



C O N T E N T S

	Page
Agenda item 50:	
Budget estimates for the financial year 1961 (<i>continued</i>)	
Review of the resolution relating to unforeseen and extraordinary expenses: report of the Advisory Committee on Administrative and Budgetary Questions (<i>continued</i>)	53
United Nations Operations in the Congo: 1961 cost estimates and financing (<i>continued</i>)	54

Chairman: Mr. Mario MAJOLI (Italy).

AGENDA ITEM 50

**Budget estimates for the financial year 1961
(continued)**

REVIEW OF THE RESOLUTION RELATING TO UNFORESEEN AND EXTRAORDINARY EXPENSES: REPORT OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS (A/4715, A/C.5/L.662/REV.1) (*continued*)

1. Mr. QUIJANO (Argentina) said that the only change which had been made in the revised version of the Argentine and Iraqi draft resolution (A/C.5/L.662/Rev.1) was the insertion of the words "as a result of a decision of the Security Council", together with a slight consequential drafting change, in the operative paragraph. That amendment had been made in response to the first suggestion made by the French representative at the 836th meeting; no reference to a decision of the General Assembly had been included for the reasons set forth in paragraph 7 of the report of the Advisory Committee on Administrative and Budgetary Questions (A/4715).

2. As the Iraqi and his own delegation had explained at the 836th meeting, the draft resolution had been kept as simple as possible and was intended, not to modify the whole procedure for meeting unforeseen and extraordinary expenses, but to supplement the provisions of General Assembly resolution 1585 (XV) by setting a ceiling on the commitments which the Secretary-General might incur, before the sixteenth session of the General Assembly, in relation to the maintenance of peace and security. The proposal was based on the Advisory Committee's observations and suggestions, but the use of the Advisory Committee's language had been avoided because the sponsors considered that the subject of the Advisory Committee's report should be examined in detail, not at the current resumed fifteenth session, but at the sixteenth session.

3. It was now, he hoped, clear to the French representative that the draft resolution did not affect the provisions of resolution 1585 (XV) concerning unforeseen

and extraordinary expenses which did not relate to the maintenance of peace and security, and that the "matter" referred to at the end of the operative paragraph was indeed one of finance. If necessary, that could be made clear in the Committee's report to the General Assembly.

4. Mr. HILLIS (United Kingdom) said that his delegation would support the revised draft resolution, which was a purely interim measure designed to give partial effect to the suggestions made by the Advisory Committee in paragraph 14 of its report in the light of the general desire expressed by the General Assembly at the first part of the fifteenth session for a ceiling on the expenditure which the Secretary-General might incur without its express approval. In order to take prompt action when it was needed, the Secretary-General required a reasonable margin of financial authority, which the draft resolution would provide. His delegation subscribed to the United States view—that the figure of \$10 million was on the low side—rather than to the Australian view that it was on the high side. However, that figure should suffice until the sixteenth session, when both the ceiling and the future form of the resolution on unforeseen and extraordinary expenses would be reviewed.

5. The Advisory Committee stated in paragraph 15 of its report that it would then be necessary to review the rules of procedure of the General Assembly. In the meantime his delegation would interpret the adoption of the draft resolution as indicating approval by the General Assembly of resort to the procedure prescribed in Article 20 of the Charter for the convening of a special session, and of the application of the existing rules of procedure in such a case.

6. His delegation wished to make it clear that its support of the draft resolution did not affect its total disagreement with the USSR contention that the General Assembly was incompetent to examine estimates of expenditure relating to the maintenance of international peace and security. For fully fifteen years no Member State had questioned the competence of the General Assembly in budgetary matters. Moreover, as the Iraqi representative had pointed out at the 836th meeting, the question of the General Assembly's competence did not arise in connexion with the draft resolution, which merely set a limit to the hitherto unlimited discretion of the Advisory Committee to concur in commitments entered into by the Secretary-General.

7. Mr. TURNER (Controller) said that the Secretary-General fully shared the understanding just expressed by the United Kingdom representative: namely, that the adoption of the draft resolution should be construed as a determination by the majority of Member States that a special session should be convened under Article 20 of the Charter if the contingency envisaged in the draft resolution should arise. The existing rules of procedure of the General Assembly relating to the

summoning of special sessions at the request of a majority of Members would thus be applicable, and the Secretary-General would be authorized to act accordingly. He would suggest that that understanding should be recorded in the Committee's report.

8. Mr. ROSHCHIN (Union of Soviet Socialist Republics) said that his delegation would vote against the draft resolution, firstly because in its opinion the Advisory Committee on Administrative and Budgetary Questions, as a purely advisory body, was not competent to take any decisions, much less decisions on important questions which even the General Assembly could decide only by a two-thirds majority. As his delegation had stated at the 823rd meeting on 19 December 1960, it was not in keeping with the Charter to delegate such powers to the Advisory Committee. Secondly, the General Assembly could only make recommendations on questions relating to the maintenance of international peace and security; the only United Nations organ empowered to take decisions on such questions was the Security Council. Thirdly, the only organ competent to take decisions on the financing of action taken for the purpose of maintaining international peace and security was the Security Council; such financial matters were covered by Article 43, paragraph 2, of the Charter.

The revised draft resolution (A/C.5/L.662/Rev.1) was adopted by 49 votes to 9, with 5 abstentions.

Mr. Chelli (Tunisia), Vice-Chairman took the Chair.

**UNITED NATIONS OPERATIONS IN THE CONGO:
1961 COST ESTIMATES AND FINANCING (A/4703,
A/4713, A/C.5/360, A/C.5/L.658 AND CORR.1)
(continued)**

9. Mr. GARCIA ROBLES (Mexico) made a statement presenting the case against two contentions advanced in the Committee: firstly, that the criterion laid down in operative paragraph 3 (b), of the Latin American draft resolution (A/C.5/L.658 and Corr.1) for the assessment of 25 per cent of the expenses of ONUC for 1961 would be difficult to apply; secondly, that those expenses should be treated as "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter.

10. Mr. ARRAIZ (Venezuela), supported by Mr. GREZ (Chile) and Mr. GEORGIEV (Bulgaria), proposed that the Mexican representative's statement should be reproduced *in extenso* and circulated to the members as a document of the Committee.

11. The CHAIRMAN suggested that, in the absence of objection, the Mexican representative's statement should be circulated *in extenso*.

*It was so decided.*¹

¹The complete text of the statement by the representative of Mexico was circulated as document A/C.5/862, and appears in the *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda items 49/50.

12. Mr. GEORGIEV (Bulgaria) said that at the 828th meeting, the United States representative had recalled what he had described as "a number of allegedly legal arguments" made by the USSR representative at the 825th meeting "in an effort to stay action by the Committee" and had stated that those arguments had been disposed of by the Chairman. In the light of the information given by the Mexican representative at the present meeting, it was clear that those arguments had not been disposed of. The United States representative had continued as follows:

"But the USSR representative had made no suggestion, real or implied that under certain conditions his country might be prepared to pay the minimum, if not its just share of the cost of the Congo operation. If the present proposal or conditions made it impossible for that country or other dissenting countries to pay, they should at least come forward with offers of payment in accordance with their own ideas. There was always room for discussion provided the principle was accepted that the Members of the United Nations had a joint and mutual obligation to assess and pay their collective debts."

He (Mr. Georgiev) welcomed that statement as indicating a desire for understanding and conciliation on a very controversial question on which diametrically opposite views were held. He was naturally prepared to continue discussion, but his delegation saw no possibility of agreement on any solution which was not in conformity with the Charter and, in particular, which would transfer to other United Nations organs authority which the Charter had vested explicitly in the Security Council.

13. The issue was not the magnitude of the cost of the Congo operation, but the more important question of principle which was involved and which should be resolved only on the basis of the provisions of the Charter.

14. Mr. MORRIS (Liberia) said that the Mexican representative's remarks presumably related to observations which he (Mr. Morris) had made at the 833rd meeting concerning the correlation between investment and responsibility in disturbed areas, when he had suggested that the principle laid down in operative paragraph 3 (b) of draft resolution A/C.5/L.658 and Corr.1 was contrary to the principle of collective responsibility and that its application would lead to the establishment of a mercenary force designed to protect private interests. However, that was exactly what was occurring in the Congo at present. Adoption of the principle referred to would lend an inadmissible legality to something that was already intolerable to most Africans.

15. Mr. ARRAIZ (Venezuela) pointed out that if the present situation in the Congo was as the Liberian representative had described, the blame for that could not be attributed to draft resolution A/C.5/L.658 and Corr.1

The meeting rose at 1 p.m.