



SUMMARY RECORD OF THE 24th MEETING

Chairman: Mr. VOICU (Romania)

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 128: CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES; REPORT OF THE SECRETARY-GENERAL (continued) (A/41/547 and Add.1 and 2, A/41/354, A/41/656-S/18366; A/C.6/41/3)

1. Mr. HAMID (Pakistan) said that the receiving State had an obligation both to extend certain privileges and immunities to the representatives of foreign States and to protect the life and property of the diplomatic and consular agents in its territory. What was needed was full implementation of the existing instruments, namely, the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. The sending State and its representatives were equally under an obligation to use their missions in a manner that was compatible with their basic purpose, not to act in a manner that might amount to interference in the internal affairs of the receiving State, and not to violate the laws, rules and regulations established by it.

2. In recent years, there had been an upsurge in the number of incidents involving attacks on diplomatic and consular missions and representatives. Pakistan condemned such acts of violence, whatever the motives behind them might be. It had enacted anti-terrorist legislation covering not only the perpetrators of such offences, but also any groups or organizations that encouraged, instigated, organized or engaged in such activities. However, it was difficult to protect diplomatic and consular representatives at all times and in all places.

3. In that connection, he wished to refer to a letter dated 8 October 1986 from the Permanent Representative of the Soviet Union addressed to the Secretary-General (A/C.6/41/3), to which a TASS statement issued on 18 September 1986 was annexed. The Government of Pakistan had already sent a detailed factual report to the Secretary-General, in accordance with paragraph 9 of General Assembly resolution 40/73. It had also sent detailed information to the Soviet Government. It was therefore surprising that that Government should have deemed it appropriate to use the unfortunate incident for political purposes. It was most unfortunate that a Government should circulate the content of a highly tendentious news-agency report as an official United Nations document. The report was totally baseless and unworthy of discussion.

4. While the receiving State was bound to take all measures to prevent attacks on diplomatic and consular agents and officials of international intergovernmental organizations, and to try the criminals if such attacks did in fact take place, the mission or representative in question should also co-operate to the maximum extent possible with the receiving State in order to ensure that the culprits were brought to justice. If such co-operation was not forthcoming, the international community's very object would be frustrated.

5. Ms. HIGGIE (New Zealand) said that the role played by consular and diplomatic agents was too important for any Member State not to take the necessary steps to ensure the safety and protection of diplomatic and consular missions and representatives in its territory. New Zealand was a party to the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations and the Optional Protocols to those two Conventions. New Zealand had recently acceded to the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. It hoped that States that had not yet become parties to that Convention or to earlier ones would do so in the near future. Those Conventions, together with existing customary international law, provided a satisfactory legal framework for the protection of diplomatic and consular representatives. What was needed now was universal application and more effective implementation of those rules.

6. In that connection, her delegation was very interested in the suggestions put forward in the annex to the Secretary-General's report (A/41/547). Her delegation agreed that the comprehensiveness of the Secretary-General's report would be greatly enhanced if States where no serious violations had occurred were to so inform the Secretary-General. New Zealand also endorsed the suggestion concerning reminder notices and the suggestion that the Secretary-General should send a circular note asking all States to indicate whether they had any serious violations to report for the preceding 12 months. The Canadian Government had put forward a number of very interesting suggestions that merited serious consideration. Her delegation was particularly interested in the proposal that the Secretary-General should develop and oversee a permanent standardized reporting procedure. Since none of the proposals to which she had just referred should have financial implications, they should offer an effective and readily implementable means of increasing protection to consular and diplomatic missions and representatives. For financial reasons, her delegation also supported the suggestion made by Finland that the current item should be considered every other year.

7. Diplomatic and consular representatives had an obligation to respect the local laws of the receiving State. Proper compliance with local laws was conducive to the protection, security and safety of diplomatic and consular representatives. Her Government had had occasion earlier in 1986 to tighten up New Zealand law and practice relating to diplomatic privileges and immunities. The results had been a package of new procedures clarifying the application of the Vienna Convention rules in particular instances, and bringing New Zealand's practice into line with that of a number of other countries. Those new measures were expected to help maintain the existing good relations between the diplomatic corps and the New Zealand public.

8. Mr. AL-ATTAR (Syrian Arab Republic) said that, if the violations of the principle on which the protection of diplomatic and consular missions was based continued to increase and if the crimes in question remained unpunished, there would be a corresponding increase in the number of disputes between States. The mere existence of international conventions would not suffice; what was required was good faith in implementing them. Recent attacks on diplomatic and consular missions and representatives showed that some of the States parties to the conventions in question were not fulfilling their obligations in good faith.

(Mr. Al-Attar, Syrian Arab Republic)

Moreover, some States attached more importance to the protection of some missions than to the protection of others. The adoption of appropriate measures was a duty for all States parties. Consideration should be given to the establishment of adequate machinery for the punishment of the perpetrators of attacks on diplomats or their property.

9. It was not enough for receiving States to ensure that diplomatic missions were protected; they must also accord full facilities for the performance of the functions of such missions. It was important that paragraph 9 of General Assembly resolution 40/73 should be implemented fully, and his delegation welcomed the proposal put forward by Canada in that connection. The Syrian Arab Republic condemned all the acts of terrorism directed against innocent civilians that had occurred recently. Such acts could not but exacerbate conflicts between States. His country had made every effort to protect diplomatic and consular missions in its territory. Moreover, it had acceded to the relevant conventions and was implementing their provisions scrupulously. As a result of the action it had taken, there had so far been no attacks on diplomatic and consular missions on its soil.

10. Mr. ELTCHENKO (Ukrainian Soviet Socialist Republic) pointed out that various aspects of the current item were to be discussed by the Sixth Committee in connection with the report of the Committee on Relations with the Host Country. Strict observance by all States of the recognized principles and standards of diplomatic and consular law and, in particular, of the 1961 Vienna Convention on Diplomatic Relations, was an essential condition for the maintenance of normal relations between States, including relations within the framework of international organizations. The report of the Secretary-General (A/41/547 and Add.1 and 2) and statements made by delegations showed, however, that violations of those universally recognized standards, including seizures of missions and provocative actions against diplomatic and consular agents were still taking place. Terrorist acts involving the abduction or killing of diplomats and members of their families were absolutely unacceptable and deserved every condemnation. States were duty-bound to take all necessary steps to solve the problem.

11. Unlawful acts against diplomatic missions were often facilitated by the failure of certain States to fulfil their obligation under international law to respect the status of diplomatic and consular missions and their staffs. Referring in that connection to article 22, paragraph 2, and articles 29 and 37 of the 1961 Vienna Convention, he said that in the light of those provisions, the policy of hampering the normal diplomatic activities of missions could not be regarded as lawful. That applied, in particular, to the country in which the Headquarters of the United Nations was situated.

12. Ms. WILLSON (United States of America), speaking on a point of order, said that the question of relations with the host country formed the subject of agenda item 131, which the Sixth Committee was scheduled to consider in November. The Ukrainian representative should confine his remarks to the item currently under consideration.

13. Mr. ELTCHENKO (Ukrainian Soviet Socialist Republic) said that, as he had pointed out at the beginning of his statement, certain aspects of the current item were related to agenda item 131. The question of the protection, security and safety of diplomatic and consular missions and representatives was relevant to the permanent missions to the United Nations. Arbitrary acts against the missions to the United Nations of a number of countries, including his own, were taking place more and more frequently under a variety of far-fetched pretexts. The unprecedented "demand" in March 1986 for a reduction in staff at the Missions of the USSR, the Byelorussian SSR and the Ukrainian SSR represented a gross violation of the standards of international conduct and of the host country's obligations under the Headquarters Agreement. The start of the current session of the General Assembly had been overshadowed by another unlawful act, namely, the demand that the staff of the Permanent Mission of the USSR should be reduced by 25 persons; and in the past few days, the United States authorities had taken unfriendly action against the Embassy and consulates of the USSR. Those actions, for which there could be no justification had been taken at the precise moment when hopeful developments had begun to take place in the international situation. Undermining the activities of diplomatic and consular missions, whipping up suspicion and spy-mania around them and fanning the flames of hostility towards their staffs were hardly conducive to the strengthening of links and the creation of a climate of trust between States. Such acts were incompatible with the standards of contemporary diplomatic law and ran counter to efforts being made by the international community within the framework of the United Nations to establish normal conditions for the work of diplomatic and consular missions and representatives, and to enhance their security and safety.

14. Tangible progress in enhancing the protection, security and safety of diplomatic and consular missions and representatives depended to a considerable extent upon the readiness of States to apply the principles enshrined in the 1961 Vienna Convention and other instruments regulating relations between States. The universal observance of those instruments would, of course, be greatly assisted if countries which had not yet done so became parties to them. Regular consideration of the item at sessions of the General Assembly, which kept the problem in the mind of the public, also played an important role. At the same time, his delegation considered that the problem was only one aspect, although a very significant aspect, of the more general problem of the development and improvement of diplomatic relations. The Ukrainian SSR would be ready to co-operate constructively with all States in seeking a comprehensive solution.

15. Mr. MIRULKA (Czechoslovakia) said the Secretary-General's report (A/41/547 and Add.1 and 2) showed that in the past year there had been no improvement in the security of diplomatic and consular missions and representatives. In addition to the humanitarian aspects of the issue, which called for international solidarity with the victims of terrorism, regardless of whether they were diplomats or not, there were international aspects that must be borne in mind. Moreover, attacks on diplomatic and consular missions and representatives jeopardized normal diplomatic and consular relations, which were the principal form of communication between States.

(Mr. Mikulka, Czechoslovakia)

16. His delegation welcomed the suggestions put forward by the Legal Counsel, Finland, on behalf of the five Nordic countries, Canada, Turkey and other States. The tables in the annex to the Secretary-General's report showed that the procedures for reporting acts of terrorism directed against diplomatic and consular missions and representatives and for reporting the measures adopted by States with a view to bringing the perpetrators of such attacks to justice and thus preventing such violations from recurring, were far from perfect. His delegation therefore endorsed the view that ways of improving the procedures must be sought. Moreover, it believed that the procedures should also apply to attacks on the officials and headquarters of international organizations. It therefore also believed that the review of the status of ratifications of and accessions to international conventions in the field of diplomatic law should be extended to the Convention on the Privileges and Immunities of the United Nations, the Convention on the Privileges and Immunities of the Specialized Agencies and the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. Furthermore, there was a need for a compendium of the laws and regulations of Member States on the privileges and immunities of diplomatic and consular missions and representatives and the protection of such missions and representatives.

17. With the necessary good will on the part of States, the instruments to which he had referred could be extremely effective. Unfortunately, it must be concluded that there was no such good will in cases where the host country adopted arbitrary administrative measures whose purpose was clearly not in keeping with its obligations under article 25 of the Vienna Convention on Diplomatic Relations, to accord full facilities for the performance of the functions of diplomatic missions. There was no question that the chief aim of various unjustified restrictions, which violated the principle of non-discrimination laid down in that Convention and other instruments on diplomatic and consular law, was to make it even more difficult for some diplomatic missions to perform their functions. The purpose of such a policy was to manipulate public opinion, provoke hatred of another nation and deflect attention from other more pressing issues, for whose solution the necessary political will was lacking. Such a policy also harmed the international climate and encouraged criminal elements to attack the diplomatic missions and representatives of certain States. The United States had chosen to pursue such a policy. Particularly over the past year, it had made every effort to find ways of hampering the performance of the functions of the socialist countries' diplomatic missions. A clear example of that course of action was provided by the recently-announced discriminatory measures in respect of the Embassy and consulates of the Soviet Union.

18. Mr. AL-HAJRI (Oman) said that Oman was following with great concern the unwarranted violations of the protection, security and safety of diplomatic and consular missions and representatives. His delegation felt that such representatives were champions of international peace who had solved many intricate and perilous issues which could otherwise have endangered that peace.

(Mr. Al-Hajri, Oman)

19. Oman believed that prompt action to protect the security and safety of diplomatic and consular missions and representatives had become of paramount importance. It had acceded to the 1961 and 1963 Vienna Conventions and their respective Protocols, and was studying the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. In addition, his Government took very seriously the responsibility of protecting the inviolability of diplomatic and consular missions located in Oman, which was one of the few countries where diplomats lived in an atmosphere of security and peace. He expressed the hope that all diplomatic and consular representatives would respect the laws of their host countries, as well as international law.

20. Mr. BRENNAN (Australia) said his delegation was hopeful that the steps being taken in the Sixth Committee would assist in the total elimination of international terrorism, of which attacks on diplomats were just one manifestation. Australia felt that the reporting procedures were important and useful, and had reported that there had been no serious violations in its territory over the past 12 months (A/41/547/Add.2).

21. The obligation of States to protect diplomatic and consular premises and personnel was one of the basic principles of customary international law. Australia was a party to the relevant conventions, had taken all the necessary measures to fulfil its responsibilities under them, and appealed to those States which had not yet done so to become parties to them. It was essential for States to comply with their obligations under the conventions and to take all measures necessary to ensure the protection and safety of diplomatic and consular premises and personnel. Likewise, diplomatic and consular representatives should fulfil the obligations placed upon them.

22. His delegation supported the suggestions put forward by the Secretary-General in paragraphs 5, 11 and 12 of the annex to document A/41/547. Australia also agreed with the Secretary-General's approach to acts of violence against international organizations and their personnel, as described in paragraph 6 of the annex. Moreover, Australia supported Canada's recommendations as set forth in section II.B. His delegation believed that those recommendations could be implemented by the Secretary-General in a cost-effective manner. In particular, the use of a form circulated to all States, clearly establishing the reporting period concerned, would make the information received easier to assess and compare. Lastly, his delegation felt that the matter should be kept under constant review and should therefore be included in the agenda of the forty-second session.

23. Mr. SOKOLOVSKIY (Byelorussian Soviet Socialist Republic) said that his delegation shared the international community's justified alarm at the growing number of acts of international terrorism. That scourge had to be eradicated, but before that could be done, it was necessary to identify its true causes, since terrorist acts by individuals or groups were sometimes generated by violence done to a whole people. There could be no doubt that an improvement in the international climate as a whole would facilitate the elimination of that phenomenon.

(Mr. Sokolovskiy, Byelorussian SSR)

24. The report of the Secretary-General (A/41/547 and Add.1 and 2) and other documents before the Committee testified to the gravity of the situation with regard to the security and safety of diplomatic and consular missions and representatives. Periodic consideration of various aspects of the problem by the General Assembly was highly useful both by drawing the international community's attention to the matter and as a means of seeking practical solutions. It was most important for States to take appropriate measures, in accordance with their international obligations, towards effectively ensuring the protection, security and safety of all diplomatic and consular missions and representatives officially present in their territory. Experience showed that erosion of the rights of diplomatic and consular agents took place precisely in those countries which neglected to observe their international obligations in that field.

25. There was no reason why all States should not become parties to the Vienna Convention on Diplomatic Relations, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents and the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. The fact that States in whose territories the headquarters of international organizations of a universal character were situated had not yet become parties to the last mentioned of those instruments gave grounds for concern. The Byelorussian SSR, in addition to having signed and ratified those Conventions, was also a party to a number of other international instruments on diplomatic privileges and immunities. It had also enacted a series of effective legislative measures in connection with the prevention and punishment of terrorist acts against representatives of other States.

26. The evidence pointed not to any shortage of international agreements on the protection of the rights of diplomatic and consular agents, but to the inadequacy of measures, including legislative measures, taken by some countries in that connection, or to those countries' unwillingness to take effective measures, an unwillingness thinly disguised behind references to domestic criminal and procedural laws. That was very alarming in the case of countries where various extremist groups and organizations were operating with impunity or with the direct connivance of the authorities.

27. Especially alarming was the situation which had arisen in the country where United Nations Headquarters was situated. There the authorities had taken a series of discriminatory steps against citizens of several Member States employed in the Secretariat, and against the staffs of certain missions to the United Nations.

28. Mr. ROSENSTOCK (United States of America), speaking on a point of order, said that the subject just raised by the representative of the Byelorussian Soviet Socialist Republic did not fall within the scope of the item before the Committee. He was not aware of any decision by the Committee to consider agenda items 128 and 131 together.

29. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics), speaking on a point of order, said that the question at issue was the conduct of the United States of America, not as a host country, but as a country where violations of the rights of diplomatic and consular missions and representatives were taking place.

/...



30. Mr. ROSENSTOCK (United States of America), speaking on a point of order, drew attention to rule 113 of the rules of procedure of the General Assembly, which provided that a representative rising to a point of order was not permitted to speak on the substance of the matter under discussion.
31. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics), speaking on a point of order, said that General Assembly resolution 40/73 referred to missions and representatives to international intergovernmental organizations and officials of such organizations, as well as diplomatic and consular missions and representatives. It was therefore perfectly in order to raise matters concerning such organizations and officials in connection with item 128.
32. Mr. SOKOLOVSKIY (Byelorussian Soviet Socialist Republic), replying to the first point of order raised by the representative of the United States, said that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character clearly defined missions to the United Nations as diplomatic missions. The matter he had raised therefore lay within the scope of agenda item 128, and he had every intention of raising it again under item 131.
33. The CHAIRMAN, in response to a further point of order raised by Mr. ROSENSTOCK (United States of America), read out the title of agenda item 128.
34. Mr. SOKOLOVSKIY (Byelorussian Soviet Socialist Republic), continuing his statement, referred to the introduction of discriminatory restrictions on the movements within United States territory of United Nations staff of certain nationalities, and the arbitrary and unfounded decision, unprecedented in the history of international relations, by the United States Administration to cut back the size of the staff of several missions, including the Permanent Mission of the Byelorussian SSR to the United Nations. His delegation considered such practices to be incompatible with international law and to constitute interference in matters falling within the exclusive competence of States in their respective relations with the United Nations. The purpose of such actions was to hamper the activities of States Members of the United Nations and those of the Organization itself.
35. He stressed the continuing validity and importance of the Vienna Convention on Diplomatic Relations. The General Assembly should continue regularly considering the question of the protection, security and safety of diplomatic and consular missions and representatives, and should do everything in its power to promote the establishment of favourable conditions for their activities.
36. Mr. HABIMANA (Rwanda) said that diplomatic and consular missions played an essential role in international relations, and his delegation was therefore very concerned about the growing insecurity surrounding diplomatic representatives. Any diplomatic agent, irrespective of the country which he represented, could be the victim of a kidnapping or an assassination. Since the 1960s, the international community had been setting up appropriate machinery to enhance the protection, security and safety of diplomatic and consular missions and representatives. The provisions of articles 22 and 29 of the Vienna Convention on Diplomatic Relations

(Mr. Habimana, Rwanda)

were of particular importance in that connection. At present there were sufficient comprehensive legal texts which, if respected by all States, would make it easier for diplomatic representatives to perform their functions and live in peace.

37. His delegation felt that the security and safety of diplomatic missions could be guaranteed only by a strong political will to implement the existing conventions. Receiving States should fulfil their obligations and grant to accredited diplomats the same protection as was afforded their own diplomats abroad. Rwanda had always honoured its obligations concerning the protection, security and safety of diplomatic and consular missions and representatives, not only by signing and ratifying the relevant conventions, but also by strictly observing the established rules and making continuing efforts to enable representatives of other States to perform their functions in Rwanda in the best possible conditions.

38. The reporting procedure initiated by the General Assembly was a positive step in the international community's struggle to enhance the protection of diplomatic and consular missions and representatives, although revisions were of course needed to reach an optimal level of protection. His delegation supported any proposal which would improve the system. Canada's proposals were interesting and should serve as a point of departure for a more effective and operational procedure.

39. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) said that strict compliance with the principles and norms of the Vienna Convention on Diplomatic Relations would greatly assist the maintenance and development of international law as a whole.

40. The item under consideration was not of mere hypothetical relevance. As had unfortunately been shown in the report of the Secretary-General (A/41/547 and Add.1 and 2), diplomatic and consular representatives had been the targets of attacks, provocation and threats to their life and safety. The Soviet Union unconditionally condemned such attacks and called for more vigorous efforts to combat all forms of terrorism, which caused suffering and death to innocent people, including diplomats.

41. With the connivance of the authorities, Fascist and nationalist organizations were operating in certain countries, committing terrorist acts against diplomatic and consular representatives and the personnel of missions to international organizations. States were under an obligation to ensure that such crimes were not committed, and had the primary responsibility of adopting effective measures to combat all terrorist acts.

42. There had been a disturbing tendency in certain countries towards the erosion of general rules of diplomatic relations. Those countries had adopted legislative, judicial and other measures that seriously hampered the normal conduct of diplomatic and consular functions. Such measures were undermining diplomatic privileges and immunities and leading to an increase in criminal acts against diplomats. Naturally, the United Nations could not stand by while encroachments were made on the security of diplomatic representatives. One flagrant example had

(Mr. Ordzhonikidze, USSR)

been the murder in September 1986 of a Soviet diplomat in Islamabad, the capital of a country which had long been a haven for terrorists. And the United States Administration had recently taken a series of steps that made it more difficult for foreign diplomats to fulfil their official functions. Thus the situation for Soviet representatives in the United States was becoming even more tense.

43. The representative of the United States had said that the question of staff reductions imposed by the United States on the Soviet Mission to the United Nations was unrelated to the current agenda item, but since that cut-back also included the security officers at the Soviet Mission and the American authorities were not themselves taking the necessary measures to safeguard Soviet representatives, it seemed that the subject was indeed relevant to the agenda item. Nothing in existing international agreements entitled the Government of the United States to limit the number of employees of permanent missions of States Members of the United Nations.

44. Mr. ROSENSTOCK (United States of America), speaking on a point of order, said that the Committee was not at present considering agenda item 131 on relations with the host country.

45. Mr. ORDZHONIKIDZE (Union of Soviet Socialist Republics) said that the United States Administration had very recently taken further anti-Soviet action in declaring persona non grata five members of Soviet diplomatic and consular missions in Washington, D.C. and San Francisco, and announcing that such personnel in the United States should be reduced by 50 per cent. That unfriendly act, to which the USSR had been obliged to respond, had come at a time, after the meeting in Reykjavik, when there had been a promise of improvement in Soviet-American relations.

46. There had also been a recent deterioration in conditions for Soviet diplomats in other countries, one example of which has been the armed attack on the Soviet Embassy in Peru.

47. His delegation believed that the legal basis of international relations would be strengthened if the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character were to enter into force and if more States were to become parties to the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

48. The annual consideration by the Sixth Committee of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives was a significant contribution to strengthening the rule of law in the field of diplomatic relations. But, in a broader context, what was required was compliance by States with the norms of international law governing diplomatic relations, as well as the adoption by them of measures to create more favourable conditions for the conduct of diplomatic relations, the development of trust among States and the strengthening of international law.

49. Mr. ROSENSTOCK (United States of America) said that his delegation strongly supported the inclusion of information concerning attacks on international civil servants in the Secretary-General's report (A/41/547 and Add.1 and 2), for the reasons given in the annex to that report. International civil servants deserved protection, whether from terrorist acts or from illegal actions by Governments which deprived them of their status or of basic human rights, such as the right to travel. The constructive spirit with regard to the reporting procedures was crucial because co-operation and communication among States were the key to an effective response to the problem. It was regrettable, however, that a few States were more interested in spreading agitation propaganda than in co-operating towards a common end. It was deplorable that the issue of the protection, security and safety of diplomatic and consular missions and representatives was being trivialized by some States in an attempt to debate bilateral issues.

50. His delegation agreed with Denmark that it was of paramount importance that there should be undelayed communication between missions and the receiving State with regard to potential threats and their effective elimination. Likewise, there was a need for the kind of co-operation among States envisioned in the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. For the international community to respond in a co-ordinated manner to attacks on its security, ratification of that Convention and other relevant treaties by as many States as possible was essential.

51. Attacks on diplomats were a form of terrorism so pernicious that long before the General Assembly had condemned terrorism in its resolution 40/61, there had been no lack of agreement that attacks on diplomats were to be deplored as terrorist acts. The distressing accounts in the Secretary-General's report of violent acts against diplomats highlighted the severity of the problem. However, his delegation was encouraged by the positive aspects of the report, including the measures taken by Guatemala to improve the quality of protection provided, and the actions by police in a number of instances to thwart potentially fatal attacks. The rise in the number of reports was also a positive sign, indicative not so much of a worsening of the situation as of a greater awareness of the role of international co-operation in dealing with the problem. As noted in the annex to the report, the comprehensiveness of the picture derived from States' reports would be greatly enhanced by more widespread participation. In that connection, the Canadian suggestion that a form should be prepared to facilitate reporting was of potential value because it could also reduce the burden on the Secretariat, with concomitant cost-effectiveness. Some of the other improvements suggested in the report, such as the compilation of State legislation with regard to diplomatic protection, might not justify the expenditure of manpower and resources. His delegation retained an open mind on that issue, however. Any attempt to increase States' participation in enhancing the protection of diplomats must be carefully considered.

52. It was of course incumbent on all diplomats to respect the laws of the host State. Abuse of privileges and immunities, misuse of the diplomatic bag and espionage were absolutely unacceptable because such actions created a climate of diminished respect for diplomats and diplomatic institutions. They were just as subversive of the diplomatic process as failure to provide protection and accord due respect to privileges and immunities.

(Mr. Rosenstock, United States)

53. His delegation felt that the Committee's discussion of the item and the resulting resolution would serve further notice that attacks against diplomats or international civil servants were attacks against all people. The level of concern and willingness to act together until such attacks were a matter of ancient history must be sustained, and irrelevant matters should not be allowed to distract from the issue at hand.

54. Mr. HAYASHI (Japan) said that the resolutions adopted by the General Assembly since 1980 on the current item had proved effective. It was universally recognized that offences against internationally protected persons were a matter of international concern and must therefore be combated through international co-operation.

55. Recalling the various international conventions adopted in that field, he said that the reporting procedure established in General Assembly resolutions and used by many countries supplemented the legal framework provided by those conventions. Nevertheless, the current reporting system was not perfect in terms of either structure or implementation. In that connection, his delegation welcomed the Canadian proposal contained in document A/41/547 that the Secretary-General should develop a permanent standardized procedure and prepare a form containing relevant questions to be circulated to States. The preparation of a common form would facilitate Governments' use of the reporting procedure. The Canadian proposal therefore deserved serious consideration.

56. His delegation had noted with satisfaction the Secretary-General's observation that individual Governments had generally reported in factual and dispassionate terms. Each report should be strictly descriptive and apolitical. His delegation therefore felt that it would be inappropriate to extend the procedure to cover, for instance, international terrorism in general, with its inevitable political implications. The viability of the present system derived from its limitation to crimes against internationally protected persons.

57. There was a close link between General Assembly resolutions on the item under consideration and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, to which Japan would accede in 1987. Its support for the purposes of the Convention had been illustrated by its active participation in the adoption of a number of international instruments in that field.

58. His delegation hoped that the effective implementation of existing legal norms would be further secured through wider use of the reporting system, and that strengthening that procedure as a mechanism complementary to the Vienna Convention on Diplomatic Relations would be an appropriate way to celebrate the twenty-fifth anniversary of that Convention.

The meeting rose at 1.05 p.m.