



Secretariat

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10 December 1982

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SECRETARY-GENERAL'S BULLETIN

To: Members of the staff

Subject: SECURITY, SAFETY AND INDEPENDENCE OF THE  
INTERNATIONAL CIVIL SERVICE

1. In May 1982, the Secretary-General appointed a task force composed of representatives of the Administration and of the staff with the mandate to prepare proposals concerning the security, safety and independence of the international civil service. The report of the task force contained proposals relating to three areas of concern: (a) the release of imprisoned and detained staff members; (b) measures for enhancing respect for the privileges and immunities of the international civil service and preventing future occurrences of arrest or detention; and (c) global security measures aimed at improving the security of staff members in difficult duty stations.
2. The purpose of this bulletin is to outline the measures that have been approved by the Secretary-General on the basis of the proposals of the task force as well as to reaffirm the Secretary-General's commitment to the safety and protection of the Secretariat staff. While these measures relate specifically to the United Nations, the Secretary-General has directed that they be communicated to the Inter-agency Meeting on Security Matters scheduled to convene in January 1983, to which representatives of the staff have been invited as observers.
3. The basic provisions governing the privileges and immunities of officials of the United Nations and specialized agencies in cases of arrest or detention have been reaffirmed in General Assembly resolution 36/232 of 18 December 1981. According to that resolution, in such cases, the Secretary-General should be enabled, in accordance with the rights inherent under the relevant multilateral conventions and bilateral agreements, to visit and converse with the arrested staff member, to apprise himself of the grounds for the arrest or detention, including the main facts and formal charges, and to assist the staff member in arranging for legal counsel. Furthermore, the Member States concerned should recognize the functional immunity of a staff members asserted by the Secretary-General, in

conformity with international law and in accordance with the provisions of the applicable bilateral agreements between the host country and the United Nations.

4. In order to ensure that cases of the arrest, detention, disappearance or death of any United Nations employee, other agent or family member be reported immediately to Headquarters, an administrative instruction is being issued simultaneously with this bulletin, setting out the relevant reporting procedures. An essential feature of these procedures is the transmittal to Headquarters of accurate and up-to-date information on each staff member who has been arrested or detained, or who has disappeared or been killed, in order to ensure the availability centrally of the information pertinent to each case.

5. In cases of non-observance of the applicable privileges and immunities by the Government concerned, care will be taken to preserve the contractual rights of the staff member until the case is clarified. Since the administrative status of staff members can differ greatly, the relevant measures will be applied on a case-by-case basis. Wherever possible, the Organization will press claims against a Government for compensation where any staff member has disappeared or died in circumstances apparently engaging the responsibility of that Government.

6. In cases of arrest or detention, the Secretary-General will use such means as are available to him to ensure respect for the privileges and immunities of international officials. The Secretary-General will continue to intervene personally with the Government concerned in appropriate cases. If the situation so warrants, the Secretary-General will designate a special representative to represent him in negotiating with the Government concerned. Representations to the Government will be made on a continuing and regular basis until the case is clarified. The staff representative bodies will be kept informed of these initiatives.

7. The Secretary-General will continue to indicate in his annual report to the General Assembly those instances in which Governments have failed to meet their obligations for the respect of the privileges and immunities of international officials.

8. In order to stress the independent character of the international civil service stemming from Article 100 of the Charter, the Secretary-General has directed that all the Charter provisions governing the employment of staff be reproduced as an introductory part of the Staff Regulations and Rules, so as to make it clear to all concerned that the Charter provisions, including Article 100, form part of the legal régime governing the employment status of the staff. This will be done in the issuance of the next edition of the Staff Regulations and Rules.

9. The Secretary-General has approved, in principle, the issuance of an identity card to staff members and of a pamphlet to their families, outlining the procedure to be followed when a staff member is arrested, detained, missing or killed. These measures should be undertaken in circumstances where they are warranted, e.g., at field offices or other duty stations where there is appreciable risk to the safety of staff members or their dependants.

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10. The Secretary-General will propose to the forthcoming Inter-agency Meeting a range of measures aimed at improving the existing security system at each duty station. The specific measures to be adopted in this connexion will be determined on the basis of a full review of this question at that time.

11. The Office of the Co-ordinator for Security Measures will be the focal operational point to deal effectively with the security and related information arrangements which the Secretary-General has authorized.

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