



# TECHNICAL EDITS – PURSUANT TO PRIOR GENERAL ASSEMBLY RESOLUTION – DEATH AND DISABILITY

Secretariat Issue Paper #37

Issue Paper Theme: **Cross-cutting**

## BACKGROUND

In its resolution 51/218E of 17 June 1997, the General Assembly decided to establish uniform and standardized rates for the payment of awards in cases of death and disability sustained by troops in the service of United Nations peacekeeping operations for incidents occurring after 30 June 1997.

In response to the request of the General Assembly in paragraph 6 of the same resolution (51/218 E), the Secretary-General submitted his report A/52/369 containing detailed proposals for the implementation of the system of payment of compensation for death and disability. Section II and the Annexes of the report of the Secretary-General detail the procedures to process claims for death and disability. The General Assembly decided in its resolution 52/177 of 18 December 1997 to authorize the Secretary-General to implement without delay the administrative and payment arrangements and procedures contained in section II of his report for the payment of awards in cases of death and disability sustained by troops for incidents occurring after 30 June 1997. Resolution 52/177 further requested the Secretary-General to settle death and disability claims not later than three months from the date of submission of a claim. Further, resolution 52/177 established that all mission-related death and disability claims would be compensable, unless injury or death was caused by gross negligence or willful misconduct of the injured or deceased member of the contingent.

The General Assembly in its resolution 64/269 of 24 June 2010 reaffirmed its previous resolution 52/177 and requested the Secretary-General to ensure that all uniformed personnel deployed in peacekeeping operations would continue to be eligible for death and disability compensation during the entire period of their deployment. The General Assembly in resolution 72/285 of 5 July 2018 established the current death and disability compensation rate of \$77,000.

General Assembly resolution 76/274 of 29 June 2022 recalled the prior resolutions 51/218E and 52/177.

## PROPOSAL

Revise the COE Manual to reflect the decisions of the General Assembly in its resolutions 51/218E, 52/177 and 72/285.



## PROPOSED MANUAL TEXT

### Chapter 9 – Model memorandum of understanding

#### Memorandum of understanding for military contingents

Annex A Personnel, Section III. General conditions for personnel (page 206 of current COE Manual A/75/121)

Paragraph 7. The United Nations shall convey to the Government all pertinent information relating to the provision of the personnel, including matters of liability for loss of or damage to United Nations property and compensation claims in respect of death, injury or illness attributable to United Nations service and/or loss of personal property. ~~Claims for death and disability incidents will be handled in accordance with General Assembly resolution 52/177 of 18 December 1997. Guidelines for submitting claims arising from death and disability incidents are set out in A/52/369 of 17 September 1997.~~

**Paragraph 7 bis Claims for death and disability incidents will be handled pursuant to General Assembly resolutions 51/218E of 17 June 1997 and 52/177 of 18 December 1997. Administrative and payment arrangements and procedures for submitting claims arising from death and disability incidents are set out in A/52/369 of 17 September 1997 authorized by resolution 52/177 of 18 December 1997. General Assembly resolution 72/285 of 5 July 2018 established the current compensation rate for death and disability at \$77,000.**

#### Memorandum of understanding for formed police units

Annex A Personnel, Section III. General conditions for personnel (page 245 of current COE Manual A/75/121)

Paragraph 7. The United Nations shall convey to the Government all pertinent information relating to the provision of the personnel, including matters of liability for loss of or damage to United Nations property and compensation claims in respect of death, injury or illness attributable to United Nations service and/or loss of personal property. ~~Claims for death and disability incidents will be handled in accordance with General Assembly resolution 52/177 of 18 December 1997. Guidelines for submitting claims arising from death and disability incidents are set out in A/52/369 of 17 September 1997.~~

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## FINANCIAL IMPLICATIONS



None associated with these technical edits to the COE manual.

## PREVIOUS HISTORY

Paragraph 7 of the model MOU has remained unchanged since being introduced in the very first official COE Manual A/C.5/63/18 pursuant to the 2004 COE Working Group.