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BUDGET ESTIMATES FOR THE FINANCIAL YEAR 1961

Review of the resolution relating to unforeseen
and extraordinary expenses

Report of the Fifth Committee

Rapporteur: Mr. T.W. CUTTS (Australia)

1. Under operative paragraph 3 of General Assembly resolution 1585 (XV) of 20 December 1960, the Advisory Committee on Administrative and Budgetary Questions was requested "... in the light of discussions in the Fifth Committee, to study and report to the General Assembly at its resumed fifteenth session on the question of the review of the resolution relating to unforeseen and extraordinary expenses of the United Nations".
2. The report of the Advisory Committee (A/4715) was considered by the Fifth Committee at its 836th and 837th meetings held on 12 and 13 April 1961.
3. At the 836th meeting of the Committee, Argentina and Iraq submitted a draft resolution (A/C.5/L.662) reading as follows:

"The General Assembly,

"Bearing in mind its resolution 1585 (XV) of 20 December 1960,

"Having considered the report of the Advisory Committee on Administrative and Budgetary Questions on the question of the review of the resolution relating to unforeseen and extraordinary expenses of the United Nations (A/4715),

"Decides that, should new commitments relating to the maintenance of peace and security arise under paragraph 1 of resolution 1585 (XV) in an estimates total exceeding \$10 million before the sixteenth session of the General Assembly, a special session of the General Assembly shall be convened by the Secretary-General to consider the matter."

Following suggestions by the representative of France, the sponsors submitted, at the 837th meeting, a revised draft resolution (A/C.5/L.662/Rev.1) under which the operative paragraph was revised to read as follows:

...

"Decides that if, as a result of a decision of the Security Council, new commitments relating to the maintenance of peace and security should arise under paragraph 1 of resolution 1585 (XV) in an estimated total exceeding \$10 million before the sixteenth session of the General Assembly, a special session of the General Assembly shall be convened by the Secretary-General to consider the matter."

4. In introducing the draft resolution, the sponsors drew attention to the suggestions made by the Advisory Committee (A/4715, paragraph 14) as to how the annual resolution relating to unforeseen and extraordinary expenses might be revised. They considered, however, that many of these points could be left for the sixteenth session when the Assembly would consider the resolution relating to unforeseen and extraordinary expenses for 1962. Their draft resolution was designed to give effect to the one suggestion of the Advisory Committee which should be covered as a matter of urgency before that time.
5. The representative of the Secretary-General confirmed the understanding that the adoption by the General Assembly of the draft resolution would, for purposes of Article 20 of the Charter relating to the convening of special sessions, be considered as a determination by the majority of the Members of the United Nations that a special session of the General Assembly should be called if the contingency envisaged in the draft resolution should arise, and that the Secretary-General would in that event be authorized to act accordingly. The representative of the Secretary-General further informed the Committee of the possible financial implications of the convening of a special session of the General Assembly.
6. During the discussion in the Fifth Committee, some delegations said that the draft resolution, by permitting expenditure for the maintenance of peace and security of up to \$10 million with the concurrence of the Advisory Committee, a subsidiary body of the General Assembly, and by providing that expenses over that amount might be sanctioned by the General Assembly, contravened the provisions of

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the Charter, and in particular Article 11, which gave the Security Council exclusive competence for decisions in respect of action for the maintenance of peace and security.

7. At its 837th meeting, the Fifth Committee adopted, by 49 votes to 9 with 5 abstentions, the revised draft resolution (A/C.5/L.662/Rev.1) submitted by Argentina and Iraq.

Recommendation of the Fifth Committee

8. The Committee accordingly recommends to the General Assembly the adoption of the following draft resolution.

REVIEW OF THE RESOLUTION RELATING TO UNFORESEEN
AND EXTRAORDINARY EXPENSES

The General Assembly,

Bearing in mind its resolution 1585 (XV) of 20 December 1960,

Having considered the report of the Advisory Committee on Administrative and Budgetary Questions on the question of the review of the resolution relating to unforeseen and extraordinary expenses of the United Nations (A/4715),

Decides that if, as a result of a decision of the Security Council, new commitments relating to the maintenance of peace and security should arise under paragraph 1 of resolution 1585 (XV) in an estimated total exceeding \$10 million before the sixteenth session of the General Assembly, a special session of the General Assembly shall be convened by the Secretary-General to consider the matter.
