

I. INTRODUCTION

1. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1987/21, dealt with the issue of the human rights of United Nations staff members and expressed its deep concern that some 50 staff members were still detained, imprisoned, reported missing - some having even died in detention - or held in a country against their will. The Sub-Commission further stated that it was conscious of the fact that the rights of United Nations staff members should be given particular attention in view of the responsibility entrusted to the Organization in the area of human rights, and requested the Secretary-General to submit to the Sub-Commission, at its fortieth session, a detailed report on the situation of international civil servants and their families detained, imprisoned, missing or held in a country against their will, in order to enable the Sub-Commission to consider those cases in the light of the international instruments relating to human rights.

2. At its forty-fourth session, the Commission on Human Rights adopted resolution 1988/41 on this subject. In that resolution the Commission referred to its resolution 31 (XXXVI) of 11 March 1980, in which it had dealt with respect for the human rights of United Nations staff members and to Sub-Commission resolution 1987/21, and requested the Secretary-General to submit to it at its forty-fifth session an updated version of the report he had been asked to submit to the Sub-Commission at its fortieth session on the situation of international civil servants and their families detained, imprisoned, missing or held in a country against their will, including those cases which had been successfully settled during the five years preceding the Commission's forty-fifth session. The present document is submitted to the Commission pursuant to that request.

3. The Secretary-General, pursuant to Sub-Commission resolution 1987/21, submitted his report on the detention of staff members of the United Nations and the specialized agencies (E/CN.4/Sub.2/1988/17) to the Sub-Commission at its fortieth session. The information contained in that report was based on two documents submitted to the General Assembly at its forty-second session: the report of the Secretary-General on respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations (A/C.5/42/14 and Corr.1) and the note by the Secretary-General containing the views of staff representatives of the United Nations Secretariat on personnel questions (A/C.5/42/37).

4. At its fortieth session, the Sub-Commission examined the report of the Secretary-General on detained staff members and adopted resolution 1988/9 entitled "Protection of staff members of the United Nations system", in which it expressed its deep concern that violations of human rights of staff members of the United Nations system and threats against their security and independence had increased over the past year and that about 100 cases remained unresolved. The Sub-Commission further stated that it was conscious that those violations of the fundamental rights of staff members of the United Nations system and the threats against their security and independence could only have negative effects on the implementation of the mandates of the organs and agencies of the United Nations system. Pursuant to paragraph 5 of that resolution, the Sub-Commission entrusted one of its members, Mrs. Mary Concepción Bautista, with the task of examining the violations of the human rights of staff members of the United Nations system, their families and