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SIXTH COMMITTEE  
Agenda item 133

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

Argentina, Australia, Austria, Canada, Denmark, Ecuador,  
Finland, Germany, Federal Republic of, Hungary, Iceland, Japan,  
Mongolia, Norway, Philippines, Sierra Leone, Sweden, Turkey and  
Uruguay: draft resolution

The General Assembly,

Having considered the report of the Secretary-General, 1/

Emphasizing the important role of diplomatic and consular missions and representatives, as well as of missions and representatives to international intergovernmental organizations and officials of such organizations, in the maintenance of international peace and the promotion of friendly relations among States and also the need for enhancing global understanding thereof,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations, in particular those aimed at ensuring the inviolability of diplomatic and consular missions and representatives, is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

Concerned at the continued failure to respect the inviolability of diplomatic and consular missions and representatives, and at the serious threat presented by such violations to the maintenance of normal and peaceful international relations, which are necessary for co-operation among States,

1/ A/42/485 and Add.1-3.

Also concerned at the abuse of diplomatic or consular privileges and immunities, particularly if acts of violence are involved,

Alarmed by the acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,

Expressing its sympathy for the victims of such illegal acts,

Emphasizing the duty of States to take all appropriate steps, as required by international law:

(a) To protect the premises of diplomatic and consular missions, as well as of missions to international intergovernmental organizations,

(b) To prevent any attacks on diplomatic and consular representatives, as well as on representatives to international intergovernmental organizations and officials of such organizations,

(c) To apprehend the offenders and to bring them to justice,

Noting that, in spite of the call by the General Assembly at its previous sessions, not all States have yet become parties to the relevant conventions concerning the inviolability of diplomatic and consular missions and representatives,

Welcoming the measures already taken by States in conformity with their international obligations to enhance the protection, security and safety of diplomatic and consular missions and representatives,

Convinced that the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in later Assembly resolutions are important steps in the efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

Welcoming the guidelines 2/ prepared by the Secretary-General, embodying the relevant questions that States may wish to consider when reporting,

Desiring to maintain and further strengthen the reporting procedures,

1. Takes note of the report of the Secretary-General;
2. Strongly condemns acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations

and officials of such organizations, and emphasizes that such acts can never be justified;

3. Emphasizes the importance of enhanced awareness throughout the world of the necessity of ensuring the protection, security and safety of such missions, representatives and officials, as well as of the role of the United Nations in this regard;

4. Urges States to observe and to implement the principles and rules of international law governing diplomatic and consular relations and, in particular, to take all necessary measures in conformity with their international obligations to ensure effectively the protection, security and safety of all diplomatic and consular missions and representatives officially present in territory under their jurisdiction, including practicable measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions and representatives;

5. Calls upon States to take all necessary measures at the national and international levels to prevent any acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations, and, in accordance with national law and international treaties, to prosecute or extradite those who perpetrate such acts;

6. Recommends that States should co-operate closely through, inter alia, contacts between the diplomatic and consular missions and the receiving State, with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives and with regard to exchange of information on the circumstances of all serious violations thereof;

7. Calls upon States that have not yet done so to consider becoming parties to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives;

8. Calls upon States, in cases where a dispute arises in connection with a violation of the principles and rules of international law concerning the inviolability of diplomatic and consular missions and representatives, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General to offer, when he deems it appropriate, his good offices to the States directly concerned;

9. Requests:

(a) All States to report to the Secretary-General as promptly as possible serious violations of the protection, security and safety of diplomatic and consular missions and representatives, as well as missions and representatives with diplomatic status to international intergovernmental organizations;

(b) The States in which the violation took place - and, to the extent possible, the State where the alleged offender is present - to report to the

Secretary-General as promptly as possible on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and on measures adopted with a view to preventing a repetition of such violations;

(c) The States so reporting to consider using or taking into account the guidelines prepared by the Secretary-General;

10. Requests the Secretary-General:

(a) To circulate to all States, upon receipt, the reports received by him pursuant to paragraph 9 above, unless the reporting State requests otherwise;

(b) To draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 9 above, when a serious violation has been reported pursuant to paragraph 9 (a) above;

(c) To address reminders to States where such violations have occurred if reports pursuant to paragraph 9 (a) above or follow-up reports pursuant to paragraph 9 (b) above have not been made within a reasonable period of time;

(d) To send, in due time before the issuance of his yearly report on the present item, a circular note to all States requesting them to indicate whether they have any such violations, as referred to in paragraph 9 (a) above, to report for the preceding twelve months;

11. Requests the Secretary-General to invite States to inform him of their views with respect to any measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives;

12. Further requests the Secretary-General to submit to the General Assembly at its forty-third session a report containing:

(a) Information on the state of ratification of, and accessions to, the instruments referred to in paragraph 7 above;

(b) The reports received and views expressed pursuant to paragraphs 9 and 11 above;

13. Invites the Secretary-General to submit to the General Assembly at its forty-third session any views he may wish to express on the matters referred to in paragraph 12 above;

14. Decides to include in the provisional agenda of its forty-third session the item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives: report of the Secretary-General".