities for public information activities, including three radio studios, one photographic dark-room, one press conference room, a working area for the press, four offices for commercial cable companies, a counter for distribution of press documents, display and sales counter for United Nations publications, and appropriate physical arrangements for reception of the public;

(g) Telephone installation and operation services;

(h) Building maintenance and security services, including cleaning, ushers and cloak-room attendants, plus light, power, water and all customary public services;

(i) Adequate insurance coverage for property damage, personal injury, etc.;

(j) Local transportation facilities;

(k) Travel expenses of specially invited guests.

ESTIMATED COSTS

The following table shows the estimated costs to the United Nations of the proposed meeting:

	Dollars (US)
Temporary assistance	8,000
Travel of representatives	59,500
Travel and subsistence of staff	58,000
Long distance telephone, cable and postal services ..	2,000
Radio and television services	15,000
Internal reproduction supplies	3,000
Telecommunications supplies and services ..	5,000
Freight, cartage and express	6,000
Miscellaneous	6,000
TOTAL	162,500

BASIS FOR ESTIMATES

The following information is submitted in support of the major estimates listed above:

(a) *Temporary assistance.* It is anticipated that approximately 40 locally recruited general services staff will be required in addition to staff detailed from Headquarters and to the personnel made available by the local authorities. Of these 40, 10 local staff members will be required to provide secretarial and clerical assistance to senior and substantive officials, 10 for public information activities, and 20 for administrative and servicing functions, including 5 reproduction machine operators. The estimated cost has been based on an average of \$200 per local recruit for the period, based on the prevailing short-term conference rate in New York for general services staff.

(b) *Travel of representatives.* In accordance with the terms of the draft resolution, provision is made for the payment of travel expenses of one representative of each Member from the permanent duty station, whether at Headquarters, the capital city or elsewhere, to San Francisco and return.

(c) *Travel and subsistence of staff.* The estimate includes provision for the assignment of 122 staff members from Headquarters. These fall into the following major categories :

1. Senior and substantive staff	35
2. Public Information staff	
Radio	9
Press	10
Films and visual information	8
Non-governmental organizations servicing staff	2
	<hr/> 29

3. Executive Office of the Secretary-General	10
4. Verbatim reporting staff	4
5. Translating staff	15
6. Interpreting staff	10
7. Administrative and servicing staff	14
8. Secretarial and clerical staff	5
	<hr/> 122

Provision is made for an average cost of \$300 for travel and \$175 for subsistence allowance.

(d) *Radio and television services.* The amount covers rental of a communications land line and teleprinter service from San Francisco to New York.

(e) *Freight, cartage and express.* A substantial portion of the estimated amount will be required for the shipment to San Francisco of telecommunications equipment not readily available elsewhere.

DOCUMENT A/2885

Report of the Fifth Committee

[Original text: English]
[16 December 1954]

1. At its 513th meeting, held on 15 December 1954, the General Assembly referred to the Fifth Committee for consideration and report an additional item proposed by the Secretary-General and entitled "Commemoration of the tenth anniversary of the United Nations in 1955".

2. The Fifth Committee considered the item at its 484th meeting on 16 December. It noted an explanatory memorandum from the Secretary-General (A/2864) together with two annexes: the first annex contained the text of a letter dated 7 December 1954 from the Mayor of the City of San Francisco addressed to the General Assembly of the United Nations, which had been transmitted to the Secretary-General by the representative of the United States of America; the second annex contained a draft resolution prepared by the Secretary-General. A preliminary statement of financial implications (A/C.5/620) was also drawn up by the Secretary-General.

3. The Secretary-General informed the Fifth Committee that, in the light of the discussion which had taken place at the 101st meeting of the General Committee during the discussion on the question of the inclusion of the item, and of subsequent consultations with regard to this matter, he had considered it advisable to prepare a new draft resolution taking into account the points made by several delegations in the General Committee. Under the revised proposal, a seven-day commemoration would take place at San Francisco from 20 to 26 June 1955, and would include four days of unofficial meetings of the Members of the United Nations. Under the circumstances, the Secretary-General hoped that discussion in the Fifth Committee would centre around his revised draft resolution (A/C.5/L.329). He stated that section A of the revised draft resolution was in effect a call for a special effort to be made throughout the world in 1955—the tenth-anniversary year of the signing of the Charter—to promote wider understanding and support for the United Nations throughout the world, and affirmed the importance that the General Assembly had attached to the two anniversaries, 26 June and 24 October.

4. Section B of the draft resolution was submitted in response to the deeply appreciated invitation by the City of San Francisco and dealt specifically with the plans for

a commemoration in that city in June 1955 of the tenth anniversary of the signing of the Charter. The Secretary-General stated that, in accordance with the view that appeared to be widely held, United Nations active participation in such a commemoration should be limited to seven days, three days being devoted to a serious general programme on the United Nations, and four days to unofficial meetings of the Members of the United Nations. These latter meetings would be conducted in the form of meetings of the General Assembly at which representatives of the sixty Member States would make statements relating to the commemoration of the tenth anniversary of the United Nations and on the origins and purposes of the world Organization and its plans in world affairs, in a broad perspective which would be appropriate to a commemorative occasion and which would contribute to wider understanding of and support for the United Nations.

5. The Acting Chairman of the Advisory Committee on Administrative and Budgetary Questions stated that that Committee had been notified in advance of the Secretary-General's views and had had an opportunity of considering the financial implications of his revised proposal, which, of necessity, modified the statement of financial implications submitted earlier by the Secretary-General.

6. In respect of expenditures for the travel of representatives, the Advisory Committee observed that the Secretary-General had rightly attached importance to the attendance, wherever possible, of the Foreign Ministers of Member States, and noted that the estimate of \$59,500 submitted by the Secretary-General was based on the expectation and hope that at least fifty of the sixty Member States would be so represented. While fully agreeing with this approach, the Advisory Committee proposed a slightly different budgetary arrangement, which it did not consider would prejudice in any way the efforts of the Secretary-General to ensure the attendance at the commemoration of the largest possible number of Foreign Ministers. It recommended that a separate provision of \$40,000 should be included in the budget for travel of representatives, on the understanding that if this sum should prove insufficient, the Secretary-General should have authority to draw the balance

required from the Working Capital Fund. It considered, however, that if, on the contrary, a sum of \$40,000 should prove more than adequate to meet the cost of travel expenditures for representatives, any savings realized should not be used for any other purpose.

7. Regarding the remaining items in the Secretary-General's original estimates, the Advisory Committee noted that the shortening of the meeting period would have an appreciable effect on the budgetary provision required for a number of items. Emphasizing the necessity to restrict travel of staff members to be sent from Headquarters only to those whose presence the Secretary-General considered essential for servicing the meetings or for substantive duties, the Advisory Committee recommended that, for this second and separate part of the estimates, a total provision for \$60,000 should be approved.

8. In the light of these statements, the Fifth Committee discussed the Secretary-General's revised draft resolution (A/C.5/L.329). Sweden had proposed an amendment thereto (A/C.5/L.330) which would provide that the unofficial meetings envisaged under section B should be presided over by Mr. Eelco van Kleffens, President of the ninth session of the General Assembly.

9. The draft resolution proposed by the Secretary-General received the warm support of many delegations. They also desired to record their wholehearted appreciation of the generous invitation from the officials and people of the City of San Francisco, and for the allocation of funds by its Board of Supervisors, which would make the event possible.

10. Many delegations agreed that the event should be commemorative in nature and that it should not be an occasion for political controversy or for debate on specific issues, since that would be unprofitable and not fitting for the commemoration of an historic occasion with which the City of San Francisco was so memorably linked.

11. Some disappointment was expressed at the restrictive nature of the proposed ceremonies, but delegations expressing this attitude were none the less prepared to support the Secretary-General's proposals in view of the widespread support they had received.

12. The amendment proposed by Sweden also received widespread support in the Fifth Committee. One delegation raised the point, however, that, in view of the unofficial character of the event, it felt a little hesitant about the constitutionality and precedent of having the current session of the General Assembly decide upon a matter which appeared to fall more appropriately within the province of the members attending the meetings.

13. Many delegations considered it to be important that any impression of extravagance should be avoided as that would be harmful to the event. In consequence, they welcomed the revised proposals of the Secretary-General and expressed their keen support and agreement for the approach taken by the Advisory Committee regarding the financing of the project.

14. Referring to the limitation in total expenditure for the Secretariat participation in the conference, the Secretary-General stated that he was prepared to follow the line recommended by the Advisory Committee on the understanding that he would do his best to provide for all necessary arrangements on that basis, but if he should find it impossible to undertake those arrangements adequately, he would consult with the Advisory Committee regarding ways and means of obtaining additional help. The Secretary-General recognized that the Advisory Committee's recommendations implied an appreciable reduction, both in the travel of staff members and in the services to be provided, as compared with his original estimates based upon a ceremony of longer duration, and a scaling down of his original plan.

15. The Committee accordingly approved, by 40 votes to none, with 2 abstentions, the recommendation of the Advisory Committee that, in respect of this item, the 1955 budget estimates for section 1 should be increased by an amount of \$100,000, comprising a separate provision of \$40,000 for the travel of representatives and \$60,000 for all other items. The Committee then approved the draft resolution without objection.

Recommendation of the Fifth Committee

[Text adopted without change by the General Assembly. See document A/RESOLUTION/296 below.]

DOCUMENT A/RESOLUTION/296

[Resolution 889 (IX)]

Resolution adopted by the General Assembly at its 515th plenary meeting on 17 December 1954

COMMEMORATION OF THE TENTH ANNIVERSARY OF THE UNITED NATIONS IN 1955

A

The General Assembly,

Recalling that the Charter of the United Nations was signed on 26 June 1945 in the City of San Francisco and that it came into force on 24 October 1945,

Considering that both the tenth anniversary of the signing of the Charter and the tenth anniversary of its coming into force on the date which the General Assembly has designated as United Nations Day provide fitting occasions to promote greater understanding of the purposes and of the work of the United Nations,

1. *Calls upon* the Governments of all Member States and invites the Governments of non-member States to

give all appropriate support to programmes in their own countries designed to commemorate the tenth anniversary of the United Nations in 1955 ;

2. *Invites* the specialized agencies to assist in the observance of the tenth anniversary of the United Nations in 1955.

B

The General Assembly,

Noting the invitation of the City of San Francisco of 7 December 1954,

1. *Recommends* the acceptance, by the Government of each Member State, of the invitation of the City of San Francisco to hold a commemorative meeting in that City in 1955, and thanks the officials and the people of the City for their hospitality ;

2. *Decides* to commemorate the tenth anniversary of the signing of the Charter in the City of San Francisco by arranging a seven-day commemoration, including four days of unofficial meetings of the Members of the United Nations, to be held in San Francisco from 20 to 26 June 1955, the unofficial meetings to be presided over by Mr. Eelco van Kleffens, President of the ninth session of the General Assembly;¹

3. *Requests* the Secretary-General, in co-operation with a Committee consisting of the representatives of Belgium, Canada, China, Czechoslovakia, Ecuador, France, India, Lebanon, Turkey, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America² and in con-

sultation with the civic authorities of the City of San Francisco, to arrange the programme for the commemoration;

4. *Authorizes* the Secretary-General to conclude an agreement with the City of San Francisco on the allocation of costs of such a commemoration;

5. *Authorizes* the payment of the travel of one representative of each Member State from the capital of the country or from Headquarters, as the case may be, to San Francisco and return;

6. *Authorizes* the Secretary-General to provide the necessary staff and services within the budget approved for the commemoration.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 515th plenary meeting, on 17 December 1954, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/2885). For the final text, see document A/RESOLUTION/296, above.

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A/C.5/L.330	Sweden: amendment to the draft resolution A/C.5/L.329		See the summary records of the Fifth Committee, 484th meeting
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¹ The end of this paragraph, beginning with the words "the unofficial meetings...", was added in accordance with the amendment of Sweden (A/C.5/L.330).

² On the basis of the decision taken by the General Assembly at the same meeting, regarding the composition of the Committee appointed under paragraph 3 of resolution B, those Members having permanent seats on the Security Council were included in the membership of the Committee.