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PERSONNEL QUESTIONS: RESPECT FOR THE PRIVILEGES AND IMMUNITIES  
OF OFFICIALS OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES  
AND RELATED ORGANIZATIONS

Report of the Secretary-General

### INTRODUCTION

1. The present report is submitted in pursuance of General Assembly resolution 42/219 of 21 December 1987. In paragraph 11 of that resolution, the Assembly requested the Secretary-General "to continue personally to act as the focal point in promoting and ensuring the observance of the privileges and immunities of the officials of the United Nations and the specialized agencies and related organizations by using all such means as are available to him". In the fulfilment of that task, the Secretary-General was urged, by paragraph 12 of the resolution, to give priority "to the reporting and prompt follow-up of cases of arrest, detention or other possible matters relating to the security and proper functioning of officials of the United Nations and the specialized agencies and related organizations".

2. The legal status, privileges and immunities of officials are governed by Article 105 of the Charter of the United Nations which, in particular, states that they shall "enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization". This provision is one of the foundations of the functioning of the international civil service.

3. With respect to officials of the United Nations this principle was further elaborated in the 1946 Convention on the Privileges and Immunities of the United Nations, to which 123 Member States are now parties. Section 18 of that Convention provides, *inter alia*, that officials of the United Nations shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity, that is to say functional immunity.

4. As regards officials of specialized agencies, similar provisions were incorporated in the 1947 Convention on the Privileges and Immunities of the Specialized Agencies, to which 95 States are parties.

5. It should also be noted that provisions on the privileges and immunities of officials are contained in article IX of the Standard Basic Assistance Agreements (SBAA), which govern the conditions under which the United Nations Development Programme (UNDP) and its executing agencies assist Governments in carrying out their development projects. More than 100 States are parties to SBAA.

6. Privileges and immunities are, of course, granted to officials not for their personal benefit but in the interests of the organizations. Therefore, the executive head has the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the organization concerned. In addition, in order to facilitate the proper administration of justice, secure the observance of the host country's regulations and prevent the occurrence of any abuses of the privileges and immunities, the organizations are obliged to co-operate at all times with the appropriate authorities of Member States.

7. The Secretary-General believes that it is important to recall that the General Assembly, in resolution 76 (I) of 7 December 1946, established a definition of the term "officials" for the purposes of privileges and immunities. In that resolution, the Assembly approved the granting of the privileges and immunities referred to in the 1946 Convention "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" (emphasis added). Therefore, all staff employed under the Staff Regulations and Rules of the United Nations are considered "officials" within the meaning of the Convention regardless of their nationality, place of recruitment, category or grade. The principal legislative bodies of the specialized agencies have taken similar decisions. In addition, there are also persons, analogous to officials, who are characterized as experts on mission, such as military observers.

8. The current report covers the period from 1 July 1987 to 30 June 1988 and is submitted by the Secretary-General on behalf and with the approval of the Administrative Committee on Co-ordination (ACC). As in previous years it is based on information provided by the United Nations as well as on information requested from all United Nations subsidiary organs, offices or missions, the specialized agencies and related organizations. A list of these organs and organizations is contained in annex III to the present report.

#### I. ARREST, DETENTION AND ABDUCTION OF OFFICIALS

9. Officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), particularly the locally recruited officials, continue to be the most vulnerable targets of arrest, detention and random abduction. UNDP, the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Truce Supervision Organization (UNTSO), the Food and Agriculture Organization of the United Nations (FAO), and the World Food Programme (WFP) also

witnessed instances of the arrest, abduction or continuing detention of their staff members.

10. During the reporting period, a total of 168 cases of arrest and detention or disappearance of officials in 16 different countries or territories were reported to the United Nations Security Co-ordinator in accordance with the standing administrative instruction (ST/AI/299) of 10 December 1982. In 103 cases, the organizations concerned were able to exercise fully the right of functional protection, were successful in obtaining the release of the detainee or were able to determine that no official acts were involved and, therefore, no question of immunity arose. Particulars regarding the remaining cases are contained in the present report as well as in the reports submitted by individual organizations and agencies, which are summarized in annex II to the present report. The Secretary-General and the respective executive heads continued to intervene with Member States concerned on the basis of the relevant international legal instruments.

11. While, as stated above, certain organizations were able to exercise fully the right of functional protection, of great concern to the Secretary-General are the inordinate delays which the organizations face in so satisfying themselves. In many instances the organization concerned is not allowed access to the staff member until a considerable time after the initial detention. This in itself, apart from its effect on the staff member, represents a breach of the organization's right.

12. A very large number of cases arose during the present reporting period, which is of considerable concern to the Secretary-General. A disturbing significant increase in this connection was reported by UNRWA which alone has documented for the present reporting period 151 new cases of arrests and/or detention of its officials. Of these, 57 officials were still in detention as at 30 June 1988. Despite prompt requests to the authorities concerned, in none of the 151 cases has UNRWA received adequate and timely information on reasons for the arrests and detention. While UNRWA was given access to four detained staff members in the occupied West Bank and to one staff member in the occupied Gaza Strip, its efforts, during the reporting period, to visit its other detained staff members in detention were not successful. 1/ It may be noted, however, that immediately after the reporting period's end date, UNRWA was granted access on 28 July 1988 to 17 staff members arrested in the occupied Gaza Strip and on 4 August 1988 to 13 staff members arrested in the occupied West Bank; all of those arrested were being held by Israeli authorities at the Ansar III/Ketziot detention centre in the Negev.

13. In addition to the above-mentioned new arrest cases, the Secretary-General draws the particular attention of the General Assembly to the abduction, on 17 February 1988, of Lieutenant-Colonel William Richard Higgins, an officer of the United States of America serving as Chief of the military observers of UNTSO assigned to assist the United Nations Interim Force in Lebanon (UNIFIL) in the performance of its tasks. The details regarding his abduction are to be found in the reports of the Secretary-General on UNIFIL dated 14 March 1988 (S/19617) and 25 July 1988 (S/20053). Despite continuing efforts by the Secretary-General to obtain the release of Lieutenant-Colonel Higgins, he remains in captivity.

14. The Secretary-General and the respective executive heads of the organizations concerned have continued to intervene with the competent authorities of the Member States regarding cases of arrest, detention or abduction. As a result of these efforts, several positive developments have taken place. Five staff members whose detention was reported to the General Assembly at its forty-second session were released during the present reporting period: Dr. Salim Hout, held by militia or unknown elements in Lebanon, was released on 14 August 1987; Mr. Mu'fid Muhyeddin Sadeq and Mr. Mahmoud Ghanem Assad, detained in Lebanon by Syrian armed forces since 1985 and 1986, respectively, were released on 16 June and 11 April 1988, respectively; Mr. Issa Awawdeh, arrested by Israeli authorities in the occupied Gaza Strip on 25 June 1987, was released on 11 August 1987; another UNRWA staff member, Mr. Majed Mohammad Makmoud Abu Arab, arrested in the occupied West Bank on 31 May 1987, was released on 29 November 1987.

15. The Secretary-General regrets, however, to report a lack of progress in respect of some previously reported cases. In Ethiopia, Mr. S. Teklu, a staff member of UNHCR who was listed in the previous report (A/C.5/42/14), remains in detention. On 14 January 1988, the High Court decided to release Mr. Teklu on bail. However, the case was then taken to the Supreme Court by the Prosecutor, who appealed against the decision of the High Court. On 3 March 1988, the Supreme Court overruled that decision and decided that Mr. Teklu should be kept in custody pending investigation. Mrs. T. Jawabri, an FAO staff member of Syrian nationality assigned as a cleaner (G-1) to the Office of the FAO Representation in Damascus, is reported to be still under detention. The facts of this case were originally set out in the Secretary-General's report to the General Assembly at its thirty-eighth session (A/C.5/38/17, sect. A, attachment I). There has been no further information regarding six of the seven UNRWA staff members listed in the 1987 report (A/C.5/42/14) who were detained by militias or unknown elements in Lebanon, nor of five of the seven UNRWA staff members detained in Lebanon by the Syrian armed forces.

16. Taking into account the cases reported in the period 1 July 1987-30 June 1988 and the developments regarding previously reported cases outlined in the preceding paragraphs, a consolidated list of staff members under arrest and detention or missing and with respect to whom the United Nations and the specialized agencies and related organizations have been unable to exercise fully their right to protection is set out in annex I to the present report.

## II. RESTRICTIONS ON OFFICIAL AND PRIVATE TRAVEL OF OFFICIALS OF THE UNITED NATIONS, THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS

17. A number of UNRWA staff members also continued to experience difficulties travelling on duty to the occupied West Bank and the Gaza Strip. In several instances, UNRWA staff have been denied exit for duty travel from these regions even when in possession of valid permits to do so. The movement of staff within each of these fields has also been affected by frequent declarations by the Israeli authorities of curfews.

18. In the United States, the authorities of the host country have extended restrictive regulations on travel beyond a 25-mile radius of Columbus Circle, New York City, to staff members, and their dependents, who are nationals of Albania, Bulgaria, Czechoslovakia, the German Democratic Republic, Poland, Romania and Hungary. The Secretary-General protested against the newly imposed measures on the ground that they were discriminatory among members of the Secretariat solely on the basis of their nationality. The Secretary-General has informed the staff of the United Nations of these restrictions by information circular ST/IC/88/57 of 27 September 1988. Staff members have been reminded that official travel remains the sole responsibility of the Secretary-General who will continue to notify the host country of the official travel of all staff members in the United States. As to private travel, the Secretary-General has maintained the Organization's position of principle that, under the given circumstances, individual applications for authorization for private travel or commercial bookings received by the host country from affected staff members cannot be considered to prejudice the legal position of the United Nations.

### III. TAXATION OF OFFICIALS

19. According to the information available to the Secretary-General, staff members of the United Nations Children's Fund (UNICEF), UNDP, FAO, the International Telecommunication Union (ITU), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Industrial Development Organization (UNIDO), the World Health Organization (WHO), the World Meteorological Organization (WMO) and the International Atomic Energy Agency (IAEA) who are of Iranian nationality are required by the Iranian authorities when leaving the country on mission, recruitment, transfer or home leave travel to pay a statutory exit tax (50,000 rials for the first exit and 100,000 rials for each subsequent exit during the same year). Such taxes, since they have to be reimbursed to staff members, considerably increase the travel costs of the organizations concerned and are inconsistent with the relevant provisions of international legal instruments.

20. As was indicated in the Secretary-General's report to the General Assembly at its forty-first session (A/C.5/41/12 and Corr.1), notwithstanding section 18 (b) of the Convention on the Privileges and Immunities of the United Nations, which, inter alia, provides that officials of the Organization shall be exempt from taxation on the salaries and emoluments paid to them by the United Nations, a number of Member States - parties to the Convention - continue to impose taxation on the salaries of locally recruited officials.

21. In Egypt, international organization officials of Egyptian nationality are required to obtain, for a considerable fee, work permits from the Ministry of Interior, which fee may be levied retroactively if the individuals concerned have not previously obtained the permit. The requirement constitutes in effect a tax on the emoluments of staff members concerned. Despite a number of representations to the authorities concerned with a view to the exemption of United Nations and specialized agencies officials from obtaining a work permit and the payment of any fee, the situation has not yet been resolved.

22. It may be recalled that the rationale of the immunity from taxation of emoluments paid by the United Nations is to achieve equality of treatment for all officials, irrespective of nationality, and to ensure that funds contributed by all Members to the budget of the Organization are not diverted to individual States by means of revenue-raising measures such as personal income tax. In place of national taxation, the General Assembly, on 18 November 1948, by resolution 239 A (III), adopted a Staff Assessment Plan designed "to impose a direct assessment on United Nations staff members which is comparable to national income taxes". The total funds collected from this assessment are distributed among Member States in proportion to their contributions to the assessed budget of the United Nations.

#### IV. OTHER MATTERS INVOLVING THE STATUS, PRIVILEGES AND IMMUNITIES OF OFFICIALS

23. The Secretary-General is obliged to bring to the attention of the General Assembly his concern that regulations or directives introduced in certain Member States directly impinge upon his authority to establish the terms and conditions of local recruitment by the organizations of the United Nations system of their personnel and would have the effect of retroactively altering the status of international organization officials.

24. In the Lao People's Democratic Republic, for example, a decree introduced in 1987 provided that all locally recruited employees working with the United Nations agencies must sign a "service contract" with the Laotian Department of Domestic Services. In a note verbale of 18 April 1988 addressed to the Permanent Representative of Laos to the United Nations, the Legal Counsel of the United Nations stated that these regulations were "aimed at altering the status of locally recruited staff members from that of employees of the United Nations to employees of a Laotian Department of Domestic Services". The regulations directly affect the administration, financing and the legal status of the staff of the organizations concerned. The Legal Counsel expressed the hope that the Government's position in this matter would be reviewed with a view to reconciling its international obligations with its internal domestic regulations and practice.

25. In the United States, the Secretariat of the United Nations was informed, by a note verbale dated 14 June 1988 from the United States Mission to the United Nations, of certain restrictions on the local recruitment of non-resident aliens in the United States by international organizations.

26. In order to evaluate the impact of the note, the Secretariat requested certain clarifications. At the same time the Secretariat expressed its concern that the announced policy of the host country represented "a more stringent application of existing regulations which could, inter alia, substantially interfere with the authority of the Secretary-General to recruit his staff under Article 101 of the Charter of the United Nations".

27. On 30 August 1988, the United States Mission provided the Secretariat with certain clarifications. Officials of the United Nations and the host country are

endeavoring to resolve the difficulties that have arisen, particularly with regard to the recruitment of local staff.

28. In his two previous reports to the General Assembly at its forty-first and forty-second sessions, the Secretary-General referred to the case of Mr. Liviu Bota, a staff member of Romanian nationality who had been prevented from leaving his country (A/C.5/41/12, para. 7, and A/C.5/42/14, para. 15). Although in the latter report the Secretary-General had been unable to report any progress in resolving this case, contacts with the Romanian authorities continued and on 11 February 1988 Mr. Bota was permitted to leave Romania and returned to service with the United Nations at Geneva.

29. The Secretary-General regrets to mention that Mr. Dumitru Mazilu, a former member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, who had been charged by the Sub-Commission, pursuant to its resolution 1985/12 of 29 August 1985, with the preparation of a report on the question of human rights and youth, was not permitted by the Romanian authorities to travel to Geneva in order to present his report at the recent fortieth session of the Sub-Commission. Although no longer a member of the Sub-Commission, Mr. Mazilu had a valid assignment from the Sub-Commission and is, therefore, to be considered as having in that capacity the status of an expert on mission for the United Nations within the meaning of article VI of the Convention on the Privileges and Immunities of the United Nations.

#### V. MEASURES AND PROPOSALS IN FURTHERANCE OF THE SAFETY AND THE SECURITY OF OFFICIALS

30. The United Nations security committee has met to review and follow up cases involving breaches of respect for the privileges and immunities of officials. The Secretary-General has intervened personally in a number of cases. In addition, the Legal Counsel of the United Nations has been actively involved in the maintenance of the legal status of officials.

31. A number of measures have been instituted to increase the level of co-ordination between the United Nations and the specialized agencies on questions relating to infringements of the privileges and immunities of officials. In particular, and as regards arrest and detention, the common system has adopted the uniform practice of preserving the contractual rights of staff members who have been arrested or detained until such time as the rights of the United Nations are observed.

32. In an effort further to strengthen inter-agency response to cases of arrest or detention, ACC, at its autumn session in 1987, decided, *inter alia*, that: "In the event that a case of arrest or detention of an official of an organization of the United Nations system constitutes a clear violation of the privileges and immunities of the official concerned and, at the same time, the employing organization has not been able to fulfil its obligations towards the official, the heads of organizations with programmes in the country concerned shall be requested by the Secretary-General of the United Nations to suspend all operations, other

than those of a purely humanitarian nature, and to cancel future missions until the situation is resolved." 2/ While it was not appropriate to invoke this decision within the present reporting period, it would be the Secretary-General's intention so to do were the situation to warrant it.

33. Within the context of the inter-agency machinery, the Secretary-General will continue to explore through his Security Co-ordinator further measures to strengthen the response of the system to the violation of privileges and immunities of staff members.

34. Finally, the Secretary-General wishes to draw to the attention of the General Assembly a proposal put forward by UNDP that in order to enhance the safety and protection of international civil servants in terms of their functional immunity Member States should agree that access by the designated official or his representative to detained United Nations staff be granted within 24 hours of their arrest, and a formal explanation for the arrest and detention be furnished through the designated official to the Secretary-General within 48 hours.

## VI. CONCLUSION

35. During the current reporting period, there was a disturbing overall increase in the number of cases involving the arrest and detention of officials of the United Nations, the specialized agencies and related organizations. The Secretary-General views this situation with alarm and deep concern. Each of these cases received the attention of the Secretary-General or the competent executive head. As in the past, the Secretary-General continued his efforts to secure full compliance with the relevant international legal instruments. While most of the cases reported were concentrated in a highly vulnerable and sensitive region - the Middle East - where large numbers of locally recruited officials are employed by several United Nations organs and other affiliated organizations, at the same time, as indicated above, other instances involving breaches of respect for the privileges and immunities of officials continued to occur in other regions. The Secretary-General strongly believes that ending such instances of violations of the privileges and immunities of officials will be possible only when all Member States concerned scrupulously and unequivocally observe their obligations under the existing international legal instruments. To this end the Secretary-General, therefore, is determined to continue to work with the authorities and Governments concerned in a constructive spirit.

## Notes

1/ See also the current report of the Commissioner-General of UNRWA to the General Assembly (Official Records of the General Assembly, Forty-third Session, Supplement No. 13 (A/43/13), paras. 102-105).

2/ ACC decision 1987/20 (see ACC/1987/DEC/16/27).



Annex I

CONSOLIDATED LIST\* OF STAFF MEMBERS UNDER ARREST AND DETENTION OR MISSING AND WITH RESPECT TO WHOM THE UNITED NATIONS AND THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS HAVE BEEN UNABLE TO EXERCISE FULLY THEIR RIGHT TO PROTECTION

<u>Name</u>	<u>Agency</u>	<u>Place and date of incident</u>
Mr. Abdala Daker Hayatli	UNRWA	Missing in the Syrian Arab Republic since 20 April 1980
Mr. Izzedine Hussein Abu Kreish	"	Detained in the Syrian Arab Republic since 11 September 1980
Mr. Tesfamariam Zeggae	ECA	Detained in Ethiopia since 2 March 1982
Mr. Ali Said Shihabi	UNRWA	Detained in the Syrian Arab Republic since 31 March 1982
Mrs. T. Jawabri	FAO	Detained in the Syrian Arab Republic since 29 December 1982
Mr. Mahmoud Hussein Ahmad	UNRWA	Missing in Lebanon since 22 March 1983. Reportedly detained by militias or unknown elements
Mr. Mohammad Ali Sabbah	"	Missing in Lebanon since 22 March 1983. Reportedly detained by militias or unknown elements
Mr. Shimelis Teklu	UNHCR	Detained in Ethiopia since 2 January 1984
Mr. Alec Collett	UNRWA	Detained in Lebanon by militias or unknown elements since 25 March 1985 (feared to have been killed)
Mr. Sami Izza	UNDOF	Detained in the Syrian Arab Republic since 6 October 1985
Mr. Abdalla Issa	UNRWA	Detained in the Syrian Arab Republic since 6 October 1985
Mr. Zaki Hamadeh	"	Detained in Lebanon by Syrian armed forces since 18 March 1985

\* The list was compiled on the basis of chronological order.

<u>Name</u>	<u>Agency</u>	<u>Place and date of incident</u>
Mr. Mohammad Kteileh	UNRWA	Detained in the Syrian Arab Republic since 24 March 1986
Mr. Fadel Mohammad Kheir Salman	"	Detained in the Syrian Arab Republic since 1 April 1986
Mr. Yaser Hassan Jalbout	"	Detained in the Syrian Arab Republic since 5 April 1986
Mr. Fayez Freiji	"	Detained in Lebanon by Syrian armed forces since 27 November 1986
Mr. Fayyad Mohammad Freiji	"	Detained in Lebanon by Syrian armed forces since 27 November 1986
Mr. Mohammad Mustafa El-Hajj Ali	"	Missing in Lebanon since 28 November 1986. Reportedly detained by militias or unknown elements
Mr. Mohammad Ahmad Miri	"	Missing in Lebanon since 10 February 1987. Reportedly detained by militias or unknown elements
Mr. Samir Ishkuntana	"	Detained in Lebanon by Syrian armed forces since 7 April 1987
Mr. Omar Mustafa Hussein	"	Missing in Lebanon since 15 April 1987. Reportedly detained by militias or unknown elements
Mr. Zeidan Yassin	"	Detained in Lebanon by Syrian armed forces since 27 May 1987
Mr. Mahmoud Hasan Ismail Zaqqout	"	Detained in the occupied Gaza Strip since 30 August 1987
Mr. Ahmad Hasan Ismail Zaqqout	"	Detained in the occupied Gaza Strip since 7 September 1987
Mr. Omar Yusuf Ahmad Ilayyan	"	Detained in the occupied Gaza Strip since 25/26 October 1987
Mr. Said Abdala Abu Qamar	"	Detained in the occupied Gaza Strip since 22 November 1987
Mr. Mohammad Imad Abdallah Abdul Rahman Jabr	"	Detained in the occupied West Bank since 27 November 1987

<u>Name</u>	<u>Agency</u>	<u>Place and date of incident</u>
Mr. Khalil Ibrahim El Qouqa	UNRWA	Detained in the occupied Gaza Strip since 30 December 1987; deported to Lebanon on 11 April 1988
Mr. Jibril Taher Mohammad Jibril	"	Detained in Jordan since 31 December 1987
Mr. Rifa'at Ayoub	"	Detained in Lebanon by Syrian armed forces since 14 January 1988
Mr. Marwan Izzat Qassem Ali	"	Detained in the occupied Gaza Strip since 25 January 1988
Lieutenant-Colonel William Richard Higgins	UNTSO	Abducted in Lebanon by unknown elements on 17 February 1988
Mr. Abdalla Yusuf Dawwas	UNRWA	Detained in the occupied Gaza Strip since 25 February 1988
Mr. Ali Saleh Darwish	"	Detained in the occupied Gaza Strip since 4 March 1988
Mr. Ahmad Masoud Khaled	"	Detained in the occupied West Bank since 6 March 1988
Mr. Mohammad Suleiman Aweidah	"	Detained in the occupied West Bank since 15 March 1988
Mr. Mohammad Tayseer Irsan Twair	"	Detained in the occupied West Bank since 15 March 1988
Mr. Ideis Mustafa Hammash	"	Detained in the occupied Gaza Strip since 17 March 1988
Mr. Nafez Mahmoud El Sharif	"	Detained in the occupied Gaza Strip since 18 March 1988
Mr. Ziyad Ibrahim Abu Rokba	"	Detained in the occupied Gaza Strip since 18 March 1988
Mr. Sabri Mahmoud Abu Taqieh	"	Detained in the occupied Gaza Strip since 20 March 1988
Mr. Mazen Salim El Arabid	"	Detained in the occupied Gaza Strip since 20 March 1988
Mr. Khalid Abdul Rahman Matar	"	Detained in the occupied Gaza Strip since 21 March 1988

<u>Name</u>	<u>Agency</u>	<u>Place and date of incident</u>
Mr. Ahmed Harb El-Kurd	UNRWA	Detained in the occupied Gaza Strip since 21 March 1988
Mr. Hassan Mahmoud Zakout Al Badawi	"	Detained in the occupied West Bank since 21 March 1988
Mr. Basem Abdul Latif Suleiman Jawabreh	"	Detained in the occupied West Bank since 21 March 1988
Mr. Ibrahim Mohammad Ali Abu Arqoub	"	Detained in the occupied West Bank since 23 March 1988
Mr. Wajih Hilal Mohammad Othman	"	Detained in the occupied West Bank since 24 March 1988
Mr. Mohammad Lutfi Abu Saqr	"	Detained in the occupied Gaza Strip since 24 March 1988
Mr. Muhammad Salim El Zatma	"	Detained in the occupied Gaza Strip since 24 March 1988
Mr. Samir Sadi Abdul Hamid Saadeh	"	Detained in the occupied West Bank since 25 March 1988
Mr. Harb Muhammad Abed	"	Detained in the occupied Gaza Strip since 25 March 1988
Mr. Ibrahim Yousef Idris Sulqan	"	Detained in the occupied West Bank since 27 March 1988
Mr. Ibrahim Yousef Abdedin	"	Detained in the occupied West Bank since 28 March 1988
Mr. Hasan Abdul Latif Said Kamal	"	Detained in the occupied West Bank since 29 March 1988
Mr. Rafat Abdul Rahim Abu Hashim	"	Detained in the occupied Gaza Strip since 31 March 1988
Mr. Fares Umar Abu Shawish	"	Detained in the occupied Gaza Strip since 3 April 1988
Mr. Fadel Mahmoud El Jadili	"	Detained in the occupied Gaza Strip since 3 April 1988
Mr. Jabr Abdulla Nijim	"	Detained in the occupied Gaza Strip since 6 April 1988

<u>Name</u>	<u>Agency</u>	<u>Place and date of incident</u>
Mr. Ali Mahmoud El-Herbawi	UNRWA	Detained in the occupied Gaza Strip since 10 April 1988
Mr. Ahmed Sulaiman Musa Sheikh	"	Detained in the occupied Gaza Strip since 12/13 April 1988
Mr. Rashad Ahmad Abdul Rahman Abu Joudeh	"	Detained in the occupied West Bank since 14 April 1988
Mr. Salah Ibrahim Shaker Titi	"	Detained in the occupied West Bank since 14 April 1988
Mr. Mahmoud Hasan Ahmad Adawi	"	Detained in the occupied West Bank since 14 April 1988
Mr. Ibrahim Fawzi El-Kurd	"	Detained in the occupied Gaza Strip since 17 April 1988
Mr. Abed Rabbo Husein Abu Aun	"	Detained in the occupied Gaza Strip since 4 May 1988
Mr. Mohammad Najib Abu Nahla	"	Detained in the occupied Gaza Strip since 4 May 1988
Mrs. Ahmed Taitu	UNDP	Detained in Ethiopia since 5 May 1988
Mr. Samir Darwish Al Ghani El Hans	UNRWA	Detained in the occupied Gaza Strip since 7 May 1988
Mr. Shehda M. Mahmoud Abu Tayeh	"	Detained in the occupied Gaza Strip since 8 May 1988
Mr. Mohammad Salama Mohammad El Habeel	"	Detained in the occupied Gaza Strip since 11 May 1988
Mr. Abdalla Mohammad Ihmaid Ayyash	"	Detained in the occupied Gaza Strip since 12 May 1988
Mr. Fuad Salman Suleiman El Faqawi	"	Detained in the occupied Gaza Strip since 12 May 1988
Mr. Khaled Mahmoud Zaqout Badawi	"	Detained in the occupied West Bank since 19 May 1988
Mr. Mohammad Ayyoub Abu Hadrous	"	Detained in the occupied Gaza Strip since 28 May 1988

<u>Name</u>	<u>Agency</u>	<u>Place and date of incident</u>
Dr. Jamil Ahmad Mahmoud	UNRWA	Detained in the occupied Gaza Strip since 28 May 1988
Mrs. Zainab Aw Jama Adan	WFP	Missing in Somalia since 4 June 1988
Mr. Mohammad Mahmoud Diyab	UNRWA	Detained in the occupied Gaza Strip since 10 June 1988
Mr. Ali Abdul Majid Abu Shawish	"	Detained in the occupied Gaza Strip since 10 June 1988
Mr. Musa Mahmoud Abdul Latif Qannan	"	Detained in the occupied West Bank since 13 June 1988
Mr. Reverion Mqwise	WFP	Arrested in Rwanda on 18 June 1988
Mr. Makkin Abdulla Abu Fannunah	UNRWA	Detained in the occupied Gaza Strip since 21 June 1988
Mr. Hasan Mohammad El Rafati	"	Detained in the occupied Gaza Strip since 22 June 1988
Mr. Samir Ibrahim El Absi	"	Detained in the occupied Gaza Strip since 23 June 1988
Mr. Ata Mohammad Abu Ajram	"	Detained in the occupied Gaza Strip since 26 June 1988

Annex II

INFORMATION SUBMITTED BY INDIVIDUAL ORGANIZATIONS FOR INCLUSION  
IN THE PRESENT REPORT

A. United Nations Relief and Works Agency for Palestine  
Refugees in the Near East

1. Between 1 July 1987 and 30 June 1988, 151 UNRWA staff were arrested and detained which is a significant increase as compared with the previous reporting period in which 85 UNRWA staff members were arrested. Of the 151 arrested in the present reporting period 57 were still in detention as at 30 June 1988 as follows:

Lebanon (Syrian armed forces)	1
Occupied Gaza Strip	38
Occupied West Bank	17
Jordan	1

2. The names of all UNRWA staff members currently under detention or who have been reported missing are set out in the consolidated list contained in annex I to the present report.

B. United Nations Development Programme

3. Altogether 14 UNDP staff members were arrested and detained by national security authorities for periods ranging from 1 day to several months. In the Philippines, one UNDP-recruited national official was abducted by a group of political extremists demanding a ransom. The names of those staff members who are still under detention appear in the consolidated list.

4. In some countries it has been observed that officials of the security branch and other authorities are not fully aware of the privileges and immunities to be accorded to United Nations personnel under the relevant Convention. UNDP has requested its resident representatives to bring the existing provisions to the attention of Governments at least once a year in connection with the submission of updated lists of personnel.

C. United Nations Truce Supervision Organization

5. The Israeli authorities levied a 2 per cent tax on the value of goods imported at Haifa and Ashdod, which according to their own port regulations is a tax for the general purposes of the ports. This taxation was opposed in the past without success. Subsequently, the Israeli authorities have levied a tax on the movement of UNTSO personnel over the border with Egypt at Rafah and are now attempting to

levy a tax and burdensome procedural requirements on UNTSO at the Allenby Bridge. At the same time, the Syrian authorities have imposed similar burdens.

#### D. Food and Agriculture Organization of the United Nations

6. Mr. Sunder Thapa, a national of Nepal, an FAO staff member at the G-2 level working as a driver in that country, was arrested on 6 August 1987 following a car accident while on official duty. Mr. Thapa was under detention until 9 September 1987 when he was released after posting bail of 6,000 rupees. He was requested to report to court on 11 October 1987. The Ministry of Foreign Affairs advised that since Mr. Thapa was a Nepalese national, he was not fully covered by the Convention on the Privileges and Immunities of the Specialized Agencies and by the agreement between the Government and FAO and he was therefore subject to Nepali law. On 2 October 1987, the Director-General wrote to the Minister for Foreign Affairs and Land Reform requesting his personal intervention to see that the summons was withdrawn and that no further criminal or civil action would be taken. The Ministry did not agree and the staff member was summoned to court on 12 January 1988.

7. Mr. Daulat Mir, a locally recruited FAO staff member of Afghan nationality who was assigned to a project in Afghanistan as a driver at the G-2 level, was taken from his house, as stated in FAO's 1986 and 1987 report, on 28 August 1984 by security authorities. Despite the interventions of the UNDP Resident Representative, Mr. Mir has still not resumed his duties with the organization. Mr. Salleem Hairan, a locally recruited FAO staff member of Afghan nationality, assigned to a project in Afghanistan as a driver, was conscripted by the Government army authorities on 27 January 1988 for compulsory military service, in spite of his holding a valid exemption card. Despite the démarches made by the UNDP office at Kabul seeking exemption from such military service on behalf of Mr. Hairan, the latter has still not resumed his duties with the organization.

8. FAO considers that, given the diversity of the circumstances surrounding incidents in which the organization may be called upon to intervene in order to ensure the security of its staff and respect for privileges and immunities, it is still preferable to maintain a flexible approach.

#### E. International Labor Organisation

9. ILO has requested that attention be drawn to the problem of the application by the Swiss cantonal authorities of the taux global to certain short-term officials and, in particular, to freelance interpreters to whom the status of "international official" is denied.

#### F. International Telecommunication Union

10. ITU associates itself fully with the ILO request contained in paragraph 9 above.



Annex III

LIST OF UNITED NATIONS SUBSIDIARY ORGANS, OFFICES AND MISSIONS,  
SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS THAT WERE  
REQUESTED TO PROVIDE INFORMATION FOR THE PRESENT REPORT

ECA	Economic Commission for Africa
ECE	Economic Commission for Europe
ECLAC	Economic Commission for Latin America and the Caribbean
ESCAP	Economic and Social Commission for Asia and the Pacific
ESCWA	Economic and Social Commission for Western Asia
FAO	Food and Agriculture Organization of the United Nations
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
ICAO	International Civil Aviation Organisation
IFAD	International Fund for Agricultural Development
ILO	International Labour Organisation
IMF	International Monetary Fund
IMO	International Maritime Organization
ITU	International Telecommunication Union
UNDOF	United Nations Disengagement Observer Force
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFICYP	United Nations Peace-keeping Force in Cyprus
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UNIFIL	United Nations Interim Force in Lebanon
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNTSO	United Nations Truce Supervision Organisation in Palestine
UNU	United Nations University
UPU	Universal Postal Union
WFP	World Food Programme
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization
	World Bank

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