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Agenda item 116

IMPLEMENTATION BY STATES OF THE PROVISIONS OF THE VIENNA  
CONVENTION ON DIPLOMATIC RELATIONS OF 1961

Report of the Sixth Committee

Rapporteur: Mr. Ibrahim Abdul-Aziz OMAR (Libyan Arab Jamahiriya)

1. The item entitled "Implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961: report of the Secretary-General" was included in the provisional agenda of the thirty-third session of the General Assembly pursuant to paragraph 6 of General Assembly resolution 31/76 of 13 December 1976.
2. On the recommendation of the General Committee, the General Assembly decided at its 4th plenary meeting, on 22 September 1978, to include the item on its agenda and at its 5th plenary meeting, held on the same date, to allocate it to the Sixth Committee.
3. In connexion with this item, the Sixth Committee had before it the following documents:
  - (a) Report of the Secretary-General (A/31/145 and Add.1) circulated at the thirty-first session, which contained comments and observations submitted by States pursuant to paragraph 4 of General Assembly resolution 3501 (XXX);
  - (b) Analytical report of the Secretary-General (A/33/224) prepared pursuant to paragraph 5 of General Assembly resolution 31/76 and reproducing in an annex the comments and observations received from Member States pursuant to paragraph 3 of resolution 31/76.
4. The Sixth Committee considered the item at its 14th to 20th and 67th meetings, held between 9 and 13 October and on 8 December 1978. The summary records of these meetings (A/C.6/33/SR.14-20 and 67) contain the views of representatives who spoke during the consideration of the item.

5. At the 67th meeting on 8 December, the representative of Bulgaria introduced a draft resolution (A/C.6/33/L.17) sponsored by Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, the Ivory Coast, Mongolia, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, which were later joined by Afghanistan, Argentina and Kenya.

6. At the same meeting, the Sixth Committee adopted draft resolution A/C.6/33/L.17 by consensus (see para. 7 below). A statement in this connexion was made by the representative of Tunisia. After the adoption of the draft resolution, the Secretariat was informed of the desire of the delegations of Cyprus and India to join the co-sponsors.

#### RECOMMENDATION OF THE SIXTH COMMITTEE

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

##### Implementation by States of the Provisions of the Vienna Convention on Diplomatic Relations of 1961

The General Assembly,

Taking note of the report of the Secretary-General 1/ on the implementation by States of the Vienna Convention on Diplomatic Relations of 1961, 2/

Recalling its resolutions 3501 (XXX) of 15 December 1975 and 31/76 of 13 December 1976,

Noting with satisfaction that the number of States parties to the Vienna Convention on Diplomatic Relations of 1961 has increased since the adoption by the General Assembly of the above-mentioned resolutions,

Convinced of the desirability of the widespread acceptance of the Vienna Convention on Diplomatic Relations of 1961 and the necessity for strict observance and implementation by States of the provisions consolidated in that Convention in the interest of maintaining normal relations among them and developing international co-operation,

Concerned both at continuing instances of violations of the generally recognized rules of diplomatic law and at instances of violations of security of diplomatic missions and safety of their personnel,

Noting with appreciation the study by the International Law Commission of the proposals on the elaboration of a protocol concerning the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier, which could constitute a further development of the international diplomatic law.

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1/ A/33/224.

2/ United Nations, Treaty Series, vol. 500, No. 7310, p. 95.

1. Requests those States which have not yet become parties to the Vienna Convention on Diplomatic Relations of 1961 to give urgent consideration to acceding to that Convention;
2. Calls upon all States to observe and strictly implement the provisions of the Vienna Convention on Diplomatic Relations of 1961, especially to ensure better security of diplomatic missions and safety of their personnel, provided for in that Convention;
3. Notes the invitation in General Assembly resolution 33/\_\_\_ 3/ of \_\_\_ December 1978 to States to submit written comments on the preliminary study carried out by the International Law Commission on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier, and observes that, in replying to such a request, States may also include comments and observations on the implementation of the provisions of the Vienna Convention on Diplomatic Relations of 1961 to be submitted to the General Assembly at a future session;
4. Reaffirms the continuing interest of the General Assembly in the implementation by States of the provisions of the Vienna Convention on Diplomatic Relations of 1961;
5. Decides that the General Assembly will give further consideration to this question and expresses the view that, unless Member States indicate the desirability of an earlier consideration, it would be appropriate to do so when the International Law Commission submits to the Assembly the results of its work on the possible elaboration of an appropriate legal instrument on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier.

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