

5. *Requests* the Secretary-General to make every effort to increase the representation of women from those countries with a low representation of women;

6. *Also requests* the Secretary-General, in accordance with General Assembly resolution 44/185 C of 19 December 1989, to develop an action programme for the advancement of women in the Secretariat for the period 1991-1995, incorporating as necessary the unfulfilled points of the 1985-1990 action programme and to report thereon to the Assembly at its forty-sixth session;

7. *Further requests* the Secretary-General to include in the action programme for the advancement of women in the Secretariat for the period 1991-1995: (a) a comprehensive evaluation and analysis by the Secretariat of the main obstacles to the improvement of the status of women in the Organization; (b) proposed measures to overcome the underrepresentation of women from certain Member States; and (c) a detailed programme of activities, including monitoring procedures and a timetable for their completion;

8. *Requests* the Secretary-General to maintain the existing Secretariat machinery and to consider the adequacy of the existing machinery to implement the action programme, taking account of the work-loads in the relevant offices, and to report thereon when submitting the action programme for the period 1991-1995;

9. *Requests* Member States to continue to support the efforts of the United Nations, the specialized agencies and related organizations to increase the participation of women in the Professional category and above by, *inter alia*, nominating more women candidates, especially for senior policy-level and decision-making posts, by encouraging women to apply for vacant posts and by creating national rosters of women candidates to be shared with the Secretariat, specialized agencies and related organizations.

*72nd plenary meeting  
21 December 1990*

**45/240. 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,

*Also 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,

*Further recalling* the Convention on the Privileges and Immunities of the United Nations,<sup>37</sup> the Convention on the Privileges and Immunities of the Specialized Agen-

cies,<sup>38</sup> the Agreement on the Privileges and Immunities of the International Atomic Energy Agency and the United Nations Development Programme Standard Basic Assistance Agreements,

*Stressing* that respect for the privileges and immunities of officials of the United Nations and the specialized agencies is becoming even more imperative owing to the growing number of assignments entrusted to the organizations of the United Nations system by the member States,

*Recalling* 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, with the exception of those who are recruited locally and are assigned to hourly rates,

*Also recalling* its resolution 43/173 of 9 December 1988, to which is annexed 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,

*Affirming* that persistent obstruction of the exercise of the duties of United Nations officials constitutes an obstacle to the implementation of the mission entrusted by the member States to the organizations of the United Nations system and may affect programme delivery,

*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 immediate 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 appropriate standards of justice and due process to United Nations officials,

*Reaffirming* its previous resolutions on this subject,

1. *Takes note with grave concern* of the report of the Secretary-General,<sup>39</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;

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

3. *Also deplores* the disregard for Article 105 of the Charter of the United Nations displayed by some Member States;

4. *Calls upon* all Member States scrupulously to respect the privileges and immunities enjoyed by officials of the United Nations and the specialized agencies and

<sup>37</sup> Resolution 22 A (I).

<sup>38</sup> Resolution 179 (II).

<sup>39</sup> A/C.5/45/10 and Corr. 1.

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* Member States and others responsible for the illegal detention of United Nations staff members to release them immediately;

6. *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 his report;

7. *Urges* the Secretary-General to give priority to the 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;

8. *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;

9. *Calls upon* all Member States 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;

10. *Affirms* that, in providing medical assistance, the use of independent medical teams should be considered;

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

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

13. *Also takes note with concern* of the information contained in the report of the Secretary-General related to taxation on salaries and emoluments, and requests the Member States concerned and the Secretary-General to agree urgently on the appropriate action to be taken;

14. *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 their efforts with the Secretary-General or the executive head of the organization concerned to resolve each case with all due speed;

15. *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 immuni-

ties of officials of the United Nations and the specialized agencies and related organizations by using all such means as are available to him;

16. *Urges* all Member States that have not yet become parties to the existing international legal instruments covering the question of privileges and immunities of officials, in particular to the Convention on the Privileges and Immunities of the United Nations<sup>37</sup> and the Convention on the Privileges and Immunities of the Specialized Agencies,<sup>38</sup> to do so promptly;

17. *Welcomes* the advisory opinion of 15 December 1989 of the International Court of Justice on the applicability of article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations<sup>40</sup> that this section is applicable to persons other than United Nations officials to whom a mission has been entrusted by the Organization and who are therefore entitled to enjoy the privileges and immunities provided for in that section with a view to the independent exercise of their function;

18. *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;

19. *Also requests* the Secretary-General, in compiling the information for incorporation into the reports on privileges and immunities of officials submitted on behalf of the Administrative Committee on Co-ordination, to include, to the extent possible, the views of the Member States.

72nd plenary meeting  
21 December 1990

#### 45/241. United Nations common system: report of the International Civil Service Commission

*The General Assembly,*

*Having considered* the sixteenth annual report of the International Civil Service Commission<sup>41</sup> and other related reports,<sup>42</sup>

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1. *Reaffirms* the central role of the International Civil Service Commission in the regulation and co-ordination of conditions of service, including pensionable remuneration of all graded and ungraded staff, of the United Nations common system;

2. *Endorses* the efforts of the Commission to maintain the integrity and unity of those conditions of service in order to strengthen the effectiveness of common system activities and to ensure equity of treatment of all staff;

3. *Reiterates its request* to the Secretary-General and to the executive heads of the organizations of the com-

<sup>40</sup> *Applicability of Article VI, Section 22, of the Convention on the Privileges and Immunities of the United Nations, Advisory Opinion, I.C.J. Reports 1989, p. 177.*

<sup>41</sup> *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 30 and addendum (A/45/30 and Add.1).*

<sup>42</sup> *Ibid.*, Supplement No. 9 (A/45/9); *ibid.*, Supplement No. 7 (A/45/7 and Add.1-14), document A/45/7/Add.7; and A/C.5/45/23, A/C.5/45/24 and A/C.5/45/43.