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ASSEMBLY — 37TH SESSION

ADMINISTRATIVE COMMISSION

Agenda Item 66: Arrears of contributions of the former Socialist Federal Republic of Yugoslavia

**ARREARS OF CONTRIBUTIONS OF THE FORMER SOCIALIST FEDERAL
REPUBLIC OF YUGOSLAVIA**

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

The arrears of contributions of the former Socialist Federal Republic of Yugoslavia (SFRY) of USD 510 882, relating to the years 1990 to 1992, remain outstanding pending resolution of State succession issues at the United Nations.

Action: The Assembly is invited to note the arrears of contributions of the former Socialist Federal Republic of Yugoslavia and note that the succession issues at the United Nations are closer to resolution. When the information on respective shares of the outstanding amount is provided to the General Assembly, it will be presented for consideration by the ICAO Assembly. No further action is required until then.

<i>Strategic Objectives:</i>	Supporting Implementing Strategies 1 and 4.
<i>Financial implications:</i>	Nil.
<i>References:</i>	Doc 9902, <i>Assembly Resolutions in Force</i> (as of 28 September 2007)

1. INTRODUCTION

During 1991 and 1992, the former SFRY underwent a process of dissolution and thereafter five successor States came into existence. The United Nations General Assembly has been considering whether to seek payment of the arrears from the five successor States and, if so, on what basis to apportion the arrears. This paper provides a summary of the actions to date and reports on the latest developments in the United Nations on the subject.

2. SUMMARY OF POSITION

2.1 The 29th Session of the Assembly adopted Resolution A29-2, which determined that the Federal Republic of Yugoslavia could not automatically continue the membership of the former SFRY in ICAO.

2.2 The Federal Republic of Yugoslavia adhered to the convention on 14 December 2000 and became a member of ICAO on 13 January 2001, assessable from 1 February 2001. On 4 February 2003, the name of the Federal Republic of Yugoslavia was changed to Serbia and Montenegro. Further to the declaration of independence adopted by the Assembly of Montenegro on 3 June 2006, the Republic of Serbia is continuing the membership of Serbia and Montenegro in the United Nations system, including ICAO. The name "Republic of Serbia" is to be used instead of the name "Serbia and Montenegro". On 22 June 2006, Montenegro became a member of the United Nations under the name "Republic of Montenegro" and on 14 March 2007 became a Contracting State of ICAO.

2.3 Croatia and Slovenia joined ICAO in May 1992. In approving Croatia's and Slovenia's scales of assessment (A29-28), the 29th Session of the Assembly also approved that the 1992 assessment of the former SFRY be reduced by the assessments of Croatia and Slovenia for that year.

2.4 In accordance with the common practice in the UN system, the balance of contributions in arrears of the former SFRY for 1992 and prior years has been kept on ICAO's books.

2.5 At the 31st, 32nd, 33rd, 35th and 36th Sessions, the Assembly noted that disposition of the arrears of the former SFRY was being held pending the determination of the succession issues at the United Nations.

3. LATEST DEVELOPMENTS

3.1 During its 63rd Session, the UN General Assembly adopted Resolution 63/249 on 24 December 2008, regarding the issue of the arrears of the former Yugoslavia.

3.2 The General Assembly:

- 1) "*Decides* that the unpaid assessed contributions to the account of the former Yugoslavia up to 27 April 1992 . . . shall be apportioned among the successor States of the Socialist Federal Republic of Yugoslavia, taking into account the respective dates on which each successor State informed the Secretary-General that it had ceased to exist as part of the Socialist Federal Republic of Yugoslavia . . .

- 3) “Urges, in this regard, the successor States of the Socialist Federal Republic of Yugoslavia to inform the Secretary-General as soon as possible of their respective shares of the outstanding amounts and credits, in accordance with paragraph 1 above”;
- 4) “*Decides* that the issue of the unpaid assessed contributions to the account of the former Yugoslavia shall be considered to be finally resolved upon receipt by the Secretary-General of the information requested in paragraph 3 above, and that the resolution of the issue of the unpaid assessed contributions of the former Yugoslavia to the United Nations shall be applicable only to that issue, without prejudice to any other related decisions and issues.”

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