

*Bearing in mind* Security Council resolution 690 (1991) of 29 April 1991, by which the Council established the Mission, and subsequent resolutions of the Council, namely 725 (1991) of 31 December 1991, 809 (1993) of 2 March 1993 and 907 (1994) of 29 March 1994,

*Recalling* its decisions 47/451 A of 22 December 1992, 47/451 B of 8 April 1993, 47/451 C of 14 September 1993 and 48/467 of 23 December 1993 and its resolution 48/250 A of 14 April 1994 on the financing of the Mission,

*Reaffirming* that the costs of the Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

*Recalling* its previous decision regarding the fact that, in order to meet the expenditures caused by the Mission, a different procedure is required from the one applied to meet expenditures of the regular budget of the United Nations,

*Taking into account* the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

*Bearing in mind* the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

*Mindful* of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Mission for the Referendum in Western Sahara as at 6 June 1994, including the contributions outstanding in the amount of 20,366,361 United States dollars;

2. *Expresses concern* about the deteriorating financial situation with regard to peace-keeping activities because of overdue payments by Member States of their assessments, particularly Member States in arrears, which, *inter alia*, affects the implementation of the mandate of the Mission;

3. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions, and expresses its concern about the fact that some of the observations and recommendations of the Advisory Committee, referred to in paragraph 6 of its report, were not implemented;

4. *Requests* the Secretary-General to report, within thirty days of the adoption of the present resolution, on the full implementation of the recommendations of the Advisory Committee approved by the General Assembly in resolution 48/250 A, as well as the recommendations approved in the present resolution;

5. *Also requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

6. *Urges* all Member States to make every possible effort to ensure payment of their assessed contributions to the Special Account for the United Nations Mission for the Referendum in Western Sahara promptly and in full;

7. *Authorizes* the Secretary-General to enter into commitments for the maintenance of the Mission up to the amount of 18,812,800 dollars gross (17,693,100 dollars net) for the period from 1 April to 31 July

1994, the said amount to be utilized from the unencumbered balance of appropriations;

8. *Also authorizes* the Secretary-General to enter into commitments for the maintenance of the Mission at a rate not to exceed 3.4 million dollars gross per month for the period from 1 August to 30 September 1994, the said amount to be utilized from the unencumbered balance of appropriations;

9. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

10. *Decides* to include in the provisional agenda of its forty-ninth session the item entitled "Financing of the United Nations Mission for the Referendum in Western Sahara".

*95th plenary meeting*  
23 June 1994

**48/251. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

*The General Assembly.*

*Recalling* its decision 48/461 of 23 December 1993, by which it authorized the Secretary-General to enter into commitments not to exceed 5.6 million United States dollars for the first six months of 1994 in respect of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,

*Having considered* the reports of the Secretary-General<sup>61</sup> and the related reports of the Advisory Committee on Administrative and Budgetary Questions,<sup>62</sup> and bearing in mind the letter dated 18 February 1994 from the President of the International Tribunal to the Chairman of the Fifth Committee,<sup>63</sup>

*Affirming* that the International Tribunal must be assured of secure and stable financing so that it may fulfil its role in full and effectively,

*Taking into account* the views expressed by Member States in the Fifth Committee,

1. *Reaffirms* its resolution 47/235 of 14 September 1993;

2. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions in its reports, subject to the provisions of the present resolution;

3. *Expresses its appreciation* to the Governments that have provided or pledged voluntary financial contributions for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, and notes with satisfaction that those contributions have been provided unconditionally;

4. *Invites* Member States to make further voluntary contributions to the International Tribunal;

<sup>61</sup> A/C.5/48/36 and A/C.5/48/44 and Add.1.

<sup>62</sup> A/48/765 and A/48/915.

<sup>63</sup> A/C.5/48/68.

5. *Stresses* that the acceptance of voluntary contributions in kind or in personnel, as well as voluntary financial contributions, must be consistent with the need to ensure the impartiality and independence of the International Tribunal at all times and that such contributions should be considered supplementary to the assessed contributions;

6. *Requests* the Secretary-General to report on the acceptance and use of voluntary contributions, particularly those in kind or in personnel, pursuant to paragraph 5 above, no later than 31 December 1994;

7. *Accepts* The Hague, the Netherlands, as the seat for the International Tribunal established by the Security Council in its resolution 827 (1993) of 25 May 1993 for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia between 1 January 1991 and a date to be determined by the Council upon the restoration of peace;

8. *Notes* that the Secretary-General has not yet submitted a detailed report on the requirements of the International Tribunal, in particular a justification of the number and levels of staff, post classification and the possibility of providing common administrative services, and requests him to submit complete detailed budget estimates for the operation of the Tribunal at the earliest opportunity during its forty-ninth session;

9. *Authorizes* the Secretary-General to enter into commitments for the International Tribunal in an amount not to exceed 11 million dollars, including the amount of 5.6 million dollars authorized by the Assembly in its decision 48/461, for the period from 1 January to 31 December 1994;

10. *Also authorizes* the Secretary-General to make the necessary arrangements, including the signing of the lease agreement for the premises of the International Tribunal, to ensure that it is provided with adequate facilities and necessary staff resources and to report thereon to the Assembly in the budget performance report;

11. *Requests* the Secretary-General to submit to the Assembly, through the Advisory Committee on Administrative and Budgetary Questions, a further report on the conditions of service of the judges, in the light of the provisions of article 13, paragraph 4, of the statute of the International Tribunal,<sup>64</sup> as the work of the Tribunal proceeds and the precise nature of its requirements clearly emerges;

12. *Also requests* the Secretary-General to report to the Assembly at its forty-ninth session on the financial performance of the International Tribunal and on its requirements on the basis of experience gained during 1994.

*93rd plenary meeting  
14 April 1994*

**48/252. Emoluments, pension scheme and conditions of service for the members of the International Court of Justice**

**A**

**EMOLUMENTS**

*The General Assembly,*

*Recalling* its resolution 45/250 A of 21 December 1990 on the emoluments of the members of the International Court of Justice,

*Having considered* the report of the Secretary-General<sup>65</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>66</sup>

1. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions, subject to the provisions of the present resolution;

2. *Decides* that, with effect from 1 January 1994, the annual salary of the members of the International Court of Justice shall remain at 145,000 United States dollars;

3. *Decides also* that, with effect from 1 January 1994, the ad hoc judges referred to in Article 31 of the Statute of the International Court of Justice shall continue to receive for each day they exercise their functions one three-hundred-and-sixty-fifth of the annual salary payable at the time to a member of the Court;

4. *Decides further* to continue, with effect from 1 January 1994, the system of floor/ceiling measures introduced and continued pursuant to section VI of its resolution 43/217 of 21 December 1988 and its resolution 45/250 A, in accordance with the recommendation contained in paragraph 5 of the report of the Advisory Committee;

5. *Decides* that, with effect from 1 January 1994, the special allowance of the President shall remain at 15,000 dollars per year and that the special allowance paid to the Vice-President when acting as President shall be at 94 dollars per day, up to a maximum of 9,400 dollars per year;

6. *Decides also* that the emoluments and other conditions of service for the members of the Court shall next be reviewed at its fiftieth session in the light of the recommendations contained in the report of the Secretary-General;

7. *Decides further* that the periodicity of review shall be determined at the fiftieth session.

*94th plenary meeting  
26 May 1994*

**B**

**PENSION SCHEME**

*The General Assembly,*

*Recalling* its resolutions 1562 (XV) of 18 December 1960, 1925 (XVIII) of 11 December 1963, 2367 (XXII) of 19 December 1967, 2890 A (XXVI) of 22 December 1971, 3193 A (XXVIII) of 18 December 1973, 3537 A (XXX) of 17 December 1975, 38/239 of 20 December 1983, 40/257 B of 18 December 1985 and 45/250 B of 21 December 1990, on the pension scheme for the members of the International Court of Justice,

*Having considered* the report of the Secretary-General<sup>65</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>66</sup>

1. *Invites* the Secretary-General to undertake a study of the pension scheme for the members of the International Court of Justice and to report thereon to the General Assembly at its forty-ninth session;

2. *Requests* the Secretary-General to redraft the Pension Scheme Regulations for members of the Court reflecting the decisions taken by

<sup>64</sup> *Official Records of the Security Council, Forty-eighth Year, Supplement for January, February and March 1993, document S/25704, annex.*

<sup>65</sup> A/C.5/48/66.

<sup>66</sup> A/48/7/Add.6