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BUDGET ESTIMATES FOR THE FINANCIAL YEAR 1959

Revised estimates for section 19 - The International  
Court of Justice

Sixth report of the Advisory Committee on Administrative and Budgetary  
Questions to the thirteenth session of the General Assembly

1. The Advisory Committee on Administrative and Budgetary Questions has considered a report of the Secretary-General (A/C.5/740 and Add.1) concerning a revision of the 1959 budget estimates for section 19 - The International Court of Justice, in which the Secretary-General proposes:

- (a) That, pursuant to a request from the Carnegie Foundation, the annual contribution payable by the International Court of Justice to the Foundation in respect of the Peace Palace at The Hague, in terms of the Agreement between the United Nations and the Foundation, should be increased from 68,400 Netherlands florins (\$18,000) to 100,000 florins (\$26,316); and
- (b) That the Agreement in question should be amended to allow future variations in the contribution, either by way of increase or decrease, to be fixed, under certain conditions, by mutual consent between the Secretary-General and the Carnegie Foundation, rather than by a procedure requiring, as at present, formal action by the General Assembly.

2. The annual contribution which, in the Agreement dated 11 December 1946 (General Assembly resolution 84 (I), annex A), was established at 48,000 florins was increased, effective 1 January 1952, to 68,400 florins in terms of resolution 586 (VI) of 21 December 1951. The reason for that increase was the rising trend in the costs which the Carnegie Foundation was required to meet under the terms of the Agreement. The continuing increase in these costs since 1951 is

stated to have prompted the request from the Foundation for a further increase in the contribution paid by the Court.

3. Having regard to the rise in costs, which is reflected in the statement of expenditure of the Carnegie Foundation for the years 1952 to 1957 (A/C.5/740/Add.1), the Advisory Committee concurs in the Secretary-General's proposal, referred to in paragraph 1(a) above, for an increase, effective 1 January 1959, in the contribution to be paid by the Court from 68,400 florins to 100,000 florins. The appropriation of \$672,200 recommended by the Committee for section 19 of the 1959 budget (A/3860, para. 215)<sup>1/</sup> should accordingly be increased to \$680,500.

4. As regards the proposal mentioned in paragraph 1(b) above, the Advisory Committee believes that it is neither necessary nor wise to incorporate such an amendment, as the Agreement represents much more than a mere renting agreement. This broader character of the Agreement will be better preserved, in the view of the Advisory Committee, by the continued maintenance of the interest and control of the General Assembly over all of its provisions. The Committee is therefore unable to recommend any changes in the Agreement in this direction.

5. The Advisory Committee accordingly recommends the following draft resolution for adoption by the General Assembly:

AGREEMENT BETWEEN THE UNITED NATIONS AND THE  
CARNEGIE FOUNDATION CONCERNING THE USE OF THE  
PREMISES OF THE PEACE PALACE AT THE HAGUE

The General Assembly,

Considering that the contribution payable by the International Court of Justice in respect of the use of the Peace Palace under the terms of article II of the Agreement between the United Nations and the Carnegie Foundation concerning the use of the premises of the Peace Palace at The Hague as contained in annex A to resolution 84 (I) adopted by the General Assembly on 11 December 1946, as amended by the Supplementary Agreement contained in the annex to resolution 586 (V) adopted by the General Assembly on 21 December 1951, is no longer sufficient to defray the costs which the Carnegie Foundation is required to pay under the terms of the said Agreement as amended,

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1/ Official Records of the General Assembly, Thirteenth Session, Supplement No. 7.

Approves the Supplementary Agreement between the United Nations and the Carnegie Foundation concerning the use of the Peace Palace at The Hague as set forth in the annex to the present resolution.

ANNEX

Supplementary Agreement between the United Nations  
and the Carnegie Foundation concerning the use of  
the Peace Palace at The Hague

1. The United Nations and the Carnegie Foundation hereby agree that article II of the Agreement between the United Nations and the Carnegie Foundation concerning the use of the premises of the Peace Palace at The Hague as contained in annex A to resolution 84 (I) adopted by the General Assembly on 11 December 1946, as amended by the Supplementary Agreement contained in the annex to resolution 586 (VI) adopted by the General Assembly on 21 December 1951, shall be amended to read as follows:

"Article II

The annual contribution payable by the International Court of Justice in respect of the use of the Peace Palace is hereby fixed at 100,000 Netherlands florins net."

2. This Supplementary Agreement shall enter into force with effect from 1 January 1959.

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