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Chairman: Mr. Jiří NOSEK (Czechoslovakia).

AGENDA ITEM 49

Administrative and budgetary co-ordination between the United Nations and the specialized agencies: report of the Advisory Committee on Administrative and Budgetary questions (A/4135, A/4148 and Corr.1, A/4172 and Corr.1, A/4257, A/C.5/786). (continued)* /

1. Mr. AGHNIDES (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that he had little to add to the Advisory Committee's report (A/4257), which brought together for the information of the General Assembly the salient points concerning the administrative budgets of the specialized agencies for 1960. With regard to the Advisory Committee's over-all report on administrative and budgetary co-ordination between the United Nations and the specialized agencies, with particular reference to the Expanded Programme of Technical Assistance (A/4172), he wished to thank the executive heads of the several organizations for the assistance they had afforded the Committee. The report covered the extent of the progress made in the several organizations in regard to the integration of their work under the regular budgets and their activities under the Expanded Programme. The Advisory Committee believed that some progress had been achieved in several agencies in the integration, within a single planning and review process, of technical assistance and other programmes. Progress had also been made, in regard to organizational and administrative arrangements, at the headquarters of the organizations and in the field. There was, however, substantial scope for further development. It went without saying, of course, that the process of co-ordination and integration of programmes and of their management required constant effort.

*Resumed from the 741st meeting.

2. He wished to make special reference to the comments of the Advisory Committee concerning the organization of activities in the field (A/4172, para. 44). The growing shift of emphasis to regional approaches had been reflected in the strengthening of organizational arrangements in the field. There had always been some regional arrangements, perhaps more in some organizations than in others, but the emphasis had been on the centre. The time had come to devote special care to the questions of administrative organization in the field. In doing so, the objective should be, on the one hand, to seek the most effective means of carrying out programmes of an increasingly operational type, aimed at the provision of direct assistance to Member States, and on the other hand, to ensure that each organization had a unified policy in regard to its over-all activities, subject to an appropriate measure of central direction and control. Finally, the activities of the various organizations in the field should be co-ordinated, as suggested in the Advisory Committee's over-all report (*ibid.*, para. 44)

3. He went on to stress the importance of the five-year appraisal of programmes, undertaken by the Economic and Social Council (ECOSOC) at the request of the General Assembly, in relation to the co-ordination of United Nations and specialized agencies programmes. That appraisal had originated with the Advisory Committee's initial suggestion in 1956,^{1/} when it had pointed out that a co-ordinated planning of programmes was of basic importance to a meaningful consideration of administrative and budgetary arrangements.

4. The Advisory Committee's two reports dealt with the question of the administrative and operational services costs of technical assistance (A/4172, paras. 7 to 9, and A/4257, paras. 12 and 13). The decisions which ECOSOC had taken in that regard would facilitate a simpler administration of the funds of the Expanded Programme Special Account, and, at the same time, promote more integrated and economical administrative arrangements for all the programmes of an organization.

5. Finally, in regard to the legislative responsibility for programmes (A/4172, para. 14 and paras. 50 to 52), he pointed out that some \$20 million dollars of the United Nations regular budget were spent every year on economic and social programmes in respect of which programming responsibility rested with ECOSOC and its commissions and committees, although the administrative and budgetary responsibility for those programmes belonged to the General Assembly and specifically to the Fifth Committee. On the other hand, in the case of the special programmes, including the Expanded Programme, ECOSOC was responsible both for programming and for administrative arrangements. That rendered administrative co-ordination more

^{1/} See Official Records of the General Assembly, Eleventh Session, Annexes, agenda item 49, document A/3489, para. 7.

important and, often, more difficult. Some progress had been achieved in overcoming that difficulty, through the arrangements that had been developed for the review of the administrative budgets and arrangements of some of the special programmes by the Advisory Committee. There was perhaps no simple solution to the problem, but it was one which needed recognition and study.

6. Mr. BANNIER (Netherlands) said that sufficient information was available to the Committee to enable it to devote more attention to the important item under consideration than in the past. The administrative and budgetary aspects of co-ordination were complementary to the substantive aspects. He would therefore comment first on the problems of co-ordination in general, both on the substantive and on the financial side. The problems he had in mind related more particularly to the activities of the United Nations and the specialized agencies in the economic, social and human rights fields.

7. Although originally a stronger cohesion had been envisaged between the various organizations set up to deal with the multitude of tasks confronting United Nations agencies, the relationship between those bodies, as laid down in the Charter of the United Nations, was based on the principle of autonomy. In many circles there had been, and still was, doubt as to the practicability of the present structure and of its underlying principle, but unless Governments were prepared to consider strengthening the ties between the different bodies, the best course to follow was to ensure that the system worked as effectively as possible, and to apply certain structural corrections within the existing constitutional limits. The corrections should do more than try to avoid duplication and overlapping. The existing pattern would not preclude an evolution in thinking, with a view to finding common denominators that would permit the regrouping and systematization of the activities of the United Nations agencies, which had in the past been to some extent atomized. The efforts of ECOSOC had been directed towards that objective. For example, the Netherlands delegation had expressed the view at the Council that emphasis in the United Nations should be shifted from unity within freedom, to freedom within unity, that was, as much freedom as was compatible with the unity of the United Nations family structure.

8. The outlines of that family structure had been deliberately left rather vague in the Charter. In that connexion, he referred in particular to Articles 58, 60, 62, 63 and 64 and to Article 17, para. 3, which provided the constitutional basis for efforts to achieve better co-ordination and, thereby, greater efficiency in action and in administration. Those efforts deserved more consideration in the General Assembly, which could not fully judge measures taken, or to be taken, on the administrative and budgetary side without taking into account the recent decisions of ECOSOC.

9. The five-year appraisal of the activities and programmes of the United Nations, and the similar appraisals in course of preparation by all the larger specialized agencies and by the IAEA had as their purpose the framing of a careful survey of the programmes and of their scope, trend and cost for the period 1959 to 1964, individually by each organization, and jointly. On the basis of the separate appraisals, a committee of five members, fully conversant with the programmes and with the process of co-ordination

developed among the various organizations, would prepare, with the assistance of the Administrative Committee on Co-ordination (ACC), a consolidated report for submission to the thirtieth session of the Council showing the extent to which the programmes covered met basic needs, and the interrelationship of activities designed to meet those needs. For the first time in the history of the United Nations, the Council would have before it a single document in which the major activities of all organizations would be brought into relation with each other. In his delegation's opinion, that would be of paramount importance for programme-building, for the streamlining of existing activities and for the assignment of relative priorities. Chapter VIII—Questions of co-ordination and relations with specialized agencies—of ECOSOC's report to the General Assembly for the period 1 August 1959 to 31 July 1960 would undoubtedly refer to the consolidated report, and his delegation hoped that at the fifteenth session of the General Assembly, that chapter would be allocated for examination by the Fifth Committee or jointly by the three Committees of the Assembly primarily concerned.

10. The Fifth Committee was supposed to deal with the administrative and budgetary questions arising in the United Nations, but as his delegation had already pointed out, and as the Secretary-General and the Advisory Committee had also suggested, it was impossible to consider such matters in a responsible way without reference to the substantive background and the activities of the specialized agencies. That applied especially to matters in the economic, social and human rights fields. Clearly, it was not the Committee's responsibility to undertake a detailed examination of the budgets of the specialized agencies, but it was very useful for it to have a general impression of the work of the agencies and its financial implications. It was also of importance to Governments wishing to have a comprehensive justification of the expenditures incurred as a result of action by the United Nations and the specialized agencies and the consolidated statement on the organizational budgets would provide a welcome source of information in that respect.

11. If in the future there should be need for a comprehensive discussion by the Assembly of the programmes and activities of the United Nations and its subsidiary bodies, structural alterations would be necessary. Consideration might be given, for example, to changing the terms of reference of the main Committees, to broadening the powers and authority of the Advisory Committee or to establishing an advisory programming committee to work in co-operation with the present Advisory Committee. One step which could be taken immediately was the extension of the terms of reference of the Advisory Committee so as to enable it to respond to direct requests for advice in the administrative and budgetary field from organs of the United Nations concerned with the administration and execution of special programmes.

12. In accordance with General Assembly resolution 884 (IX), the Advisory Committee had taken the correct course and had rightly interpreted its terms of reference as calling for a broad over-all review of the general problems of administrative and budgetary co-ordination. With regard to the application of priorities, he was glad to note that the Advisory Committee had taken no specific action and had preferred to await the outcome of the appraisals made at the

request of ECOSOC. With regard to the allocation of administrative and operational costs between the regular budgets of the organizations and the Expanded Programme Special Account, the Committee's recommendations had proved to be of value to TAC and to ECOSOC (A/4172, para. 7).

13. The Advisory Committee had provided detailed information on the issue of the integration of the activities of international organizations. The Netherlands delegation was aware of the efforts made by the various organizations in that respect, and considered that there was no basic divergence of view between those organizations and the Advisory Committee in regard to integration. He concurred with many of the Advisory Committee's observations and particularly shared the doubts expressed as to the need for two separate organizational structures in the field. On the other hand, he thought that there were too many organizations which had well qualified experts on financial matters to warrant the statement made by the Advisory Committee in paragraph 29 of its overall report that the machinery was "often" inadequate. He also thought that, as one or two of the organizations concerned were implementing programmes costing from \$8 million to \$9 million, a relatively large unit for central operational and liaison work would be required. Moreover, he was not certain that "undue" emphasis was being placed on the differences in the source and method of financing of the regular budgetary programmes on the one hand, and of the Expanded Programme on the other (A/4172, para. 13). He agreed, however, with the Advisory Committee's implied suggestion that further co-ordination of the financial practices in operational programmes financed from different sources could be pursued provided it did not infringe upon the principle of freedom within unity.

14. The Advisory Committee was apparently suggesting a change in the legislation governing the procedures of the Expanded Programme so as to transfer certain responsibilities from TAC and ECOSOC to the Fifth Committee. The Netherlands delegation was not in favour of that suggestion for a number of reasons: in the first place, it did not believe it would serve any practical purpose to deprive TAC of responsibilities with which it was coping satisfactorily; secondly, it failed to see how the Fifth Committee with its eighty-two members, could do the job better than TAC or even as well, since TAC, a body of twenty-four members, had sometimes found it necessary to establish working groups of even more limited size to deal with the problems in question; thirdly, as it was impossible to separate the closely interwoven aspects (programming, on the one hand, and administrative and financial, on the other) of such a complicated programme, there might be a risk of duplication between the activities of TAC and those of the Fifth Committee, since neither organ could take decisions without full knowledge of the questions which concerned the other; fourthly, it was doubtful that, in a Committee of the General Assembly, representatives of the participating organizations could take part in the debates to the same extent as in TAC, and their participation was of great value; lastly, some of the States participating in the Expanded Programme were not Members of the United Nations, and the non-member State at present represented in TAC would not be represented in the Fifth Committee.

15. It was probably still premature to place the question of a "consolidated budget" before the General Assembly, but he hoped that the time was not too far off when ACC, and thereafter the Advisory Committee, might feel justified in considering it. With regard to co-ordination between the offices of the United Nations and of the specialized agencies in the field, he hoped that the Secretary-General could not only adopt the Advisory Committee's suggestion for the closest co-operation between local representatives of the agencies and international programmes, but would raise in ACC the broader issue of co-ordination in the field offices. It seemed that much could still be done not only to establish common premises and services, but to ensure common representation in certain cases. Within the United Nations proper, the need for integration of field offices was already quite apparent and he wished to mention in that connexion not only the regional economic commissions and the field offices of OPI, but the representation of TAB and UNICEF.

16. In conclusion, he noted that much remained to be done to ensure co-ordination at the national level, the importance of which had been repeatedly emphasized. He hoped that the discussion in the Committee would help to achieve that aim and that the representatives in the Fifth Committee would be able to persuade their Governments to adopt parallel approaches to all United Nations organizations.

17. Mr. GREZ (Chile) congratulated the Advisory Committee on its excellent overall report, which represented a great step forward. The observations it contained would make it possible to avoid much overlapping and to apply a common denominator in co-ordinating the various budgets.

18. Mr. HARLAND (New Zealand) said that the need to co-ordinate the activities of the United Nations with those of the specialized agencies, recognized in the Charter, had become increasingly apparent with the expansion in the work of those organizations and with the establishment of extra-budgetary funds such as the Expanded Programme to finance direct assistance to Governments. The Advisory Committee had been studying the question for several years and the Committee now had before it its comprehensive report. The New Zealand delegation was in full agreement with the Advisory Committee's approach and with most of its specific comments. It recognized the need for integrating the work done by the various organizations under the Expanded Programme with that financed from their regular budgets and it supported the steps already taken in that direction under the leadership of ECOSOC. It was, however, aware of the inadequacy of the machinery of financial control in at least some of the specialized agencies, and it shared the view that it would be strengthened if greater use were made of expert committees. The Advisory Committee's reports were of considerable value and it should be authorized to supplement them with more extensive and detailed examinations if and when it was requested to do so by the agencies themselves.

19. His delegation also welcomed the Advisory Committee's emphasis on the need for closer integration of field services. The resident representatives of TAB had an important role to play, and the establishment of new field offices in places where there were already resident representatives should be avoided.

20. There were two suggestions in the Advisory Committee's report on which the New Zealand delegation had some doubts. The Committee considered that as the legislative authority for administrative and budgetary matters in respect of regular programmes was vested in the Fifth Committee, the latter should be more closely associated with the review of the administrative and financial aspects of the Expanded Programme. If the Advisory Committee was suggesting that the Fifth Committee and not the Second Committee should confirm the allocations made by TAC, his delegation was inclined to agree. But if the intention was to transfer the entire responsibility from TAC to the Fifth Committee, his delegation would reserve its position. In ten years, TAC had acquired a good deal of experience of the administrative and budgetary aspects of the Expanded Programme and an established place in the relations between the United Nations and the specialized agencies. As a result it had been able to bring about a number of changes in the administration of the Programme which were not only fully in line with the Advisory Committee's own views, but had in some cases been based on its recommendations, the most recent example being the decision to reduce the lump-sum payments to the participating organizations in respect of administrative and operational services costs to a uniform level of 12 per cent. Since satisfactory progress was being made under the existing arrangements, there was little ground for such a radical change as transferring to the Fifth Committee responsibilities at present being discharged by TAC.

21. It must be recognized, however, that there were certain problems which were common to the Expanded Programme and to other operational programmes financed from extra-budgetary funds. Thus the question of administrative and operational services costs had recently been studied by TAC, the Governing Council of the Special Fund and the Executive Board of UNICEF. Moreover, the Executive Board of UNICEF had decided to abandon the system of project budgeting just when TAC was considering the possibility of adopting that system for the Expanded Programme. That underlined the need to which attention had been drawn by the Advisory Committee, for co-ordination of the administrative and financial aspects of the extra-budgetary programmes. However, his delegation had some reservations concerning the means suggested by the Advisory Committee, and specifically the suggestion that the Fifth Committee should be the point of co-ordination for inter-agency programmes. It wondered whether the object might not more readily be achieved by making use of the established and accepted machinery for co-ordination which already existed in ECOSOC to which both the Governing Council and the Executive Board already reported. In considering the administrative and budgetary aspects of co-ordination, the Council would require expert advice and that would, in his delegation's opinion, appropriately be provided by the Advisory Committee. The Council would then be in a position to give at least initial consideration to that problem. That would not, of course, preclude the Fifth Committee from considering the matter also, but if it were to be able to do so, it would be necessary to ensure that the relevant sections of the ECOSOC's report were referred to it, instead of, as at present, to the General Assembly in plenary meeting.

22. Mr. FULTON (United States of America) said that the highly important problem of administrative co-ordination raised the question of the competence of the Fifth Committee and of the Advisory Committee whose terms of reference might have to be enlarged, which could possibly necessitate a revision of rule 158 of the General Assembly's rules of procedure.

AGENDA ITEM 63

Proposed amendments to certain provisions of the Pension Scheme Regulations of the International Court of Justice (A/4241) ^{2/}

At the invitation of the Chairman, Mr. Aquarone (Deputy Registrar, International Court of Justice) took a place at the Committee table.

23. The CHAIRMAN drew the Committee's attention to the report of the Deputy-Registrar of the International Court of Justice, which was annexed to the note by the Secretary-General (A/4241) and concerned two matters regarding the pension scheme of the International Court of Justice. The first matter pertained to the position of a judge who resigned prior to the expiration of the period for which he was elected and the second, to the amount and the method of computing the pensions of judges who retired in the ordinary course. The Sixth Committee had given its advice in the matter (A/C.6/L.454, paragraphs 4 and 5).

24. Mr. AHANEEN (Iran) said that as regarded the first matter raised by the International Court of Justice the present scheme did not seem entirely satisfactory as it tended to discourage a judge from resigning, even though he considered that he was no longer in a position to serve the Court in accordance with its best interests. He would therefore support the Court's suggestion, which had been endorsed by the Secretary-General (A/4241, para. 3).

25. As for the second matter, he agreed with the views expressed by the Deputy-Registrar, who had pointed out that in accepting office, members of the Court abandoned an existing career to which they might have difficulty in returning later. For that reason, he would also support the Court's second suggestion under which judges' pensions would be computed according to a more favourable scale.

26. Mr. ROJAS (Mexico) considered the proposed amendments entirely justified. Not only did the members of the Court discontinue their careers—sometimes altogether—when they accepted office, but the amount of pension to which they were entitled was inadequate, having regard to the nature of their office. He would support the two suggestions made by the Court.

27. Mr. KITTANI (Iraq) expressed agreement with the first suggestion made by the Court. As far as the second was concerned, the Secretary-General had suggested deferring consideration of the matter until the next session of the Assembly pending the completion of the study of the relevant part of the Court's report by such appropriate body as the Assembly might determine (*ibid.*, para. 4). As it seemed unlikely that the Assembly would be able to decide, before the end of the present session, which body would be com-

^{2/} For the discussion in the Sixth Committee see *Official Records of the General Assembly, Fourteenth Session, Sixth Committee, 630th and 631st meetings.*

petent to undertake that study, it might be preferable to defer consideration of the question until the fifteenth session.

28. Mr. PRATT (Israel) considered that if judges who had completed five years of service were entitled to a pension, without a decision of the Court being necessary in each case, they would be assured of conditions of service more in keeping with their high office. In his view, consideration of the second matter raised by the Court should be deferred until the next session.

29. Mr. SOKIRKIN (Union of Soviet Socialist Republics) recalled that under the Pension Scheme Regulations for members of the International Court of Justice, the decision as to whether a judge who resigned after five years of service was entitled to a pension had thus far rested with the Court. That provision of the regulations was now disputed because some judges might hesitate to rely on the discretionary decision of the Court. He wondered if that was really the only aspect of the question of the pension rights of members of the Court who resigned after five years of service. He would also like to know if the present regulations had given rise to difficulties in the past.

30. If the Assembly altered the Pension Scheme Regulations, the decision might have repercussions on other United Nations bodies. The precedent might encourage requests for a general revision of the regulations of the United Nations Joint Staff Pension Fund.

31. Lastly, he wondered if the Secretariat had considered the possibility of broadening the list of grounds on which pensions were payable.

32. Mr. TURNER (Controller) said, in reply to Mr. Sokirkin, that, as far as the Secretary-General was concerned, the only reasons which had prompted the International Court of Justice to make its suggestions were those specified in its report. There were, in fact, certain anomalies in the Court's pension scheme and it was surprising that the question had not been raised earlier.

33. As for the possible repercussions on the regulations of the United Nations Joint Staff Pension Fund, he was able to reassure the Committee. The proposed revisions would tend rather to bring the Court's pension scheme more into conformity, in terms of certain basic principles, with that of the Secretariat.

34. Mr. AQUARONE (Deputy Registrar, International Court of Justice), replying to the representative of the Soviet Union, stated that the decisions taken by

the Court concerning the entitlement to a pension of members resigning after five years of service had not so far given rise to any difficulties. So far the Court had not had to take a special decision in accordance with paragraph 4 of the Regulations.

35. Mr. FULTON (United States of America) pointed out that, in stating that a judge might "hesitate...to rely on the discretionary decision of the Court", the Deputy-Registrar seemed to forget that the members of the Court should be the first to trust to the judgment of their colleagues. That was not sufficient reason for requesting the alteration of a provision of the regulations.

36. Mr. SOKIRKIN (Union of Soviet Socialist Republics) agreed that the reason mentioned would not justify the review of a provision that had been approved by the General Assembly. It would be preferable, while observing the present regulations, to broaden the grounds on which pensions were payable. As the Court's decisions on the subject had not so far been disputed, consideration of the question could be deferred until the fifteenth session and the Secretary-General, in consultation with the Court, could be requested to prepare a more detailed report on the reasons which had led the Court to propose the amendments in question.

37. Mr. FULTON (United States of America) supported that proposal.

38. The CHAIRMAN said that the representative of the Soviet Union formally proposed to defer consideration of agenda item 63 until the fifteenth session of the General Assembly, and to request the Secretary-General to prepare a further report on the subject in consultation with the International Court of Justice.

It was so decided.

AGENDA ITEM 44

Budget estimates for the financial year 1960 (A/4110, A/4170, A/C.5/L.567) (continued)

First reading (continued)

SECTION 21. INTERNATIONAL COURT OF JUSTICE (A/4110, A/4170)

The Advisory Committee's recommendation (A/4170, para. 223) for an appropriation of \$704,500 under section 21 was unanimously approved on first reading.

The meeting rose at 12.50 p.m.