

V. ACTION AND PROPOSALS TO FURTHER RESPECT FOR THE  
HUMAN RIGHTS OF INTERNATIONAL CIVIL SERVANTS

39. In his report to the General Assembly at its forty-third session the Secretary-General stated that the United Nations security committee had 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 (A/C.5/43/18, para. 30). The Secretary-General further indicated in that report that, regarding arrest and detention, the common system had adopted the uniform practice of preserving the contractual rights of staff members who have been arrested or detained until the rights of the United Nations were observed (para. 31).

40. The report also drew attention to the decision of the Administrative Committee on Co-ordination (1987/20) 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." (see A/C.5/43/18, para. 32).

The report indicated that, while it had not been appropriate to invoke that decision within the present reporting period, it would be the Secretary-General's intention to do so were the situation to warrant it.

41. Attention was also drawn in that report to a proposal put forward by UNDP that Member States should agree that access by the designated official or his representative to detained United Nations staff should be granted within 24 hours of their arrest and that a formal explanation for the arrest and detention should be furnished through the designated official to the Secretary-General within 48 hours (A/C.5/43/18, para. 34).

42. The report of the Secretary-General to the forty-third session of the General Assembly stated, in conclusion, that during that reporting period, there had been 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 viewed that situation with alarm and deep concern. Each of those cases received the attention of the Secretary-General or the competent executive head. As in the past, the Secretary-General had 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 were employed by several United Nations organs and other affiliated organizations, at the same time, as indicated above, other instances involving

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