

tion on the Privileges and Immunities of the United Nations to all members of the staff of the United Nations.

Recalling further its resolution 43/173 of 9 December 1988, the annex to which contains the 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 shall 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 both the laws and regulations of Member States and their duties and responsibilities to the Organization,

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 considerations of the Secretary-General to guarantee minimum standards of justice and due process to United Nations officials,

Reaffirming its previous resolutions, in particular resolutions 42/219 of 21 December 1987 and 43/225 of 21 December 1988,

1. *Takes note with grave concern* of the report submitted by the Secretary-General,³⁵ on behalf of the Administrative Committee on Co-ordination, and of the developments indicated therein, in particular the reported case of abduction and killing, as well as the, once again, very high number of new cases of arrest and detention and the very negative developments in respect of various previously reported cases under this category;

2. *Deplores* the increase in the number of cases in which the safety, functioning and well-being of officials have been placed in jeopardy;

3. *Also deplors* the substantially increased number of cases of arrest or detention of officials for which the organizations of the United Nations system have not been able fully to exercise their rights during the reporting period;

4. *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 organizations;

5. *Urges* 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 fully to exercise the right of functional protection inherent in the relevant multilateral conventions and bilateral agreements, particularly with respect to immediate access to detained staff members,

6. *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 mentioned in the report of the Secretary-General and to co-ordinate efforts with the Secretary-General or the executive head of the organization concerned to resolve every case with all due speed;

7. *Calls upon* the Secretary-General to take the necessary measures in order to promote knowledge of and compliance with the 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 shall be provided whenever necessary with medical care and treatment;

8. *Calls upon* the staff of the United Nations and the specialized agencies and related organizations fully to comply with the provisions of Article 100 of the Charter of the United Nations and 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;

9. *Welcomes* the efforts undertaken by the Secretary-General that have led to the release of many staff members who were previously reported as being under arrest or detention;

10. *Also welcomes* the Secretary-General's determination to continue to work together with the respective executive heads and with the authorities of Governments concerned to ensure strict implementation of the international agreements concerning privileges and immunities of international organizations and their officials;

11. *Calls upon* the Secretary-General to intensify his efforts to bring about an expeditious solution of the cases still pending, which were referred to in his report;

12. *Notes with concern* the restrictions on duty travel of officials as indicated in the report of the Secretary-General;

13. *Takes note with concern* of the information in the report of the Secretary-General³⁶ related to taxation on salaries and emoluments as well as the status, privileges and immunities of officials;

14. *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;

15. *Urges* the Secretary-General promptly to follow up all cases of arrest, detention and any matters relating to the security and proper functioning of officials of the United Nations and the specialized agencies and related organizations;

16. *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.

83rd plenary meeting
19 December 1989

44/187. Financing of the United Nations Disengagement Observer Force

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Disengagement Observer Force,³⁷ as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,³⁸

³⁵ A/C.5/44/11.

³⁶ *Ibid.*, sects. III and IV.

³⁷ A/44/630.

³⁸ A/44/867, sect. II.

Bearing in mind Security Council resolution 350 (1974) of 31 May 1974, by which the Council established the United Nations Disengagement Observer Force, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 645 (1989) of 29 November 1989,

Recalling its resolution 3211 B (XXIX) of 29 November 1974 on the financing of the United Nations Emergency Force and the United Nations Disengagement Observer Force and its subsequent resolutions thereon, the latest of which was resolution 43/228 of 21 December 1988,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by such operations, a different procedure from the one applied to meet expenditures of the regular budget of the United Nations is required,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards peace-keeping operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council in the financing of such operations, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963 and other resolutions of the Assembly,

Having regard to the financial position of the Special Account for the United Nations Emergency Force and the United Nations Disengagement Observer Force, as set forth in the report of the Secretary-General, and referring to paragraph 5 of the report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolution 33/13 E of 14 December 1978 and subsequent resolutions in which it decided that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations should be suspended, the latest of which was resolution 43/228,

Mindful of the fact that it is essential to provide the United Nations Disengagement Observer Force with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Concerned that the Secretary-General continues to face difficulties in meeting the obligations of the Forces on a current basis, particularly those due to the Governments of troop-contributing States,

Recognizing that, in consequence of the withholding of contributions by certain Member States, the surplus balances in the Special Account for the United Nations Emergency Force and the United Nations Disengagement Observer Force have, in effect, been drawn upon to the full extent to supplement the income received from contributions for meeting expenses of the Forces,

Concerned that the application of the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations would aggravate the already difficult financial situation of the Forces,

Mindful of the views expressed in the Fifth Committee⁴ on the requests of some Member States to change their placement in the existing groups "b", "c" and "d" of Member States, on the basis of the criteria set out in General Assembly resolution 3101 (XXVIII) of 11 December 1973,

1. *Decides* to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of 18,114,000 United States dollars gross (17,778,000 dollars net) authorized and apportioned in paragraph 6 of Assembly resolution 43/228 for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 30 November 1989, inclusive;

2. *Decides also* to appropriate to the Special Account an amount of 20,208,000 dollars for the operation of the United Nations Disengagement Observer Force for the period from 1 December 1989 to 31 May 1990, inclusive;

3. *Decides further*, as an *ad hoc* arrangement, to apportion the amount of 20,208,000 dollars for the above-mentioned period among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, to be adjusted by the decision to be taken by the Assembly at its forty-fourth session on the composition of groups "a", "b", "c" and "d" of Member States⁵ and taking into account the scale of assessments for the years 1989, 1990 and 1991;⁶

4. *Decides* that there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the estimated income of 6,500 dollars other than staff assessment income approved for the period from 1 December 1989 to 31 May 1990, inclusive;

5. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 503,500 dollars approved for the period from 1 December 1989 to 31 May 1990, inclusive;

6. *Authorizes* the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force at a rate not to exceed 3,368,000 dollars gross (3,283,000 dollars net) per month for the period from 1 June to 30 November 1990, inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 645 (1989), the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

7. *Decides* that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations shall be suspended in respect of the amount of 2,024,706 dollars, which otherwise would have to be surrendered pursuant to those provisions, this amount to be entered into the account referred to in the operative part of General Assembly resolution 33/13 E and held in suspense until a further decision is taken by the Assembly;

8. *Stresses* the need for voluntary contributions to the United Nations Disengagement Observer Force, both in cash and in the form of services and supplies acceptable to the Secretary-General;

9. *Requests* the Secretary-General to take all necessary action to ensure that the United Nations Disengagement Observer Force is administered with a maximum of efficiency and economy.