

General Assembly resolution 36/235 of 18 December 1981;

3. *Invites* Member States to continue to make voluntary contributions, in line with existing procedures, to the existing language training facilities of the United Nations;

4. *Invites* the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the implementation of the present resolution.

84th plenary meeting  
21 December 1988

**43/225. Respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations**

*The General Assembly,*

*Recalling* that, under Article 100 of the Charter of the United Nations, each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities,

*Recalling* that, under Article 105 of the Charter, all officials of the Organization shall enjoy in the territory of each of its Member States such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization,

*Recalling* the Convention on the Privileges and Immunities of the United Nations,<sup>91</sup> the Convention on the Privileges and Immunities of the Specialized Agencies,<sup>92</sup> the Agreement on the Privileges and Immunities of the International Atomic Energy Agency and the United Nations Development Programme Standard Basic Assistance Agreements,

*Recalling also* its resolution 76 (I) of 7 December 1946, in which it approved the granting of the privileges and immunities referred to in articles V and VII of the Convention on the Privileges and Immunities of the United Nations to all members of the staff of the United Nations,

*Recalling* its resolution 43/173 of 9 December 1988 containing, *inter alia*, a body of principles for the protection of all persons under any form of detention or imprisonment, including the principle that all persons under arrest or detention be provided whenever necessary with medical care and treatment,

*Reiterating* the obligation of all officials of the Organization in the conduct of their duties to observe fully the laws and regulations of Member States,

*Mindful* of the responsibilities of the Secretary-General to safeguard the functional immunity of all United Nations officials,

*Mindful also* of the importance in this respect of the provision by Member States of adequate and timely information concerning the arrest and detention of staff members and, more particularly, their granting of access to them,

*Bearing in mind* the wider considerations of the Secretary-General to guarantee minimum standards of justice and due process to United Nations officials,

*Reaffirming* its previous resolutions, in particular resolution 42/219 of 21 December 1987,

1. *Takes note with concern* of the report of the Secretary-General,<sup>93</sup> submitted on behalf of the Administrative Committee on Co-ordination, and of the developments indicated therein, in particular the significant number of new cases of arrest and detention and those regarding previously reported cases under this category;

2. *Also takes note with concern* of the restrictions on duty travel of officials as indicated in the report of the Secretary-General;

3. *Further takes note with concern* of the information contained in the report of the Secretary-General related to taxation and the status, privileges and immunities of officials;

4. *Deplores* the increase in the number of cases where the functioning, safety and well-being of officials have been adversely affected;

5. *Also deplores* the increasing number of cases in which the lives and well-being of officials have been placed in jeopardy during the exercise of their official functions;

6. *Calls upon* all Member States scrupulously to respect the privileges and immunities of all officials of the United Nations and the specialized agencies and related organizations and to refrain from any acts that would impede such officials in the performance of their functions, thereby seriously affecting the proper functioning of the Organization;

7. *Calls upon* those Member States holding under arrest or detention officials of the United Nations and the specialized agencies and related organizations to enable the Secretary-General or the executive head of the organization concerned to exercise fully the right of functional protection inherent in the relevant multilateral conventions and bilateral agreements, particularly with respect to immediate access to detained staff members;

8. *Calls upon* all Member States otherwise impeding officials of the United Nations and the specialized agencies and related organizations in the proper discharge of their duties to review the cases and to co-ordinate efforts with the Secretary-General or the executive head of the organization concerned to resolve each case with all due speed;

9. *Calls upon* the staff of the United Nations and the specialized agencies and related organizations to comply with the obligations resulting from the Staff Regulations and Rules of the United Nations, in particular regulation 1.8, and from the equivalent provisions governing the staff of the other agencies;

10. *Calls upon* the Secretary-General to use all such means as are available to him to bring about an expeditious solution of the cases still pending, which were referred to in the report;

11. *Also calls upon* the Secretary-General, as chief administrative officer of the United Nations, to continue personally to act as the focal point in promoting and ensuring the observance of the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations by using all such means as are available to him;

12. *Urges* the Secretary-General to give priority, through the United Nations Security Co-ordinator and his other special representatives, to the reporting and prompt follow-up of cases of arrest, detention and other possible matters relating to the security and proper functioning of officials of the United Nations and the specialized agencies and related organizations;

<sup>91</sup> Resolution 22 A (I).

<sup>92</sup> Resolution 179 (II).

<sup>93</sup> A/C.5/43/18.

13. *Requests* the Secretary-General, as Chairman of the Administrative Committee on Co-ordination, to review and appraise the measures already taken to enhance the proper functioning, safety and protection of international civil servants and to modify them where necessary.

84th plenary meeting  
21 December 1988

**43/226. United Nations common system: report of the International Civil Service Commission**

*The General Assembly,*

*Having considered* the fourteenth annual report of the International Civil Service Commission<sup>94</sup> and other related reports,<sup>95</sup>

I

COMPREHENSIVE REVIEW OF THE CONDITIONS OF SERVICE OF THE STAFF IN THE PROFESSIONAL AND HIGHER CATEGORIES

*Recalling* that, in section III of its resolution 42/221 of 21 December 1987, it requested the International Civil Service Commission to undertake a comprehensive review of the conditions of service of the staff in the Professional and higher categories in order to provide a sound and stable methodological basis for their remuneration,

*Reaffirming* the guidelines provided in section III, paragraph 1, of resolution 42/221,

*Recalling also* that, in section III, paragraph 2, of resolution 42/221, the Commission was requested to submit to the General Assembly at its forty-third session a preliminary report on the comprehensive review containing an analysis of the subject, together with an outline of one or more possible alternatives,

*Noting* that the preliminary report on the comprehensive review contained in chapter III, section C, of the report of the Commission,<sup>94</sup> does not contain the analysis requested,

*Bearing in mind* that the Commission should allocate the highest priority to the comprehensive review in its programme of work for 1989,

*Recognizing* that the scope of the review should not necessarily be limited to the four areas identified by the Commission in its preliminary report,

*Mindful* of the interrelationship between these four areas and of the need for conditions of service whose component parts are appropriately balanced,

*Emphasizing*, in the light of the long-term consequences of this review, the desirability in the review process for close co-operation between the Commission, the organizations of the United Nations common system and the staff representatives,

1. *Requests* the International Civil Service Commission, as a priority, to pursue the comprehensive review and, if necessary, to adjust its programme of work and schedule of meetings for 1989, in order to provide conditions for substantive discussion and finalization of the comprehensive review at its second session of 1989;

2. *Invites* the Commission to make arrangements to allow for the fullest participation of organizations and staff representatives in all aspects and at all stages of the comprehensive review;

3. *Also requests* the Commission to submit a comprehensive report to the General Assembly at its forty-fourth session together with a preliminary assessment of the impact of the relevant recommendations therein on pensionable remuneration;

4. *Further requests* the Commission in its review to be guided by the following:

(a) The Commission should examine all elements of the present conditions of service, and after identifying problems related to staff recruitment, retention and mobility should propose solutions to these problems;

(b) The proposed solutions should be accompanied by an indication of their financial implications, together with an estimate of the overall costs;

(c) The overall costs should, as far as possible, be comparable to the costs of the current remuneration system;

(1) *Comparator*

(a) The Noblemaire principle should continue to serve as the basis of comparison between United Nations emoluments and those of the highest-paying civil service—currently the United States federal civil service—which, by its size and structure, lends itself to such comparison;

(b) The Commission should review how best the application of the Noblemaire principle can ensure the competitiveness of United Nations remuneration without resorting to comparison with the private sector;

(c) In this connection the Commission should undertake a comparative study of the concept of the margin including the way in which it is intended to compensate for expatriation;

(2) *Remuneration system*

(a) A single world-wide salary scale should be a fundamental goal of the remuneration system. Within this framework, a review should be made of how best special recruitment needs can be accommodated. The Commission should look into the present multiplicity of salary scales with a view to their correlation and possible amalgamation;

(b) In the context of equalizing purchasing power, the Commission should consider among other alternatives:

(i) The division of the pay package into its major component parts, one of which would be housing, reflecting the spending patterns of staff;

(ii) Major simplification of the post adjustment system, including eliminating negative post adjustment, separating out the housing component, streamlining the cost-of-living survey and computation process;

(c) The Commission should also review the rationale and magnitude of all elements of remuneration;

(3) *Motivation and productivity*

Consideration should be given to enhancing productivity through the introduction of incentives for merit and rewards on promotion payable on a one-time basis, coupled with less financial reward for longevity, which should be linked to a more rigorous performance appraisal system. Consideration should also be given to the introduction of administrative arrangements and of

<sup>94</sup> Official Records of the General Assembly, Forty-third Session, Supplement No. 30 and corrigendum (A/43/30 and Corr.1).

<sup>95</sup> Ibid., Supplement No. 7 (A/43/7 and Add.1-13), document A/43/7/Add.3; and A/C.5/43/12 and Add.1, A/C.5/43/19, A/C.5/43/21 and A/C.5/43/26.