



## General Assembly

Distr.: General  
14 May 1998

Original: English

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### **Fifty-third session**

Item 113 (a) of the preliminary list\*

**Human rights questions: Implementation of human rights instruments**

### **Effective implementation of international instruments on human rights including reporting obligations under international instruments on human rights**

#### **Note by the Secretary-General**

The Secretary-General has the honour to transmit to the General Assembly the report of the ninth meeting of persons chairing the human rights treaty bodies, convened in Geneva from 25 to 27 February 1998, pursuant to General Assembly resolution 52/118 of 12 December 1997.

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\* A/53/50.

## Annex

### Report of the ninth meeting of persons chairing the human rights treaty bodies

#### I. Introduction

1. Since the adoption of its resolution 37/44 on 3 December 1982, the General Assembly has continuously kept under review the issue of the effective implementation of international instruments on human rights, including reporting obligations under international instruments. Those matters have also received careful attention during the various sessions of the treaty bodies, at some of the meetings of States Parties and at meetings of other organs such as the Economic and Social Council and the Commission on Human Rights.

2. Pursuant to General Assembly resolution 38/117 of 16 December 1983, the Secretary-General convened the first meeting of the persons chairing the bodies entrusted with the consideration of State Party reports in August 1984. The report of that meeting was presented to the General Assembly at its thirty-ninth session (A/39/484, annex). The second, third, fourth, fifth, sixth and seventh meetings were convened by the Secretary-General biannually from 1988 until 1994 and, in accordance with General Assembly resolution 49/178 of 23 December 1994, annually since 1995. The report of the eighth meeting (A/52/507, annex) was presented to the Assembly at its fifty-second session.

3. In its resolution 52/118 of 12 December 1997, the General Assembly welcomed the report of the persons chairing the human rights treaty bodies on their eighth meeting, held at Geneva from 15 to 19 September 1997, and took note of their conclusions and recommendations; took note with appreciation of the efforts of the persons chairing the human rights treaty bodies, at their eighth meeting, to develop appropriate reforms of the reporting system, with a view to, *inter alia*, reducing the reporting burden on States Parties while maintaining the quality of reporting, and encouraged them to continue those efforts, including through the continued examination of the benefits of reports focused on a limited range of issues and of opportunities for harmonizing the general guidelines regarding the form and content of reports, and the timing of consideration of reports and the methods of work of the treaty bodies. The General Assembly welcomed the request of the persons chairing the human rights treaty bodies to hold an extraordinary three-day meeting early in 1998 to pursue the reform process aimed at improving the effective implementation of international instruments on human rights.

4. The ninth meeting of persons chairing the human rights treaty bodies was convened by the Secretary-General pursuant to General Assembly resolution 52/118.

#### II. Organization of the meeting

5. The meeting was held at the United Nations Office at Geneva from 25 to 27 February 1998. The following representatives of the human rights treaty bodies attended: Mr. Philip Alston (Chairperson, Committee on Economic, Social and Cultural Rights), Mr. Michael Banton (Chairman, Committee on the Elimination of Racial Discrimination), Ms. Christine Chanet (Chairperson, Human Rights Committee), Mr. Bent Sorensen (Vice-Chairperson, Committee against Torture), Ms. Salma Khan (Chairperson, Committee on the Elimination of Discrimination against Women) and Ms. Sandra P. Mason (Chairperson, Committee on the Rights of the Child). Mr. Alston, who had been elected Chairperson-Rapporteur of the eighth meeting of chairpersons, continued to serve in that capacity.

6. Mrs. Mary Robinson, the United Nations High Commissioner for Human Rights, participated in a closed meeting with the chairpersons, as she had during their eighth meeting.

7. Representatives of the following United Nations bodies and specialized agencies participated in the meeting: Division for the Advancement of Women of the United Nations Secretariat; International Labour Organization (ILO); Joint United Nations Programme on HIV/AIDS (UNAIDS); United Nations Development Programme (UNDP); United Nations Educational, Scientific and Cultural Organization (UNESCO); United Nations Children's Fund (UNICEF); Office of the United Nations High Commissioner for Refugees (UNHCR); and World Health Organization (WHO).

8. Mr. Paulo Sergio Pinheiro, Chairperson of the fourth meeting of special rapporteurs, representatives, experts and chairpersons of working groups on the special procedures of the Commission on Human Rights and the Advisory Services Programme, addressed the chairpersons of the human rights treaty bodies on 25 February 1998.

9. Among the documents made available to the participants were the report of the independent expert on enhancing the long-term effectiveness of the United Nations

human rights treaty monitoring system;<sup>1</sup> the report of the Secretary-General on effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights;<sup>2</sup> and the report of the Secretary-General on the status of the international instruments and the general situation of overdue reports.<sup>3</sup>

10. On 27 February 1998, the chairpersons considered the draft report of their ninth meeting. The report, as amended, was adopted during the course of the meeting.

11. The chairpersons wished to reaffirm the considerable importance they attach to the opportunity for discussion and coordination which is provided by the meetings of chairpersons. They considered the present meeting to have been especially productive in this regard.

12. On the afternoon of 27 February 1998, the chairpersons convened a meeting with the representatives of States Parties and any other interested individuals and groups. The Chairperson of the meeting outlined some of the results of the discussions and an opportunity was then provided for an exchange of ideas between the representatives and the chairpersons. The meeting was extremely well attended and provided a valuable opportunity for dialogue in relation to the role of the treaty bodies and their future evolution.

### **III. Improving the operation of the human rights treaty bodies**

#### **Universal ratification**

13. The chairpersons considered that universal ratification of the six core human rights treaties constituted an essential dimension of a global order committed to the full respect of human rights. The ratification of these treaties had benefits which went far beyond the strengthening of the treaty system itself. The work of the General Assembly and of the Commission on Human Rights in the human rights field was greatly facilitated by a strong level of ratification, as were efforts to promote virtually every other goal endorsed by the international community. For those reasons, and in order to give effect to the commitments undertaken by Governments in both the Vienna Declaration and Programme of Action, as well as the Beijing Declaration and Platform for Action, the chairpersons called upon the United Nations system as a whole to accord an even higher priority to efforts to encourage and facilitate ratification of each of the six treaties by every State.

14. The chairpersons welcomed the continuing emphasis on ratification by the Secretary-General and the High Commissioner for Human Rights in their high-level bilateral meetings with Governments. They considered, however, that additional measures were required and that these should be carefully designed to address the concerns of individual States in relation to specific treaties which they have not ratified. In some instances, reluctance to ratify seemed to be based on misconceptions which could easily be dispelled if the right type of assistance were available. Similarly, assistance should be available to States which request it to help them to review or modify legislation or other standards to ensure conformity with treaty standards, and to assist with the reporting process, especially where this was seen as an obstacle to ratification.

15. The chairpersons therefore recommended that a major priority of the technical cooperation programme of the Office of the High Commissioner for Human Rights should be to provide assistance to States, upon their request, with the process of ratifying the human rights treaties and, where needed, providing assistance in the preparation of reports. They noted that these activities had to date been accorded a relatively very minor place in the programme.

16. The chairpersons, while awaiting a report from the office of the High Commissioner for Human Rights in response to their request in the report on their eighth session<sup>4</sup> that consultations be held with key agencies in relation to the role of those agencies in encouraging ratifications, requested that a letter be sent by the High Commission for Human Rights, after consultation with the chairpersons, requesting UNDP to develop a comprehensive programme within the framework of its activities to facilitate ratification and reporting by States.

#### **Reservations to treaties**

17. The chairpersons considered the Preliminary Conclusions of the International Law Commission on reservations to normative multilateral treaties including human rights treaties which had been brought to their attention by the Chairman of the forty-ninth session of the International Law Commission and Special Rapporteur on the issue of reservations to treaties.<sup>5</sup> The chairpersons recalled the emphasis attached in the Vienna Declaration and Programme of Action to the importance of limiting the number and extent of reservations to human rights treaties<sup>6</sup> and welcomed the recognition contained in the draft that treaty monitoring bodies have an important competence in relation to reservations. They considered, however, that the draft was unduly restrictive in other respects and did not

accord sufficient attention to the fact that human rights treaties, by virtue of their subject matter and the role they recognize to individuals, could not be placed on precisely the same footing as other treaties with different characteristics.

18. The chairpersons believed that the capacity of a monitoring body to perform its function of determining the scope of the provisions of the relevant convention could not be performed effectively if it was precluded from exercising a similar function in relation to reservations. They therefore recalled the two general recommendations adopted by the Committee on the Elimination of Discrimination against Women and noted the proposal by that Committee to adopt a further recommendation on the subject in conjunction with the fiftieth anniversary of the Universal Declaration of Human Rights, and expressed their firm support for the approach reflected in General Comment No. 24, adopted by the Human Rights Committee.<sup>7</sup> They requested their Chairperson to address a letter to the International Law Commission on their behalf to reiterate their support for the approach reflected in General Comment No. 24, and to urge that the conclusions proposed by the International Law Commission be adjusted accordingly.

### **Periodicity of reporting**

19. The chairpersons noted that the issue of determining the appropriate timing of a report which follows a long overdue report by a given State Party could be a difficult one for some treaty bodies. They believed that it was important to avoid the adoption of rules or approaches that would provide an incentive to States Parties to delay the submission of their reports, and that it was appropriate for a treaty body to adopt a flexible approach which enabled it to take full account of the circumstances of each case in determining when the subsequent report of a State Party which had been overdue in submitting its previous report should be submitted. The Committee on the Elimination of Racial Discrimination considered that it had no power to vary the date at which a report was due.

### **Staff and servicing**

#### **General concerns**

20. The chairpersons regretted that the level of Secretariat assistance provided to the five Geneva-based committees had decreased radically in recent years. While overall numbers had not changed greatly, except for a major reduction in the staff available to process communications, there had been an

exponential increase in the number of demands placed upon the treaty bodies as a result of, *inter alia*, rapidly expanding participation in the treaty regime, a correspondingly sharp increase in the number of reports to be processed and the number of communications received, an expansion in the range of activities undertaken by the treaty bodies, particularly in response to calls from States, and growing interest in the work of the treaty bodies by a wide range of actors, accompanied by many demands for information and assistance.

#### **Future staffing needs**

21. The chairpersons strongly believed that an increase in the number of staff available to service all aspects of their activities was indispensable. They considered existing arrangements to be clearly inadequate and noted that this constrained their ability to adopt and implement the type of procedural and other improvements in treaty body functioning which had consistently been endorsed by the General Assembly and the Commission on Human Rights.

#### **Restructuring and Committee secretaries**

22. The chairpersons noted with regret that the implications for their work of the new structure of the Office of the High Commissioner for Human Rights, which has been in effect since 1 February 1998, remained very unclear. They unanimously considered that it was essential to have a designated committee secretary servicing each Committee on a full-time basis for reasons of continuity, efficiency and expertise. That person needed to serve as a focal point of communication for Governments, with and among committee members, and for interested persons, institutions and non-governmental organizations seeking information about each treaty body.

#### **Specific problems relating to complaints procedures**

23. In addition, the chairpersons strongly supported the view that servicing of the optional complaints procedure must be conducted by staff members with strong legal qualifications and detailed knowledge of the relevant jurisprudence and relevant experience. The significant decrease in the number of staff servicing the communications procedures over the past four years which had accompanied a steady increase in the number of communications, had led to a situation of crisis. The backlog of communications waiting to be processed was unconscionable and risked making a mockery of the commitment of States Parties to accept the relevant petitions procedures. The chairpersons

requested that the Secretariat provide them at their next meeting with an estimate of the amount of professional staff time required on average to process each communication and a corresponding estimate of the number of staff required to eliminate the existing backlog and ensure the steady, timely and expert processing of anticipated levels of communications in the future.

### **A global plan of action**

24. In order to give effect to the commitments clearly set out in the context of the Vienna Declaration and Programme of Action, and to be able to respond to specific concerns voiced by Governments, a concerted effort to strengthen the support available to the treaty bodies was now imperative. The chairpersons affirmed that the functions performed by the treaty bodies should be considered a core function of the United Nations and be adequately funded from the regular budget of the Organization. Nevertheless, taking account of the clear inadequacy of existing funding and the apparent certainty of continuing budgetary stringency within the Organization as a whole, they believed that it was now appropriate to build upon an approach which seemed capable of immediately increasing the support available, which was to seek voluntary funding for the work of the six treaty bodies. The chairpersons welcomed the success of the Plan of Action for the Convention on the Rights of the Child and the growing support for a more limited Plan of Action for the International Covenant on Economic, Social and Cultural Rights. Without in any way affecting the operation of these action plans, the chairpersons believed that the time was now ripe for an overall Plan of Action to be drawn up to help them meet the expectations of Governments and other interested parties. If this was to be done, the resources available to the treaty bodies must be increased. They therefore invited the High Commissioner for Human Rights, in consultation with their Chairperson, to draft a Plan of Action listing priorities and modalities and which would be considered by them at their next meeting in September 1998. They emphasized that additional resources generated in this way should not be used as an excuse for failing to increase, or even for reducing, the level of servicing of treaty bodies provided by regular funds.

### **Examination of situations in the absence of reports**

25. At their eighth meeting<sup>8</sup> the chairpersons noted the practice of the Committee on Economic, Social and Cultural Rights and of the Committee on the Elimination of Racial

Discrimination to examine the human rights situation in States Parties whose reports are very long overdue, in the absence of a report by the State Party concerned and once all alternative approaches have been exhausted. That practice, which frequently stimulates a State to submit the requisite report, had been welcomed by the Commission on Human Rights and by the General Assembly and had now been operating successfully for a number of years. Nevertheless, in relation to the work of some of the committees, questions had been raised with regard to the legal basis for such an approach and it had even been suggested that such an approach might exceed the legal competence of a committee. The chairpersons considered that there was a very strong basis, in both law and policy, to support the consideration of a situation in the absence of a report, once repeated requests had failed to persuade a State party to honour its treaty obligation to report. By the same token, the chairpersons were aware of the disadvantages of that practice, bearing in mind the principle of equality of arms and practical considerations of efficacy.

26. The chairpersons noted that there was no express provision requiring such an approach contained in the relevant treaties, but that the relevant treaty provisions were, without exception, extremely brief and general in nature. They also recalled that many of the procedures which had become accepted as essential elements of the reporting procedure were not dealt with in the treaties. One such example was the universally accepted assumption that each State Party would send a delegation to present its reports. Although all committees had come to insist on that approach, it was not provided for in the text of the treaties, nor was it envisaged at the time of drafting of the earlier treaties.

27. The principle which should thus be applied in responding to a situation which threatened to undermine the entire system for supervising the obligations freely undertaken by States Parties by virtue of their ratification or accession to the relevant treaty was that of ensuring the effectiveness of the regime established by the treaty. In the absence of any provision to the contrary in a treaty, the question was whether or not a particular course of action contributed to the effectiveness of that regime. That approach was analogous to the principle of implied powers, according to which the acceptability of activities not explicitly provided for should be determined in the light of the object and purpose of the treaty in question.<sup>9</sup> The International Court of Justice had also noted that, even in the absence of specific enabling powers, an international body may act in ways not specifically forbidden, in order to achieve its purposes and objectives.<sup>10</sup>

28. Bearing in mind that all Parties to the human rights treaties have undertaken the obligation to submit reports on

the measures they have adopted to give effect to the rights recognized in the conventions and accepted the competence of the respective committees to examine said reports, it would be an anomaly if delinquent States could avoid scrutiny simply by refusing to submit reports which they are under a treaty obligation to produce. In cases where a State Party had submitted an initial report but had failed to produce one or more subsequent reports, the Committee concerned clearly had the competence to revisit the prior report or reports. In cases where no report whatsoever had been submitted, a conclusion that the Committee was powerless to react would vest unilateral power in every State Party to undermine the purposes and objectives of the treaty. This was surely not a result that States Parties to a multilateral treaty in the human rights field could have intended. In the view of the chairpersons, committees faced with a situation of persistent non-reporting should explore every available alternative, including the offer of advisory services and technical assistance to the State in the preparation of the overdue report. As a final resort, however, committees should be willing to consider proceeding with a consideration of the situation, on the basis of information provided by the State Party to other international bodies and taking account of all other relevant information.

### Problems of small States

29. The burden posed for low population States by reporting requirements under the treaties was again discussed. It was noted, for example, that some 29 States with a population of less than one million persons had not ratified either of the International Covenants. It was agreed that the principal challenge was to identify an approach which took account of the special needs of this group without prejudicing the integrity of the reporting system as a whole. The chairpersons requested the Secretariat to prepare an analysis for their September 1998 meeting which would: (a) explore the different approaches which might be used to defining "small States" for this purpose, such as using an arbitrary cut-off of one million or alternative approaches; (b) facilitate a differentiation between small but rich and well-resourced States and others; and (c) suggest ways in which the reporting burden for such States might be eased, such as the preparation of a consolidated report, the drawing up of special reporting guidelines, presentation of the report to only one committee with the others examining it *in absentia*, video-conferencing as a means of presentation, etc.

### Focused reports

30. The chairpersons reiterated their view<sup>11</sup> that, in relation to periodic reports, there might be significant advantages in seeking ways by which to focus the report of each State Party on a limited range of issues, which might be identified by the Committee in advance of the preparation of the report. Such an approach would greatly reduce the need for very lengthy reports, minimize duplication of reports, help to eliminate long delays between the submission and the examination of reports, enable problem areas to be dealt with in depth and facilitate the follow-up of concluding observations, both for the State Party and for the committee concerned.

31. The chairpersons undertook to bring the issue to the attention of the members of their respective committees and to report back at the earliest opportunity on any measures that might have been taken in that regard. They believed that the principal criteria in determining the appropriate focus of more limited reports should include the recommendations contained in the previous concluding observations relating to the State in question, significant new measures of a legislative, judicial, administrative or policy nature adopted since the examination of the last report, and any issues identified by a pre-sessional working group as requiring a sustained focus. The chairpersons would return to this matter at their tenth meeting, to be held in September 1998.

### Quality of concluding observations

32. The chairpersons reiterated the importance of high-quality concluding observations with particular emphasis on the identification of specific recommendations. They noted with approval that there was a strong trend towards a reduction in the length of those parts of the standard format dealing with "factors and difficulties" and "positive factors", and they supported the trend towards combining the sections on "concerns" and "suggestions and recommendations" into a single section, so that the recommendations and the underlying concerns that gave rise to them were presented in a coherent manner.

33. In addition, the chairpersons recommended that, in future, the Secretariat aim to provide each treaty body, as a minimum, with a structured analysis of the issues raised during the dialogue and the responses provided or not provided. This would ensure that the dialogue was used in a systematic and detailed way as a basis for the Committee's work. The analysis should be prepared in such a way as to provide a good foundation for the drafting of the concluding observations according to the approach adopted by each committee.

## General comments and the possible use of joint statements

34. The chairpersons took note of the fact that some committees were beginning to make reference to the general comments or equivalent statements of other committees. They encouraged the development of that practice, insofar as the pronouncements of other committees appeared to be relevant and appropriate to the situation at hand.

35. Note was taken of a proposal by the Committee on the Elimination of Discrimination against Women that that Committee, along with the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, consider issuing a joint statement on the indivisibility of rights and the centrality of gender awareness as part of the fiftieth anniversary celebration of the Universal Declaration of Human Rights. The chairpersons requested the Division for the Advancement of Women to prepare a draft to be considered by the three chairpersons concerned and then to be put to the respective committees.

36. It was agreed that a new genre of "joint statements" would be an appropriate means by which to enable the committees to address issues of common concern without taking such matters to the level of general comments, in relation to which joint approaches would always be very difficult to achieve. Such joint statements would enable different treaty bodies to work together to address issues of current importance.

## Human rights training

37. The chairpersons believed that the existing arrangements for training of national level officials in relation to reporting and the content of the treaties in general were entirely inadequate. They therefore proposed that the High Commissioner for Human Rights launch a major new programme to make available adequate training possibilities, provided by technically and pedagogically competent instructors, to a wide range of interested parties. Such training should be undertaken primarily at the national level, rather than on a regional basis, and should be made available to all government departments involved in implementation of the treaties, the judiciary, police, etc., and all interested parts of civil society. They recommended that an inventory of all training programmes in this area be undertaken, not only of those programmes organized by the Office of the High Commissioner, but also all relevant programmes of other

international institutions. The chairpersons recommended that the Office of the High Commissioner make an effort to coordinate with those institutions, to maximize the effectiveness of the training provided and to explore the possibility of exploiting electronic means of providing target audiences with training materials and information.

38. They requested that a particular effort be made to expedite the translation and publication of the *Reporting Manual* in languages other than English, and recommended that the manual be made available on the Web site of the Office of the High Commissioner for Human Rights.

39. In addition, the chairpersons reiterated their view, expressed in previous reports, of the importance of providing human rights training to all United Nations personnel in the field, particularly those engaged in missions that may have an impact on the enjoyment of human rights in the areas where they are stationed, including peacekeepers. They encouraged the High Commissioner for Human Rights to continue to examine the matter and to implement, as soon as possible, a basic human rights training package for personnel throughout the United Nations system, including UNDP, the World Bank, the International Monetary Fund (IMF) and other relevant agencies.

## Independence of experts

40. The chairpersons took note with appreciation of the guidelines for the exercise of their functions adopted by the Human Rights Committee in November 1997, and urged that careful consideration be given to the guidelines by each of the other committees. They also reaffirmed the vital importance of respect by States of the privileges and immunities of experts in relation to the exercise of their United Nations-related functions.

## Honoraria

41. In the report of the eighth meeting of persons chairing the human rights treaty bodies,<sup>12</sup> the chairpersons drew attention to the fact that the members of three committees receive honoraria, while those of the other three do not. In resolution 52/118, the General Assembly requested the Secretary-General to include in his report prepared pursuant to the resolution a detailed explanation of the basis for the payment of honoraria to the members of the human rights treaty bodies and suggestions to improve coherence in this regard. The chairpersons called upon the Secretary-General to emphasize in his report the invidious nature of the existing

disparities and the urgent need to remedy the situation. The chairpersons requested their Chairperson to address a letter to the Secretary-General further developing the need for appropriate action, and authorize the Chairperson to follow up on the matter, as appropriate, with the Advisory Committee on Administrative and Budgetary Questions.

### **Fiftieth anniversary of the Universal Declaration of Human Rights**

42. Bearing in mind that the six human rights treaties constitute a codification and further elaboration of the rights enshrined in the Universal Declaration, the treaty bodies urged the High Commissioner for Human Rights to give greater emphasis to the importance of the treaties and to the monitoring and other activities of the treaty bodies in the context of activities designed to mark the anniversary. The chairpersons agreed to prepare a statement on the present and future role of the treaty bodies, to be widely circulated prior to the commencement of the fifty-fourth session of the Commission on Human Rights.

### **Reporting by the Committee on Economic, Social and Cultural Rights**

43. The chairpersons endorsed the position adopted by the Committee on Economic, Social and Cultural Rights, in response to the proposal set out in the report of the Secretary-General entitled "Renewing the United Nations: A Programme for Reform",<sup>13</sup> that the Committee should in future report to the Economic and Social Council through the Commission on Human Rights, rather than directly to the Council. The chairpersons noted that this could greatly delay the Council's consideration of the Committee's report and would make that Committee the only one out of six human rights treaty bodies which must first submit its report to the Commission on Human Rights rather than to the Economic and Social Council or the General Assembly. The chairpersons believed that the same objective could be achieved by requesting the Secretary-General to ensure that the report of the Committee was made available to the Commission for its consideration, without altering the formal arrangements that exist.

### **Cooperation with the special rapporteurs**

44. In order to give effect to the recommendation contained in the report of the previous meeting of chairpersons,<sup>14</sup> the

chairpersons recommended that their eleventh meeting be organized to overlap with the meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights, to be held in May 1999. They requested the Secretary-General to make the appropriate arrangements towards this end.

### **Tenth meeting of chairpersons**

45. The chairpersons decided to make provision in the agenda envisaged for their tenth meeting for the holding of a private meeting with those members of the Secretariat who service the treaty bodies, in order to hold a mutual exchange of ideas in relation to working methods.

#### *Notes*

<sup>1</sup> E/CN.4/1997/74.

<sup>2</sup> E/CN.4/1998/85 and Corr.1.

<sup>3</sup> HRI/MC/1998/2.

<sup>4</sup> A/52/507, para. 27.

<sup>5</sup> *Official Records of the General Assembly, Fifty-second Session Supplement No. 10* (A/52/10), paras. 125-127.

<sup>6</sup> A/CONF.157/24 (Part I), chap. III, sect. II, para. 5.

<sup>7</sup> *Ibid.*, *Fiftieth Session, Supplement No. 40* (A/50/40), vol. I, sect. VII and annex V, pp. 124-130.

<sup>8</sup> A/52/507, para. 37.

<sup>9</sup> See, generally, *Reparations for Injuries Suffered in Service of the United Nations Case*, Advisory Opinion of the International Court of Justice, I.C.J. Reports, 1949, pp. 174-188.

<sup>10</sup> *Advisory Opinion in the Case of Certain Expenses*, International Court of Justice Reports 1962, p. 151.

<sup>11</sup> A/52/507, para. 35.

<sup>12</sup> *Ibid.*, para. 60.

<sup>13</sup> See A/51/950, para. 135 (f).

<sup>14</sup> A/52/507, para. 50.