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BUDGET ESTIMATES FOR THE FINANCIAL YEAR 1963

Comprehensive review of the system of payment from United Nations funds of travel and subsistence expenses in respect of members of organs and subsidiary bodies of the United Nations

Eleventh report of the Advisory Committee on Administrative and Budgetary Questions to the General Assembly at its seventeenth session

1. The Advisory Committee on Administrative and Budgetary Questions has considered a report of the Secretary-General (A/C.5/930) reviewing the system of payment of travel and subsistence expenses to members of organs and subsidiary bodies of the United Nations.
2. The reasons that have prompted the review are set forth in the opening paragraph of the Secretary-General's report, as follows:
 - (a) Problems have arisen in connexion with the interpretation and implementation of existing directives of the General Assembly on this subject;
 - (b) The increase in the number of new United Nations bodies established in recent years has accentuated these problems;
 - (c) In the case of certain of the existing provisions, the original intent of the General Assembly has to be clarified; and
 - (d) In general, it is considered that a comprehensive review of the system at present in force would serve a useful purpose.

The Advisory Committee agrees with the Secretary-General that it would be useful to revise the text of the relevant resolution in such a way as to avoid future doubts and difficulties.

3. The Advisory Committee had the opportunity of examining a preliminary draft text of the Secretary-General's report and of making a series of suggestions on his initial proposals. As most of these suggestions were accepted by the Secretary-General and incorporated in the report (A/C.5/930) now before the Fifth Committee, the Advisory Committee has only a few comments or amendments to offer on the Secretary-General's proposals.

4. The Advisory Committee is presenting in the annex to this report the text of the resolution in tabular form, reproducing columns 1 to 3 of Annex I of the Secretary-General's report (A/C.5/930) and adding a column with its most recent recommendations and comments. In an exercise of this kind the normal practice would consist in giving the views of the Secretary-General and those of the Advisory Committee in one consolidated report.

The General Assembly,

Believing that the payment out of United Nations funds of travel and subsistence expenses to members of organs and subsidiary organs of the United Nations should continue to be based on the criteria set out in the General Assembly resolution 231 I (III) of 8 October 1948,

Believing further that previous decisions and directives regarding the payment of such travel and subsistence expenses should be consolidated,

1. Decides that from 1 January 1957 the following principles shall govern the payment out of United Nations funds of travel and subsistence expenses to members of all organs and subsidiary organs of the United Nations:

(a) Travel and subsistence expenses shall be paid out of United Nations funds in respect of members of organs or subsidiary organs who serve in their individual personal capacity and not as representatives of Governments;

(b) Except as provided in sub-paragraph (c) and (d) below, neither travel nor subsistence expenses shall be paid out of United Nations funds in respect of members of organs or subsidiary organs who serve as representatives of Governments;

(c) With a view to equalizing as far as possible the opportunities of Member States to participate in the activities of the United Nations, travel but not subsistence expenses shall be paid in the following cases:

(i) In respect of representatives or alternate representatives to the General Assembly, subject to such conditions as may be laid down by the Secretary-General, and provided that the number of persons whose expenses will be so paid shall not exceed five for each Member State in respect of regular sessions of the General Assembly, and one for each Member State in respect of special sessions of the General Assembly;

(ii) In respect of one representative of each Member State participating in a functional commission or a sub-commission of the Economic and Social Council, where such representatives are nominated by their Governments in consultation with the Secretary-General and subsequently confirmed by the Council;

(iii) In respect of one representative of each Member State participating in the Commission on Narcotic Drugs;

The General Assembly,

Believing that the payment out of United Nations funds of travel and subsistence expenses to members of organs and subsidiary organs of the United Nations should continue to be based on the consolidated criteria established in General Assembly resolution 1075 (XI) of 7 December 1956,

Believing further that the provisions of the latter resolution require reinforcement in more comprehensive and explicit terms in order to facilitate their interpretation and practical implementation in current circumstances,

1. Decides that resolution 1075 (XI) shall be superseded by the present resolution;

2. Decides that the following principles shall govern the payment out of United Nations funds of travel and subsistence expenses to members of organs and subsidiary organs of the United Nations:

(a) Travel and subsistence expenses shall be paid in respect of members of organs and subsidiary organs who serve in an individual personal capacity and not as representatives of Governments;

(b) Except as provided in paragraph 3 below, neither travel nor subsistence expenses shall be paid in respect of members of organs or subsidiary organs who serve as representatives of Governments.

3. Decides that, by way of special exception to the basic principle laid down in paragraph 2 (b) above:

(a) Travel but not subsistence shall be paid

(i) In respect of representatives or alternate representatives attending sessions of the General Assembly, subject to the conditions established in paragraph 1 of the Annex to this resolution, or as may be laid down by the Secretary-General, and provided that the number of persons whose expenses shall be so paid shall not exceed five for each Member State in respect of regular sessions, and one for each Member State in respect of special and special emergency sessions. The entitlements in respect of a session shall not be increased in respect of a resumed part of such a session;

(ii) In respect of one representative of each Member State participating in a functional commission of the Economic and Social Council or in a sub-commission or sub-committee of a functional commission, where such representatives are nominated by their Governments in consultation with the Secretary-General and subsequently confirmed by the Council or where, in the case of representatives nominated directly by their Governments, the Council recommends and the General Assembly decides that such payments should be made;

No comment required on the two preambular paragraphs and operative paragraph 1.

Operative paragraph 2 would replace the existing operative paragraph 1, sub-paragraphs (a) and (b). The paragraph describes the basic principle governing the payments involved. No change in the substance of the existing text is proposed.

Operative paragraph 3, sub-paragraphs (a) and (b), would replace the existing operative paragraph 1, sub-paragraphs (a) and (d).

Apart from a slight rewording, which seeks to indicate the agreed limits of the existing provision more explicitly, the substance of this provision would remain unchanged.

"The entitlement in respect of a session shall not be increased by reason of the recessing and resuming of that session."

(i) It is recommended that the final sentence of sub-paragraph (i) should be transferred to the end of paragraph 1 or the Annex to the resolution and modified as follows:

Operative paragraph 3 (a) (ii) of the proposed new text consolidates the provisions in the existing operative paragraph 1, sub-paragraphs (c) (ii) and (iii). No change in substance is involved. The new text reads:

(a) to state the general principle in a more comprehensive manner;

(b) to bring out more clearly that in the case of a functional commission whose members are entitled under the resolution to travel costs, any possible sub-commissions or committees which may be established by such functional commissions should logically be similarly entitled;

(c) to establish the principle that in the case of members of commissions or sub-commissions whose members are nominated directly by their Governments and therefore not automatically entitled in terms of the resolution to travel costs, a specific decision by the Council or the Assembly on such payments shall be required. At the time of the adoption of resolution 1075 (XI) the Assembly agreed that the Commission on Narcotic Drugs should be entitled to travel costs. Therefore, the latter subsidiary organ no longer needs to be specifically mentioned.

A

Text of resolution 1075 (XI)

(d) Travel and subsistence expenses shall be paid in respect of the following persons regardless of whether they serve in their individual, personal capacity or as representatives of Governments:

- (1) A rapporteur or chairman of a subsidiary organ who is called upon to present in an expert capacity the report of such subsidiary organ to a parent body;
- (11) One member of a commission acting as its representative on a second commission or committee;

(111) One representative of any Member State participating in a commission of inquiry or conciliation instituted by the General Assembly or by the Security Council, except where the organ concerned decides that an alternate for each member is necessary, in which case payment may also be made in respect of an alternate;

(111) Members of the Board of Auditors;

2. Decides that the principles set forth in paragraph 1 above shall also apply to any subsidiary organ that may be established in the future, unless the resolution establishing such subsidiary organ provides otherwise;

3. Decides that the application of these principles shall be in accordance with the provisions contained in the annex to the present resolution;

4. Authorizes the Secretary-General to establish such administrative rules and procedures as are necessary for the implementation of the provisions of the present resolution.

B

Text proposed by the Secretary-General

(b) Travel and subsistence expenses shall be paid in respect of the following persons:

- (1) Either the Chairman or the Rapporteur of a subsidiary organ who is called upon to present the report of such subsidiary organ to a parent organ;
- (11) One member of an organ or subsidiary organ serving as its designated representative at meetings of a second organ or subsidiary organ;

(111) One representative of a Member State participating in a subsidiary organ instituted by the General Assembly or the Security Council, and which is required, by a decision of the parent organ, to work away from United Nations Headquarters in the performance of a special task; where the parent organ decides, by way of special exception, that an alternate for a member is necessary, such payments may also be made in respect of one alternate representative. Payments under this sub-paragraph shall be subject to the conditions laid down in paragraph 3 of the annex to this resolution.

4. Decides that the principles set forth in paragraph 2 above shall also apply to any organ or subsidiary organ that may be established in the future, unless the resolution establishing the organ or subsidiary organ provides otherwise;

5. Decides that the application of these principles shall be in accordance with the provisions contained in the annex to this present resolution;

6. Authorizes the Secretary-General to establish such administrative rules and procedures as may be necessary for the implementation of the present resolution.

C

Comments of the Secretary-General

This text is the same in substance as that of the existing provision, except that it states more clearly that in no case should the expenses of more than one person be payable.

The existing text was designed to meet the specific cases in which functional commissions of the Economic and Social Council had appointed members to attend meetings of other functional commissions as their representatives on questions of mutual interest. The proposed text would be of more general application, since it may be considered logical that the same entitlement would be justified in similar circumstances where any other organs or subsidiary organs of the United Nations may be involved. The use of the word "designated" in this new text implies a specific decision by the appropriate organ in each instance.

In the Secretary-General's view, the proposed new text would not detract from the role of the General Assembly's original intent in view of considerable difficulties which have arisen in connection with the interpretation of the existing text, the new text seeks to incorporate certain basic concepts which, as the records show, were taken for granted at the time. The main changes in the new text are the following:

- (a) The existing term "commission of inquiry or conciliation instituted by the General Assembly or by the Security Council" would be replaced by the term "a subsidiary organ instituted by the General Assembly or the Security Council, and which is required, by a decision of the parent organ, to work away from Headquarters in the performance of a special task";
- (b) The inclusion of the concept that it should depend on a decision of the parent organ that, by way of special exception, an alternate for a member is necessary.

It may be considered that the case of the Board of Auditors is already covered by operative paragraph 2 (a) of the new text.

The new operative paragraphs 4, 5 and 6 reproduce the substance of the existing operative paragraphs 2, 3 and 4.

D

Comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions

(11) The Advisory Committee agrees that the proposed new text would be clearer, but considers that this change in wording should not involve an application less restrictive than has been the practice in recent years.

(111) The Advisory Committee considers that the payments in question should be made either to the representative or to the alternate representative, and not commonly to both. The following retreat is therefore recommended:

"(111) One representative of a Member State or one alternate participating in a subsidiary organ instituted by the General Assembly or the Security Council, and which is required, by a decision of the parent organ, to work away from United Nations Headquarters in the performance of a special task. Payments under this sub-paragraph shall be subject to the conditions laid down in paragraph 3 of the annex to this resolution."

In the past there have been cases where the General Assembly has authorized concurrent payments of this nature, to a representative and an alternate. The cases in which such payments are still continuing - for example UNHCR - are covered by an express, and has decision of the Assembly.

A

Text of resolution 1075 (XI)

Annex: Application of principles governing the payment out of United Nations funds of travel and subsistence expenses to members of organs and subsidiary organs of the United Nations

Travel expenses

1. Provided that in all cases payment of travel expenses to the General Assembly shall be limited to five persons for each Member State for regular session and to one person for special sessions of the General Assembly, travel expenses may be paid in respect of a permanent representative or a member of a permanent mission who is designated by a Member State as a representative or alternate representative to the General Assembly. Such travel expenses shall be paid provided the journey is undertaken in connection with a session of the General Assembly, either before, during, or after such session.
2. In the case of representatives, payment of travel expenses shall be limited to the cost of round-trip travel between the capital city of a Member State and the place of meeting, or to the actual cost of travel undertaken if that should be the lesser amount. In all other cases, payment of travel expenses shall be limited to the actual cost of round-trip travel between the place of residence or duty station and the place of meeting.
3. Payment of travel expenses shall be limited to the cost of first-class accommodation or its equivalent by recognized public transport via a direct route.
4. The United Nations shall not be liable for the payment of any claim for reimbursement of travel expenses which is submitted later than 31 December of the year which follows the closing date of the session of the organ or subsidiary organ to which the claim relates.

B

Text proposed by the Secretary-General

Annex: Application of principles governing the payment out of United Nations funds of travel and subsistence expenses to members of organs and subsidiary organs of the United Nations

Travel expenses

1. In the case of the payment, in terms of operative paragraph 3 (a)(i) of the present resolution, of the travel expenses of a maximum of five representatives or alternate representatives of a Member State to regular sessions (as defined in paragraph 3 (a)(i) of the General Assembly and of one representative or alternate representative per Member State to special or special emergency sessions, such payment shall be limited to the cost, per individual, of one round trip between the capital city of the Member State and the place of meeting, or to the actual cost of travel undertaken by an individual if it represents the lesser amount. Within the maximum number of payments so allowed may be included the travel to his capital city and return, for purposes of consultation or report, of a member of a Permanent Mission in New York who is designated a representative of the General Assembly, provided such travel is certified by the Permanent Representative to be in connection with the work of the particular session and provided it takes place either during or within three months before or after such a session.
2. In the case of such representatives of Governments to meetings of organs other than the General Assembly as may be eligible in terms of the resolution, the payment of travel expenses shall similarly be limited to the cost of round trip travel between the capital city of the Member State and the place of meeting, or to the cost of travel actually incurred, if this represents a lesser amount; however, in the case of representatives serving on the subsidiary organs dealt with in operative paragraph 3 (b)(iii), payment shall be limited to the cost of travel between United Nations Headquarters and points visited in the field and return, or, in the event that no meetings at Headquarters are involved to travel from the duty station to points visited in the field on return, or to travel actually undertaken, whichever represents the lesser amount.
3. In respect of all persons dealt with in the resolution who serve in their individual capacities, as distinct from those serving as representatives of Governments, payment of travel expenses shall be limited to the actual cost of round-trip travel between the place of residence or duty station and the place of meeting.
4. Payment of travel expenses shall in all cases be limited to the cost of first-class accommodation by air or its equivalent by recognized public transport via a direct route.
5. The United Nations shall not be liable for the payment of any claim for reimbursement of travel expenses which is submitted later than 31 December of the year which follows the closing date of the session of the organ or subsidiary organ to which the claim relates.

C

Comments of the Secretary-General

The proposed new text defines current practice in more detail than the existing text and incorporates certain of the material covered by the Secretary-General's administrative instruction EN/248/ADT/Rev.1 on the implementation of resolution 1075 (XI). No change of substance is involved except that in the consolidating phrase of paragraph 1, the term "three months" replaces the concept "a reasonable period" which is currently employed.

1. The last sentence of paragraph 3 (a)(i) of the resolution itself as amended should be transferred to the end of paragraph 1 of the annex. This sentence would be drafted as follows:
"The entitlement in respect of a session shall not be increased by reason of the recessing and resuming of that session."
Consequently, the phrase in brackets "(as defined in paragraph 3 (a)(i))" should be deleted.

D

Comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions

4. The Advisory Committee has referred to the manner of accommodation standards in paragraph 66 of its main budget report (A/3007).

A

Part of resolution 1073 (XII)

Subsistence allowances

5. The subsistence allowance shall provide for the extra expenses which an individual normally incurs in attending an official meeting or session and shall not include any element of fee or remuneration for services rendered.

6. The subsistence allowance shall be paid uniformly to members of all eligible bodies, and shall be at the rate of \$57 per diem in respect of meetings at Headquarters (New York) and the equivalent in local currency of \$80 per diem in respect of meetings away from Headquarters, provided, however, that the allowance shall be reduced to \$10 per diem, or its equivalent in local currency, in respect of a member whose duty station is also the place of meeting. Subsistence allowances at these rates shall be limited to the period during which a member's presence is required at the place of meeting except that a member receiving the \$10 allowance shall receive the allowance only for the days during which he actually attends meetings.

7. The subsistence allowance will be \$8 per diem during periods of travel aboard vessels, trains and airplanes.

B

Text proposed by the Secretary-General

Subsistence payments

6. Subsistence payments are intended to provide for additional expenses which an individual normally incurs in attending an official meeting or session and shall not include any element of fee or remuneration for services rendered.

7. In accordance with the provisions of General Assembly resolution 1588 (XV) of 20 December 1960, the following daily amounts shall be payable to eligible members of organs and subsidiary organs:

(1) while attending meetings at Headquarters, \$ 30
New York

(2) while attending meetings in Geneva, the equivalent in Swiss francs of 25

(3) while attending meetings at other places, at a rate to be fixed by the Secretary-General, taking into account the possible provision of board and lodging by a host Government, and not to exceed the equivalent in local currency of 25

(4) while attending meetings, at the place of residence or duty station, the equivalent in local currency of 10

(5) while travelling, by a direct route, aboard vessels, planes and trains 8

8. Subsistence allowances at the above rates shall be limited to the period during which a member's presence is required at the place of meeting, except that a member receiving the \$10 allowance shall receive the allowance only for the days during which he actually attends meetings.

9. In the case of representations on the subsidiary organs provided for in operative paragraph 5 (b) (iii) of the resolution, subsistence shall be payable only during the period of work away from United Nations Headquarters.

10. The subsistence rates specified in paragraph 7 above are subject to any change the General Assembly may subsequently approve.

C

Comments of the Secretary-General

ANNEX (continued)

D

Comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions