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 MEETING**

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CONTENTS

	<u>Page</u>
Agenda item 46: Report of the Negotiating Committee for Extra-Budgetary Funds	247
Agenda item 44: Budget estimates for the financial year 1959 (continued) First reading (continued) Section 13. Permanent Equipment (continued) ..	248
Agenda item 43: Supplementary estimates for the financial year 1958 (continued) Special meetings and conferences (continued) ...	248
Financial implications of the draft resolution submitted by the Fourth Committee in document A/3959/Add.1 on agenda item 39 (a)	248
Agenda item 53: Personnel questions (continued) (a) Geographical distribution of the staff of the Secretariat of the United Nations: report of the Secretary-General; (b) Proportion of fixed-term staff; (d) Staff regulations of the United Nations: report of the Secretary-General Draft report of the Fifth Committee to the General Assembly	251

Chairman: Sir Claude COREA (Ceylon).

AGENDA ITEM 46

Report of the Negotiating Committee for Extra-Budgetary Funds (A/3944 and Add.1, A/C.5/L.542)

At the invitation of the Chairman, Mr. Arnould, Chairman of the Negotiating Committee for Extra-Budgetary Funds, took a place at the Committee table.

1. Mr. ARNOULD (Chairman of the Negotiating Committee for Extra-Budgetary Funds) presented the report of the Negotiating Committee for Extra-Budgetary Funds (A/3944 and Add.1). He wished to stress in particular the critical financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. The Secretary-General, under resolution 1191 (XII) requesting him to make special efforts to secure the additional financial assistance needed by the Agency, had arranged for his personal representative to undertake an extensive fund-raising mission throughout Europe and the Middle East. The results of the campaign had been very encouraging and several suspended programmes had been reactivated. Nevertheless, the situation was still critical. There was no assurance that the Governments which had made special voluntary contributions that year would be able to do so again the following year. It was to be hoped that there would be no decline in Government efforts.

2. The United Nations Refugee Fund was not in a position to carry out all the programmes recommended despite the favourable response to the High Commis-

sioner's special appeal. In that instance, too, special efforts must be made.

3. The Negotiating Committee had noted with interest the proposal for a world refugee year. It had made no specific comments on that proposal, as the Third Committee had not concluded its consideration of the question at the time the Negotiating Committee's report had been drafted. It believed, however, that any special measures on behalf of the refugees deserved encouragement.

4. After the Negotiating Committee's report had been issued, the meetings of the ad hoc Committee of the whole Assembly for the announcement of contributions to the two refugee programmes had been held on 27 October 1958, in accordance with resolution 1197 A (XII) of 13 December 1957. The ad hoc Committee's work was described in the addendum to the Negotiating Committee's report. The results of the meetings showed a marked improvement compared with 1957; the number of contributions had been greater and in several cases the amounts of the pledges had been increased. It was regrettable, however, that other United Nations committees should have been scheduled to meet on the same day. There was no doubt that that had had some affect on the number of States attending the pledging conference. In view of the encouraging results achieved by the ad hoc Committee, the Negotiating Committee had made a series of recommendations which were set out in paragraph 6 of the addendum to its report.

5. In conclusion he drew attention to paragraph 9 of the addendum, in which the Committee stressed that only by the response of Governments to the Committee's appeals for funds could its intended purpose be achieved and the programmes approved by the General Assembly be implemented.

6. Mr. NAIK (Pakistan) thanked the Chairman of the Negotiating Committee for Extra-Budgetary Funds for his statement. His delegation, which was one of the sponsors of the nine-Power draft resolutions A and B (A/C.5/L.542), supported the Committee's recommendations and particularly those in paragraph 6 of document A/3944/Add.1. The results obtained in 1957 and 1958 indicated that it was helpful to convene an ad hoc Committee where States were invited to announce their pledges to the refugee programmes. He agreed with the Chairman of the Negotiating Committee that the meetings of that Committee should be so scheduled that no other meetings were held at the same time. That was the purpose of operative paragraph 3 of draft resolution A.

7. Draft resolution B provided for the appointment of 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). Despite the efforts of

Governments, the contributions pledged were insufficient to meet the target figures for the refugee programmes and he commended the Negotiating Committee for having invited Governments to increase their contributions. According to the draft resolution, the new Committee would serve from the close of the thirteenth session to the close of the fourteenth session of the Assembly. The sponsors hoped that those arrangements would yield results.

8. Mr. TREMBLAY (Canada), speaking as one of the sponsors of the draft resolutions, endorsed the comments by the Chairman of the Negotiating Committee and the Pakistan representative on the need for scheduling the meetings of the *ad hoc* Committee in such a way that they did not coincide with other meetings. He asked the Secretary-General to see that that was done.

9. He also stressed the fact that the continuance of the Negotiating Committee would serve no useful purpose unless Member States agreed to respond generously to the appeals for funds for the refugee programmes.

10. The CHAIRMAN put to the vote the nine-Power draft resolutions A and B (A/C.5/L.542).

The draft resolutions were adopted by 51 votes to none, with 4 abstentions.

11. Mr. CZARKOWSKI (Poland) explained that his delegation had abstained from voting on the draft resolutions because it was not in favour of operative paragraph 2 of draft of resolution A, which restricted the States to be invited to contribute—a restriction which was discriminatory and contrary to the principle of universality.

Mr. Arnould, Chairman of the Negotiating Committee for Extra-Budgetary Funds, withdrew.

AGENDA ITEM 44

Budget estimates for the financial year 1959 (A/3825 and Corr.1, A/3860, A/4003, A/4004, A/C.5/738) (continued)

First reading (continued)^{1/}

SECTION 13, PERMANENT EQUIPMENT (A/3825, AND CORR.1, A/3860, A/4003, A/4004, A/C.5/738)^{2/} (continued)

The recommendation of the Advisory Committee on Administrative and Budgetary Questions (A/4003, para. 2) for an additional appropriation of \$17,000 under section 13 for improvements to the Palais des Nations at Geneva was approved on first reading by 49 votes to none, with 7 abstentions.

12. Mr. CARLEVALE (Italy) said that his delegation was in favour of the installation of a new television studio at Headquarters. The present studio was inadequate and television was gaining more and more ground in an increasing number of countries. It was very probable that the United Nations would have to meet a growing demand for television programmes and transmit them in a greater number of languages. The argument that television reached only a limited audience was not relevant, since it was less a question of the organization of direct television broadcasts than of the

transmission by the television channels of the various countries concerned of films produced at Headquarters. It should also be kept in mind that the costs of the new studio would quickly be recovered out of revenue, as the Secretary-General had emphasized in his comments and recommendations on the report of the Committee of Experts on United Nations Public Information (A/3945, para. 11). The new studio would make it possible to produce more short films, which were the best way of making the United Nations familiar to the peoples of the world.

The Advisory Committee's recommendation (A/4004, para. 16) for an additional appropriation of \$138,000 under section 13, chapter III, for the major maintenance and capital improvement programme at Headquarters was approved on first reading by 47 votes to none, with 9 abstentions.

AGENDA ITEM 43

Supplementary estimates for the financial year 1958 (A/3922/Add.1, A/3999) (continued)^{3/}

Special meetings and conferences (A/3922/Add.1, A/3999) (continued)^{4/}

13. The CHAIRMAN put to the vote the Advisory Committee's recommendation (A/3999, para. 5) that the total supplementary estimates for 1958, approved in the amount of \$2,205,050 at the 652nd and 653rd meetings⁵, should be increased to \$2,319,050, to cover the supplementary appropriations in the amount of \$114,000 requested by the Secretary-General under section 2 (A/3922/Add.1) in respect of the conference on the suspension of nuclear weapons tests and the conference on the technical aspects of safeguards against the possibility of surprise attack, which had convened at Geneva on 31 October 1958 and 10 November 1958 respectively.

The Advisory Committee's recommendation to increase the total amount of the supplementary estimates for 1958 from \$2,205,050 to \$2,319,050 was approved unanimously.

The Advisory Committee's recommendation to increase the estimated additional 1958 income from staff assessments from \$400,000 to \$415,000 was approved unanimously.

FINANCIAL IMPLICATIONS OF THE DRAFT RESOLUTION SUBMITTED BY THE FOURTH COMMITTEE IN DOCUMENT A/3959/ADD.1 ON AGENDA ITEM 39 (a)^{5/} (A/3998, A/C.5/761)

14. The CHAIRMAN pointed out that, in its report (A/3998), the Advisory Committee did not question the appropriateness of the estimate submitted by the Secretary-General (A/C.5/761), i.e., some \$15,800; in view, however, of the deeper administrative considerations involved in the Fourth Committee's proposal, it felt that the Fifth Committee might wish to request the Fourth Committee to reconsider the matter in the light of its comments.

^{3/} Resumed from the 653rd meeting.

^{4/} Resumed from the 652nd meeting.

^{5/} Question of South West Africa:

(a) Report of the Good Offices Committee on South West Africa.

^{1/} Resumed from the 681st meeting.

^{2/} Resumed from the 666th meeting.

15. Members of the Committee should note that an important question of principle was involved. The function of the Fifth Committee in a case like the one before it was not purely automatic. The Committee need not necessarily confine itself to reporting to the Assembly the financial implications of a particular proposal by another Committee—in other words, merely indicating the "cost" of acting on that proposal. It had the right to indicate whether the implementation of a given proposal was advisable in view of the implications for the budgetary position as a whole; and if it wished to exercise that right in the present instance, it would doubtless be desirable first of all to bring to the Fourth Committee's attention the reason underlying the Fifth Committee's views, in addition to the opinion of the Advisory Committee.

16. Mr. SAHNI (India) said that his delegation did not in any case question the soundness of the draft resolution adopted by the Fourth Committee. On the other hand, it attached the greatest importance to the views expressed by the Advisory Committee, which considered that the Fourth Committee's proposal would derogate from the rule generally followed and would prove detrimental to the orderly procedures laid down for the recording of proceedings in United Nations bodies. Economic and administrative considerations must not, however, be allowed to prevent a Main Committee from making a proper examination of such an important question as that of South West Africa. The Fourth Committee had taken its decision after four days of thorough debate, and the various arguments now advanced by the Advisory Committee had been fully discussed. The general principle that the established practice should be adhered to was not in dispute; the adoption of the Fourth Committee's proposal would set no precedent; it was a very special case.

17. The Indian delegation did not object to the procedure proposed by the Advisory Committee, but suggested that the Advisory Committee should be good enough to review its position and to consider whether, in such important matters, the negative considerations set forth in its report should prevail. After all, reliance should be placed on the Committee concerned, which was in the best position to assess the soundness of such a proposal.

18. Mr. PACHACHI (Iraq) observed that the various considerations advanced by the Advisory Committee—departure from the established practice, incompatibility with the control and limitation of documentation, and the financial implications—had been thoroughly studied in the Fourth Committee; it was thus in the full knowledge of the facts that the latter had taken what it considered the right decision in view of the importance of the subject.

19. The Iraqi delegation, which had the greatest respect for and full confidence in the Advisory Committee, nevertheless felt that in the case now under consideration it had to some extent exceeded its terms of reference. It had discussed the substance of the Fourth Committee's proposal, whereas it was supposed only to give its views on its financial implications as estimated by the Secretary-General. If the Fifth Committee was to examine the substance of all proposals adopted by the different Committees, that would be tantamount to giving it some sort of veto power over other Committees' decisions. Apart from the confusion that that would create in relations between the Fifth

and the other Committees—for the same countries were represented on all of them—it was clear that the Fifth Committee should confine itself to studying the budgetary aspects of a given decision.

20. Hence the Iraqi delegation could support no proposal which involved inviting the Fourth Committee to reconsider its decision and, since the Advisory Committee had not questioned the Secretary-General's estimate, it felt that the Fifth Committee should accept it.

21. Mr. KEATING (Ireland) recalled that when the Fifth Committee had studied the question of control and limitation of documentation his delegation had advised against the adoption of a resolution whose provisions obviously could not be generally applied. The Fourth Committee, by taking a decision which conflicted with that resolution, had just demonstrated the soundness of that observation. At all events, without in any way asserting that the Fifth Committee's decisions should have precedence over those of other bodies, he felt that it would be wholly within the Committee's terms of reference to invite the Fourth Committee to reconsider its decision, the substance of which was not, in any case, in dispute. Hence the wisest course would be to follow the Advisory Committee's recommendation. That Committee, which had to take into account not merely financial considerations but also the necessity of ensuring that the United Nations functioned smoothly, had in no sense exceeded its terms of reference by expressing an opinion on the soundness of the Fourth Committee's request in the light of the budgetary situation as a whole.

22. Mr. HILLIS (United Kingdom) felt that the problem went beyond the specific case of the proposal adopted by the Fourth Committee; a general principle was at stake. The Fifth Committee had a right, and indeed a duty, to examine other Committees' decisions from the budgetary and financial point of view. It should concern itself, not with the nature of a proposal as such, but with its consequences.

23. Before adopting the draft resolution in question the Fourth Committee had considered three possibilities: first, that of requesting that verbatim records should be published in all the working languages—that was the course it had finally chosen; secondly, that of contenting itself with summary records; and lastly, that of asking for verbatim records in English only. The United Kingdom representative to the Fourth Committee had drawn attention to the draft resolution adopted by the Fifth Committee concerning control and limitation of documentation A/C.5/L.518, para. 10), and more particularly to its operative paragraph 7. He had drawn attention also to the need, recognized in the Fifth Committee, of avoiding a situation in which the volume of a document prevented it from being studied as closely as was desirable. Furthermore in cases where representatives desired the circulation of the texts of statements made in debates, a general rule had been established that the speakers concerned should be invited to make their statements available in the form of Press releases produced by their own facilities. Lastly, it was pointed out in the Secretary-General's memorandum on the organization of the Assembly's thirteenth session (A/BUR/149) that the First Committee and the Special Political Committee were the only Committees for which verbatim records were provided.

24. He felt, unlike the Indian representative, that the Fourth Committee's proposal was liable to set a very dangerous precedent. It raised a difficult constitutional problem; he would prefer the Advisory Committee's recommendation to be followed but, if a majority of members of the Committee did not favour that procedure, the Chairman's assistance should be sought in deciding how to frame the Committee's advice to the Assembly on the proposal before it.

25. The CHAIRMAN repeated that the Fifth Committee was entitled to examine the proposal from the standpoint of the budgetary situation as a whole and in the light of other considerations—for example, the need to control and limit documentation—which it was best qualified to decide. The subject of the Fifth Committee's prerogatives had already been considered at the Assembly's fourth session, when it had been clearly stated that, while the Fifth Committee was not competent to reverse the decisions of other organs, it was nevertheless entitled to refuse or reduce, for budgetary and administrative reasons, the appropriations requested to give effect to such decisions. The Committee might decide provisionally to adopt the Advisory Committee's recommendation and to resume consideration of the matter at a later date if the Fourth Committee decided not to reconsider its decision. If, on the other hand, the Fourth Committee did reconsider its decision, the Fifth Committee would not be called upon to decide whether its request should be granted.

26. Mr. KWEEDJIEHOO (Indonesia) entirely agreed, in principle, with the Advisory Committee that the established practices should be maintained, but that did not mean that all exceptions should be ruled out in important cases, such as the one under consideration. The representative of India had very rightly pointed out that the Fourth Committee had taken its decision after debating the question at length and in full awareness of the resolutions adopted by the Fifth Committee.

27. Mr. MANGASHA (Ethiopia) supported the Indian representative's suggestion. The question of South West Africa was extremely important and the United Nations had made great efforts to change the status of that Territory. He endorsed the considerations put forward by the Advisory Committee but the present case called for an exception. He had no objection to the question being referred back to the Fourth Committee, but the ideas expressed by the Indian representative should be kept in view.

28. Mr. SAHNI (India) was not opposed to the idea of referring the question back to the Fourth Committee but, after the observations of the United Kingdom representative, to do so would doubtless have a rather definite implication. He had had no intention of suggesting that the Advisory Committee had exceeded its terms of reference. Its report facilitated the analysis of the points which, in its opinion, the Fourth Committee should reconsider; those points were indicated in paragraph 7. The Advisory Committee had not rejected the estimates, it had not given any opinion regarding the Fourth Committee's right to take that decision and it had spoken only of financial implications "for the future". As the Indonesian representative had very aptly pointed out, the records of the Fourth Committee showed that there was no question of creating a precedent. In the light of the observations presented by the Advisory Committee in its report and of the opinions expressed in the Fifth Committee, it would be possible,

purely as a matter of courtesy, to ask the Fourth Committee to reply to the two specific points mentioned in paragraph 7.

29. Mr. VAN ASCH VAN WIJCK (Netherlands) thought it a pity that at the thirteenth session of the General Assembly there could still be arguments over the rights and powers of the Fifth Committee. He referred to a ruling on the subject given by the Chairman of the Fifth Committee at the General Assembly's third session and thanked the Chairman for having cited in the same connexion the very important decision taken by the General Assembly at its fourth session. The Fifth Committee did not exist solely to ascertain the cost of one decision or another; it was on an equal footing with the other Committees. While it was true that the same States were represented on the various organs of the General Assembly, it was also true that each organ examined its own particular questions and did so from its own particular angle. The Netherlands delegation had always believed in co-ordination within delegations, but it sometimes happened that on certain points representatives of one and the same delegation in different Committees took up positions which were not identical. The Fifth Committee was thus fully entitled to disagree with the Fourth Committee and was not overruling the decisions of the latter if it came to different conclusions. It would be for the General Assembly itself to take the final decision after weighing the points of view adopted by the various Committees.

30. He agreed with what the United Kingdom representative had said. There was an established practice and a recent draft resolution of the Fifth Committee on the control and limitation of documentation, and to approve the financial implications of the Fourth Committee's decision would run counter to both of them. It was not for the Fifth Committee to examine the substance of the matter, but the Netherlands delegation felt that there might have been other less costly and less complicated ways of informing the Good Offices Committee of the Fourth Committee's debate. The formula recommended by the Advisory Committee was one solution, but it would be preferable to submit the question to the General Assembly.

31. The CHAIRMAN suggested that, in order to resolve the difficulty, the Committee might decide whether it wished to ask the Fourth Committee to reconsider its decision in the light of the Advisory Committee's report and of the opinions voiced in the Fifth Committee.

32. Mr. SALOMON (United States of America) fully agreed with the representatives of Iraq, India and Indonesia about the importance of the question of South West Africa, but he could not see that the Fourth Committee's proposal had anything to do with improving the lot of the inhabitants of that Territory or that it would be of any help to the Good Offices Committee, which kept itself informed of the Fourth Committee's debates. Like the representative of Iraq, he did not consider that the question should be referred back to the Fourth Committee: to do so would only hold up the work of the Committee. He proposed that the Committee should submit the financial implications to the General Assembly, stating that, for the administrative and budgetary reasons mentioned by the Advisory Committee, it would be preferable not to adopt the Fourth Committee's resolution.

33. Mr. MANGASHA (Ethiopia) supported the Chairman's suggestion. He did not agree with the United States representative: in his opinion, the production of verbatim records of the Fourth Committee's debate on that question would be of assistance not only to the members of the Good Offices Committee but also to all other States interested in South West Africa.

34. Mr. VAN ASCH VAN WIJCK (Netherlands) was afraid that, if the question were referred back to the Fourth Committee, the latter would be in some uncertainty about the general attitude of the Fifth Committee, since relatively few representatives had taken part in the discussion. The solution proposed by the United States would have the advantage of making clear the general feeling of the Committee.

35. The CHAIRMAN proposed that the matter should be referred back to the Fourth Committee.

The proposal was adopted by 32 votes to 17, with 9 abstentions.

36. The CHAIRMAN suggested that the Committee's decision to refer the matter back should be expressed in the following terms:

"The Fifth Committee decided, before considering a recommendation to the General Assembly on the draft resolution adopted by the Fourth Committee, to invite the Fourth Committee to consider this matter again in the light of the discussions in the Fifth Committee and in the light of the considerations expressed in the report of the Advisory Committee (A/3998)."

It was so decided.

37. The CHAIRMAN announced that, as the Fourth Committee would have to be specially notified, he would transmit the Fifth Committee's decision to the Chairman of the Fourth Committee through the President of the General Assembly.

38. Mr. AGHNIDES (Chairman of the Advisory Committee on Administrative and Budgetary Questions) explained that, contrary to the opinion that seemed to be expressed in the Iraqi representative's speech, it had been solely out of respect for the Fourth Committee and as a matter of courtesy that the Advisory Committee had suggested that the Fifth Committee should refer the question back to the Fourth Committee instead of giving a direct opinion for or against its decision. As for the Iraqi representative's contention that the Advisory Committee's recommendation was out of order, that allegation was so serious that, were

it justified, there would be no reason for the Advisory Committee to exist. The Advisory Committee had not been set up merely to give automatic approval; it was of equal status with the other Committees, for it represented the interests of all Member States. That was an important point which should be made very clear for the future.

AGENDA ITEM 53

Personnel questions (A/C.5/L.534) (continued):^{6/}

- (a) Geographical distribution of the staff of the Secretariat of the United Nations: report of the Secretary-General;
- (b) Proportion of fixed-term staff;
- (d) Staff regulations of the United Nations: report of the Secretary-General

Draft report of the Fifth Committee to the General Assembly (A/C.5/L.534)

39. Mr. QUIJANO (Argentina), Rapporteur, presented the Committee's draft report (A/C.5/L.534).

40. Mr. KEATING (Ireland), referring to paragraph 12 of the draft report, recalled that during the discussion the Ethiopian representative had assured him that the position of the sponsors of the draft resolution in document A/C.5/L.517 had indeed been that indicated in paragraph 12. He therefore proposed that at the end of that paragraph a sentence should be added to the effect that the representative of Ethiopia had accepted that attitude on behalf of the sponsors of the draft resolution.

41. Mr. MANGASHA (Ethiopia) said that the misunderstanding which had arisen during the discussion had concerned the terms used in the draft resolution. In his opinion, the report gave a faithful account of the discussion.

42. Mr. KEATING (Ireland) wanted it to be clearly understood that in the matter of promotion all staff members, regardless of nationality, should be on an equal footing; merit, seniority and the interests of the United Nations should be the sole determining factors. As everyone agreed that the draft resolution did not affect that principle in any way, he would not press his amendment.

The draft report A/C.5/L.534 was adopted.

The meeting rose at 5.40 p.m.

^{6/} Resumed from the 671st meeting.