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CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION,  
SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND  
REPRESENTATIVES

Report of the Secretary-General

Addendum

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REPORTS AND VIEWS RECEIVED FROM STATES

A. Reports received from States pursuant to paragraph 7 of General Assembly resolution 36/33

FRANCE 1/

[Original: French]

[8 October 1982]

1. On 24 September 1981, persons were taken hostage in the Consulate General of Turkey in Paris. At this time, Mr. Cemâl O'Zen, a security guard at the Consulate, was killed and Mr. Inal Daya, Deputy Consul-General, was wounded. As indicated by the representative of France in the Sixth Committee in his statement on 20 October 1981, the incident ended, thanks to the efficient action of the French police, with the release of the hostages and the surrender of the four commando members, who claimed to be acting on behalf of "ASALA". Proceedings have been instituted against them by the public prosecutor's office in Paris; the accused are in prison and a judicial inquiry is currently in progress.
2. On 12 December 1981, there was an assassination attempt against Mr. Christian Chapman, Minister Counsellor at the United States Embassy in Paris, as he was leaving his home. A preliminary investigation has been opened at the tribunal de grande instance of Paris.
3. On 18 January 1982, Mr. Charles James Ray, Assistant Military Attaché at the United States Embassy in Paris, was shot dead as he was leaving his home. A preliminary investigation has commenced at the tribunal de grande instance of Paris.
4. On 3 April 1982, Mr. Yacou Barsimantov, Second Secretary at the Israeli Embassy in Paris, was killed by several shots as he was returning home with his wife and daughter. A preliminary investigation has been opened at the tribunal de grande instance of Nanterre. Responsibility for the attack was claimed by the "Fractions révolutionnaires armées libanaises".
5. On 1 August 1982, the parked car of Mr. Uni Cohen, an official at the Israeli Embassy, was machine-gunned. Responsibility for this attack was claimed by "Action directe". A preliminary investigation has been opened at the tribunal de grande instance of Paris. It should be noted that charges are currently pending against members of "Action directe".
6. On 11 August 1982, a booby-trapped van exploded in front of the Iraqi Embassy. A preliminary investigation has been opened at the tribunal de grande instance of Paris.
7. On 17 September 1982, Mr. Man El Amos, an official at the Israeli Embassy, was seriously wounded in an incident involving a car which exploded. A number of people, including children, were wounded in this same incident. A preliminary investigation has been opened at the tribunal de grande instance of Paris. 2/

8. Considerable research has been and is still being done by the police authorities responsible for the inquiries into the incidents mentioned in paragraphs 2 to 7. Despite systematic processing of the limited data in their possession, the investigators, who are continuing their inquiries, have not yet succeeded in identifying the persons responsible for these incidents. However, the Permanent Mission of France will not fail to announce any further measures taken to combat these odious activities.

9. The Government of the French Republic wishes to emphasize that it has adopted far-reaching measures to prevent a repetition of such incidents. Its action in this regard is part of its overall effort to combat terrorism. Reference may be made in this connexion to the operational measures enacted in August 1982, and in particular the operation of a centralized system of records concerning terrorism, the establishment of a central office to deal with traffic in weapons, explosives and sensitive substances, the strengthening of frontier controls and an increase in the number of police and gendarmes.

10. In addition, during a television interview on 17 August 1982, the President of the Republic emphasized that "any organization invoking political ideology which establishes violence as a system will be prosecuted and dissolved, banned, and its members will be pursued, arrested and sentenced". Mention may be made, for example, of the dissolution of the "Action directe" movement. In his interview on 17 August, the President of the Republic also stressed the need for implacable enforcement of the law.

11. In addition, the security of all diplomatic and consular missions and representatives performing official functions in France is a priority concern of the police authorities. As regards persons, special protection, which may even consist of individualized protection, is provided for diplomats who are in particular danger. As regards premises, protection is graduated according to potential danger. There are general plans, specifically to protect diplomatic premises, which provide 24-hour mobile surveillance. The system of protection may also involve small or larger numbers of stationary guards. During the television interview mentioned above, the President of the Republic announced that, as part of the process of strengthening the police and gendarmerie, detachments of auxiliary gendarmes would relieve the police responsible for guarding public buildings, embassies and consulates. All the measures are naturally adopted in close co-operation with the foreign missions concerned.

B. Views received from States pursuant to paragraph 9 of  
General Assembly resolution 36/33

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

[Original: Russian]

[7 October 1982]

1. The Byelorussian SSR consistently advocates strict compliance with the generally recognized principles and norms of international law on diplomatic and

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consular relations, which form the essential background for normal relations between States, including relations within international, intergovernmental organizations. The Byelorussian SSR strictly complies with its international obligations and roundly condemns acts of terrorism, which interfere with normal diplomatic and consular activity and transport links and pose a threat to the lives and health of diplomatic and consular representatives and their families.

2. This position of principle has been set forth repeatedly, both in statements by Byelorussian representatives at the United Nations and in a letter to the United Nations Secretariat reproduced on 28 September 1981 in document A/36/445/Add.1.

3. The Byelorussian SSR is a party to a number of international agreements governing diplomatic and consular privileges and immunities, among them the 1961 Vienna Convention on Diplomatic Relations, which is of great importance in the maintenance of normal communications between States and the privileges and immunities of foreign representatives. Discussion during General Assembly sessions of States' compliance with the 1961 Vienna Convention has helped to increase the number of parties to that Convention and redirected Member States' attention to it; it has also shown that the problem of enhancing the protection of diplomatic and consular missions and representatives remains valid even today.

4. There is in operation in the Byelorussian SSR a whole series of legislative measures complying with international legal norms and practice, which together ensure unqualified respect for the inviolability and immunities of foreign diplomatic and consular premises and their staff. These measures cover the protection of mission buildings and the personal safety and inviolability of representatives and their families. The legislation of the Republic provides for criminal proceedings against anyone who makes an attempt on the life of a foreign representative, and establishes liability for terrorist acts against such representatives.

5. The Byelorussian SSR feels that the adoption by all States at the national level of appropriate, effective legislation and other measures is vital to the creation of normal working and living conditions for diplomatic and consular representatives.

6. The available facts demonstrate that the provisions of the 1961 Vienna Convention are not respected by all States or at all times.

7. Public opinion world wide has been shaken by the criminal acts of the Israeli military in Lebanon, especially the savage shelling of the area occupied by the diplomatic corps in Beirut.

8. Gross infringements of the principles and norms of international law protecting diplomatic missions and their staff and families continue to occur in the United States.

9. This can be readily seen in the case of New York, the site of the United Nations Headquarters. The situation there remains difficult and tense. Disruptive gatherings have repeatedly been organized outside the premises of several Permanent Missions to the United Nations, including the Byelorussian Mission. Explosive devices are placed under cars. The staff of a number of Permanent Missions to the United Nations and members of their families are subject to attacks by hoodlums,

premeditated criminal harassment, threats and abuse, while those guilty of these unlawful acts generally go unpunished. Terrorist organizations such as the Zionist "Jewish Defense League" and "Omega 7", continue to function virtually unhindered.

10. Yet the United States authorities, despite repeated official promises and statements, are taking virtually no real steps to curb the activity of these criminal elements and organizations or find and punish the culprits, and are thereby avoiding the honest fulfilment of their respective international obligations.

11. In the circumstances, the United Nations must contribute substantially to strengthening international law and order and creating a climate of intolerance towards lawlessness or any infringement of the diplomatic inviolability of foreign missions and representatives. The General Assembly must again remind States of the need for strict observance of their obligations stemming from international agreements on the creation of safe and normal working conditions for foreign diplomatic and consular missions and their staff.

12. In view of the above, the General Assembly should retain on its agenda the item concerning effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives, and do all it can to promote the establishment of normal conditions in which missions can work productively to develop and strengthen friendly relations among States.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

[Original: Russian]

[6 October 1982]

1. The Ukrainian SSR takes great care to meet the international obligations regarding the protection, security and safety of diplomatic and consular missions and representatives which it has accepted in signing and ratifying the 1961 Vienna Convention on Diplomatic Relations, the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and the 1975 Vienna Convention on the representation of States in their Relations with International Organizations of a Universal Character.
2. The Ukrainian SSR has an established and effective system of legislative and other measures guaranteeing strict respect for the inviolability and immunity of diplomatic and consular establishments by protecting missions and consular premises and ensuring the personal safety of their employees in accordance with the above-mentioned international conventions. It can be stated with satisfaction that no serious violations of the security of diplomatic and consular missions and representatives such as are referred to in General Assembly resolution 36/33 have taken place in the Ukrainian SSR. This clearly confirms the efficacy of the steps taken in the Ukrainian SSR to ensure the security of diplomatic and consular missions and their staff.
3. In comments on this subject submitted last year and reproduced in document A/36/445/Add.1, the Republic referred to the fact that terrorist and other criminal

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acts against the diplomatic missions of States Members of the United Nations and their staff in the host country had been perpetrated systematically and on a menacingly increasing scale for a number of years. Staff of the Permanent Mission of the Ukrainian SSR to the United Nations and members of their families had repeatedly been subjected to premeditated criminal attacks and acts of provocation.

4. The facts show that over the past year, despite a statement by the United States Administration to the effect that terrorist acts against the representatives of foreign States are a crime, the authorities in the host country have not taken effective practical steps to improve the security of diplomatic missions, or to locate and punish the criminals responsible for such acts of thuggery. An analysis of documents of the Committee on Relations with the Host Country reveals that the staff of Member States' Permanent Missions to the United Nations, primarily from the socialist countries but also from developing ones, have long been the target of persecution by a variety of emigrant and Zionist organizations such as the "Jewish Defense League" and "Omega 7".

5. It should be pointed out that the generally recognized norms governing the security of diplomatic missions are being encroached upon in other parts of the world as well. During Israel's aggression against Lebanon, the Israeli military included amongst its list of glaring violations of international law repeated deliberate shellings of the area occupied by the diplomatic corps in Beirut and the seizure of embassy buildings.

6. In such circumstances, the topic of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives assumes especial urgency. The United Nations must mobilize efforts to secure the fulfilment by all Member States of their obligations to guarantee the security of missions and their staff, and to halt terrorist acts against diplomats. The retention of this item on the agenda of the General Assembly and its discussion in the Sixth Committee must foster conditions conducive to enhancing the protection, security and safety of diplomatic and consular missions and representatives; in the absence of such conditions their normal work to sustain and develop normal relations between States becomes impossible.

#### Notes

1/ Circulated to all States under cover of a note verbale from the Secretary-General dated 11 October 1982.

2/ The Permanent Mission also states that, on 23 July 1982, Mr. Fadel Said El Dany, Deputy Director of the PLO Information Office in Paris, who did not enjoy diplomatic status, was assassinated as a result of the explosion of his car. A preliminary investigation has been opened at the tribunal de grande instance of Paris.