

to comment, as appropriate, on the recommendations contained therein;

13. *Requests* the Joint Inspection Unit to report to the General Assembly at its forty-third session on the progress made in the implementation of the present resolution;

14. *Requests* the Secretary-General to bring the present resolution to the attention of the executive heads of the participating organizations of the Joint Inspection Unit.

99th plenary meeting
21 December 1987

42/219. 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,⁵⁰ the Convention on the Privileges and Immunities of the Specialized Agencies,⁵¹ 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,

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 41/205 of 11 December 1986,

1. *Takes note with concern* of the report submitted by the Secretary-General,⁵² on behalf of the Administrative Committee on Co-ordination, and of a number of developments indicated therein, in particular those regarding new cases of arrest and detention and those regarding previously reported cases under this category;

2. *Also takes note with concern* of the information provided by the Secretary-General in his report regarding other questions involving the status, privileges and immunities of officials;

3. *Further takes note with concern* of the restrictions on duty travel of officials as indicated in the report;

4. *Deplores* the growing number of cases where the functioning, safety and well-being of officials have been adversely affected, including cases of detention in Member States and abduction by armed groups and individuals;

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, 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. *Also calls upon* all Member States currently holding under arrest or detention officials of the United Nations, the specialized agencies and related organizations, as spelt out in the Secretary-General's report, 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. *Further calls upon* all Member States otherwise impeding officials of the United Nations, 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;

13. *Requests* the Secretary-General, as Chairman of the Administrative Committee on Co-ordination, to review and appraise the measures already taken to enhance

⁵⁰ Resolution 22 A (I).

⁵¹ Resolution 179 (II).

⁵² A/C.5/42/14 and Corr.1.

the proper functioning, safety and protection of international civil servants and to modify them where necessary.

99th plenary meeting
21 December 1987

42/220. Personnel questions

A

COMPOSITION OF THE SECRETARIAT

The General Assembly,

I

Recalling Articles 100 and 101 of the Charter of the United Nations,

Recalling its resolutions 35/210 of 17 December 1980, 41/206 A of 11 December 1986 and 41/213 of 19 December 1986,

Taking note of the report of the Secretary-General on the composition of the Secretariat,⁵³

Recognizing the importance of maintaining a qualified, independent and geographically balanced international civil service,

Concerned about the negative effect of the reduction of posts and of the recruitment freeze on the geographical distribution of the Secretariat,

1. *Urges* the Secretary-General to keep under review the freeze on the recruitment of external candidates with a view to lifting the freeze at the earliest possible date and to report to the General Assembly on possible alternatives to the policy of suspending such recruitment;

2. *Requests* the Secretary-General, whenever making appointments to posts subject to geographical distribution, to make every effort to recruit nationals of unrepresented and underrepresented Member States and candidates successful in the national competitive examinations, taking into consideration also paragraph 4 of resolution 41/206 A;

3. *Also requests* the Secretary-General, as part of the elaboration of the career development policies and practices in the Secretariat and bearing in mind Article 101 of the Charter and resolution 41/213, to give urgent consideration to the necessity of increasing the mobility of staff in the Professional category and, in particular, the movement of such staff between Headquarters offices and offices in the field;

4. *Further requests* the Secretary-General, bearing in mind resolution 41/213, to conduct a comprehensive review of the career development policies and practices for all staff, in particular staff in the General Service category;

II

Recalling its resolution 41/206 B of 11 December 1986 on the composition of the upper echelons of the Secretariat and its resolution 41/213 by which it, *inter alia*, approved the recommendations of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations,²² in particular those concerning the up-

per echelons of the Secretariat, that is, the Under-Secretary-General and Assistant Secretary-General levels,

Reaffirming that no post should be considered the exclusive preserve of any Member State or group of States and that the Secretary-General should ensure that this principle is applied faithfully in accordance with the principle of equitable geographical distribution,

Taking note of the negative effect of the reduction of posts on the representation of Member States in the upper echelons of the Secretariat,

1. *Requests* the Secretary-General, in order to preserve the principles of equitable geographical distribution and of rotation in the upper echelons of the Secretariat, to ensure that equal opportunity is given to candidates of all Member States when making appointments to all posts in the upper echelons;

2. *Reaffirms* that the Secretary-General, in making appointments to the upper echelons, should strive to appoint only a candidate from a Member State other than that of the incumbent to be replaced in order to reinforce the principle of rotation in the upper echelons of the Secretariat, unless there are exceptional circumstances, in the light of Article 101, paragraph 3, of the Charter;

3. *Requests* the Secretary-General to review the composition of the upper echelons of the Secretariat in the context of the relevant recommendations of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations, with particular reference to length of service in the upper echelons;

III

Recalling its resolutions 35/210, 40/258 A of 18 December 1985 and 41/206 C of 11 December 1986 and other relevant resolutions,

Having examined the report of the Secretary-General on the system of desirable ranges for the geographical distribution of staff in the Professional category and above,⁵⁴

1. *Requests* the Secretary-General to base the desirable ranges for all Member States, with effect from 1 January 1988, on the following criteria:

(a) The base figure for the calculations will initially be 2,700;

(b) The weight of the membership factor will be 40 per cent of the base figure;

(c) The population factor, which will be allotted a weight of 5 per cent, will be directly related to the population of Member States and posts subject to this factor will be distributed among Member States in proportion to their population;

(d) The contribution factor will be based on the distribution of the remaining posts among Member States in proportion to the scale of assessments;

(e) The upper and lower limits of each range will be based on a flexibility of 15 per cent upwards and downwards from the mid-point of the desirable range, but not less than 4.8 posts up and down, the upper limit of the range being not less than 14 posts;

(f) The base figure will be adjusted whenever the actual number of posts subject to geographical distribution increases or decreases by 100, the weights of the three factors being maintained;

⁵³ A/42/636.

⁵⁴ A/C.5/42/7 and Corr.1.