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Chairman: Mr. AL-QAYSI (Iraq)

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**AGENDA ITEM 136: CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION,
SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES:
REPORT OF THE SECRETARY-GENERAL (continued)**

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

AGENDA ITEM 136: 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/40/453 and Add.1-3)

1. Mr. AL-DUWAIKH (Kuwait) said that events in 1985 had again demonstrated the need to enhance the effectiveness of international co-operation in ensuring the protection, security and safety of diplomatic and consular missions and representatives, as well as the importance of contacts between missions and receiving States with regard to practical measures to enhance the protection of missions and with regard to the exchange of information on the circumstances of serious violations in that area.
2. Violations of the security and safety of diplomatic missions and representatives had led to heightened tension in international relations. The reasons given by the perpetrators of such unlawful acts were unacceptable, for they were clearly in violation of the most elementary of the international legal principles and norms governing diplomatic and consular relations.
3. His country had been the scene of a tragic incident, as reported by the Permanent Representative of Kuwait in his note verbale dated 10 May 1985 addressed to the Secretary-General. Kuwait, which condemned such acts, had taken appropriate measures to ensure in its territory the protection, security and safety of diplomatic and consular missions and representatives.
4. The reporting system provided for in paragraph 8 of General Assembly resolution 39/83 guaranteed minimum co-operation in efforts to prevent further violations of the security and safety of missions and enabled the international community to keep track of all violations. Kuwait, for its part, was giving very careful consideration to the possibility of acceding to a number of international conventions to which it had not yet become a party.
5. Mr. OMAR (Libyan Arab Jamahiriya) said the Secretary-General's report on the item showed that, during the past year, there had been further serious violations of the protection, security and safety of diplomatic and consular missions and representatives. The Libyan Arab Jamahiriya condemned such criminal actions as contrary to national legislation and to the principles and norms of international law.
6. In the light of the increase in violations, protective measures had to be enhanced. In that connection, the Secretary-General's report contained proposals submitted by States pursuant to paragraph 10 of General Assembly resolution 39/83 which were constructive and deserving of careful consideration. For example, Portugal had suggested close collaboration between missions and receiving States in studying and foreseeing security measures together, and Poland had taken the view that there should be an agreement on the distance to be kept between diplomatic and consular premises and any protest actions.

(Mr. Omar, Libyan Arab
Jamahiriya)

7. The Libyan Arab Jamahiriya was not opposed to maintaining the item in the agenda, but, like Finland, wondered whether annual consideration of the item was not ultimately likely to make it a matter of routine, thus impeding the achievement of the objectives pursued.

8. Inasmuch as the existing international conventions were adequate, it would be useful for the General Assembly to issue guidelines that would take into account the opinions expressed and proposals submitted by States with a view to enhancing the protection, security and safety of diplomatic and consular missions and representatives. At the thirty-ninth session of the General Assembly, his delegation had stated its position in detail and had drawn attention to the penalties that might be imposed on individuals who committed offences against the premises or the members of missions. Nevertheless, it wished to underscore once again the need to enhance the protection of diplomatic agents and premises, which would greatly benefit relations between States.

9. Mr. AL-HAJRI (Oman) said that his country had acceded to the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations, as well as the Optional Protocols. It was currently examining the text of the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

10. Diplomatic and consular representatives played a key role in, and provided the foundations for, international relations, for in ensuring communication between the peoples of the world, they were helping to normalize international relations and strengthen international peace and security. His delegation was deeply concerned at the dangers faced by diplomatic agents throughout the world, such as kidnappings and assassinations. Those were the work of groups of criminals who ignored the seriousness of the acts which they committed to the detriment of all the peoples of the world.

11. The item under consideration was extremely important, and the Omani authorities were seeking, in accordance with national traditions, to ensure the protection, security and safety of the diplomatic corps. They were thus fulfilling their obligations under the international instruments which Oman had signed, such as the Vienna Conventions of 1961 and 1963. His Government hoped that the intensification of international co-operation would make it possible to take effective measures to enhance the protection of diplomatic agents. Oman would spare no effort to attain that objective.

12. Mrs. GONZALES (Philippines) said that there was a need to create an atmosphere of respect and trust among States and thus enhance their ability to give effect to the recognized principles of international law concerning diplomatic and consular relations, which was a basic prerequisite for the orderly conduct of international relations. Members of the diplomatic community were still the recurring victims of kidnappings, assassinations and other criminal acts, while diplomatic and consular premises continued to be the targets of terrorist attacks. The perpetrators who claimed responsibility for such acts were often tolerated, supported or even induced by States, which, as subjects of international law, were as guilty as the principals themselves.

(Mrs. Gonzales, Philippines)

13. For a number of years, repeated calls had been made to States that had not yet done so to accede to the existing international conventions containing the principles of international law relating to the protection, security and safety of diplomatic and consular missions and representatives. At the same time, Governments had been asked to adopt or improve the appropriate preventive and punitive measures at the national and municipal levels, as a supplement to those international rules. Representatives of States who enjoyed diplomatic and consular immunities had been reminded of their duty to respect the laws of the receiving State and to refrain from interfering in its internal affairs. Yet the appeals seemed to have been in vain.

14. What was lacking was not international conventions - they already existed - but the political will to implement them and make the law effective. States had a common responsibility towards humanity, whether or not they were parties to those conventions; that responsibility was not only legal, but also moral. A State which was not a party to a certain convention might claim that it was not legally bound by the provisions enunciated therein, but it must not forget that it had a moral obligation to mankind.

15. The reporting procedures provided for in paragraph 8 of General Assembly resolution 39/83 were useful in enhancing awareness among States of the necessity of ensuring the protection, security and safety of diplomatic missions and representatives. Her delegation was prepared to join the search for additional and more effective measures for dealing with that issue, which had in recent years become one of major concern to the international community. There was a need for the United Nations to identify measures required to prevent attacks on internationally protected persons and for procedures to be refined for co-operation among States in averting and prosecuting breaches of diplomatic immunity. The Philippines would support any initiative to that end.

16. Mr. RASUL (Pakistan) said that the principle of the protection of envoys and missions had been established in history as a universally respected rule and a sine qua non for the performance of their duties. In Islamic tradition, the protection of foreign emissaries was considered to be a religious duty, as was amply borne out by the practice and the sayings of the Prophet.

17. The rules of international law regarding the privileges and protection of missions and diplomatic and consular agents had long developed through custom. It was only in 1961 and in 1963 that a concerted international effort had produced the Vienna Conventions on Diplomatic Relations and on Consular Relations, respectively. Needless to say, the two instruments had greatly improved international law in that domain. However, as the dynamism of human society had exposed certain weaknesses in those Conventions, the General Assembly had in 1973 adopted the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

18. The increase in the number of acts of violence against missions and diplomatic and consular agents was assuming menacing proportions. Such an atmosphere of insecurity subjected diplomatic agents and their family members to constant dangers, which made it extremely difficult for them to carry out their assignments. If diplomatic and consular agents were to be able to perform their

(Mr. Rasul, Pakistan)

duties efficiently, weaknesses in the existing rules must be located and ways of correcting them sought, given, however, that it was more important to implement a rule or instrument in good faith than to perfect its text. States, whether sending or receiving States, must perform their duties scrupulously. While receiving States clearly must not act as accomplices or acquiesce to acts of violence against diplomatic missions, sending States should not use their missions for activities beyond the bounds of their recognized functions. In short, the right of protection was contingent upon the respect of established norms.

19. Pakistan was party to the 1961, 1963 and 1973 Conventions and had adopted domestic legislation aimed at deterring potential perpetrators of violence against diplomatic missions or agents. His delegation was satisfied with the procedure for reporting violations of the protection and security of diplomatic and consular missions and agents. Perhaps the widest possible participation in the three above-mentioned Conventions might constitute the first step towards the establishment of an atmosphere of security, which diplomatic missions and agents required to carry out their functions.

20. Mr. SOKOLOVSKIY (Byelorussian Soviet Socialist Republic) said that the growing number of increasingly serious criminal acts perpetrated against diplomatic missions and their personnel could only give rise to deep concern. His delegation believed that international order must be strengthened in this area by calling upon States to take measures that would make it possible to guarantee the safety of diplomatic and consular missions and their personnel and to prosecute the guilty parties and punish them severely. The question must remain on the agenda of the General Assembly, as its consideration should lead to practical solutions.

21. The Secretary-General's report (A/40/453) showed that the number of attacks and acts of terrorism directed against diplomatic envoys - abductions of diplomats, occupations of diplomatic premises, vandalism directed at mission vehicles - had not decreased. This was borne out by the tragic events currently unfolding at Beirut, where an ultra-reactionary organization had abducted four Soviet diplomats posted to Lebanon and had killed one of them. That action was all the more unforgivable in that the Soviet Union had always been a country friendly to Lebanon and other Arab States, had always upheld Lebanese unity, independence and territorial integrity and had sought to end the hostilities taking place in that country as well as a political settlement. His delegation firmly condemned that inhuman act, which constituted a flagrant violation of the rules of international law, and demanded that it should be ended forthwith, that the guilty parties should be severely punished and that measures should be taken so that such acts might not recur in the future.

22. The security situation was far from being normal for the missions to United Nations Headquarters of a number of States, which hampered the work of their personnel. As had been made clear during the meetings of the Committee on Relations with the Host Country, criminal acts against missions were in some cases possible because of connivance on the part of host-country authorities, who allowed various extremist organizations to conduct their activities overtly. The laws of the host country still did not include the provisions required to guarantee foreign

(Mr. Sokolovskiy, Byelorussian SSR)

missions normal working conditions. Moreover, it was intolerable that certain countries encouraged activities against foreign representatives for questionable political purposes.

23. For its part, the Byelorussian SSR abided by the commitments which it had undertaken under the 1961 Convention on Diplomatic Relations and condemned acts of terrorism which obstructed diplomatic and consular relations. Its legislation, which complied with international standards and practice, guaranteed unconditional respect for the inviolability and immunity of diplomatic and consular personnel and facilities. Those who perpetrated acts of aggression against foreign representatives were liable to criminal prosecution, and terrorism was severely punished.

24. All States had the duty to take effective measures to strengthen the protection and security of internationally protected persons, and that protection must be uniformly extended to missions to international intergovernmental organizations of a universal character, and to their staffs and their family members. His delegation supported the proposal of Poland contained in document A/40/453, concerning specific measures which all States should take to guarantee the protection of diplomatic and consular missions. In addition, all States must become parties to the pertinent 1961, 1963 and 1973 Conventions on Diplomatic Relations, Consular Relations and the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, as well as the 1975 Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. As the Secretary-General's report indicated, 24 States Members of the United Nations had yet to accede to the Vienna Convention of 1961, and States on whose territory the headquarters of international organizations of a universal character were located had not yet acceded to the 1975 Convention. His delegation hoped that the points which it had just raised would be taken duly into account in the draft resolution which the Sixth Committee would adopt on that agenda item.

25. The major role which the information media ought to play in the establishment of conditions conducive to the carrying out of their duties by diplomatic and consular missions ought to be stressed; the media's task was to identify the missions' role in promoting co-operation between States, and it was unacceptable for them to try and arouse hostility towards the missions of certain States, or to act in a provocative manner. Lastly, his delegation believed that the question should continue to be included on the agenda of the General Assembly so that progress might be made in that area.

26. Ms. CHOKRON (Israel) said that the taking hostage of Soviet diplomats which had just occurred at Beirut must be addressed. Had the affair not been so despicable and unfortunate, her delegation might have felt the satisfaction of those whose words are borne out by events. In the Sixth Committee, as in many other forums, Israel had often warned against the infamy that was international terrorism, and had often repeated that no one was immune from the danger it represented. International terrorism was by its very nature blind and could strike randomly at anyone, at any time. What might appear in the eyes of certain persons or Governments to be a righteous cause and a justification for any action, assumed

(Ms. Chokron, Israel)

its full, despicable proportions when that same cause or a similar one was invoked in connection with barbaric acts committed against those same persons or Governments.

27. Her delegation was all the more affected by the tragic events at Beirut in that the victims were members of the large family of diplomats and internationally protected persons, and she offered her sympathy to the Soviet delegation, as she was only too familiar with the sorrow, horror and rage one felt in such circumstances, having, unfortunately, experienced them herself. She also asked the representative of the Soviet Union to inform the Soviet Government that, whatever political differences might exist between it and her own Government, the Government of Israel was in solidarity and offered its fervent hope that the three Soviet diplomats who were still being held hostage would be swiftly released, safe and sound. Her Government wished the same for all other persons held hostage, even if they were not diplomats, especially the six American hostages who were also being held in Lebanon.

28. Unfortunately, Israel had once again been the target of terrorism in 1985: soon after taking up his duties at the Embassy of Israel in Cairo, Mr. Albert Atrachki had been the victim of an attack in which his wife and another member of the Embassy staff had been seriously wounded. The Egyptian authorities were conducting an investigation and her delegation sincerely hoped that the results would be communicated to the Secretary-General of the United Nations in accordance with paragraph 8 of General Assembly resolution 39/83.

29. Her delegation was in favour of strengthening international co-operation in the field under consideration and hoped that each State would take the necessary steps with regard to the effective protection of missions and the adoption of the legislative measures required to permit the prosecution and punishment of those guilty of the crimes mentioned in the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

30. Mr. CASTROVIEJO (Spain) said that the reporting procedures for cases of violations of the security, safety and inviolability of diplomatic and consular missions and representatives established in General Assembly resolution 35/168 were unquestionably useful in the international community's struggle against that type of terrorism. Since the adoption of resolution 39/83 by the General Assembly at its previous session, a number of acts of violence had occurred, which in some cases had caused the death of diplomatic agents or members of their families, and which threatened to cause discord in the relations among States. His delegation condemned all those attacks and would firmly support the adoption of legitimate measures that would put an end to them.

31. His delegation considered that international law offered appropriate means of enhancing the security and safety of diplomatic and consular missions and representatives and urged States to respect the rules of international law and the principles governing the community of nations, and in particular the obligation flowing from the international conventions on diplomatic and consular relations. It hoped that States which had not yet acceded to the relevant United Nations conventions would do so in the near future. It was pleased to announce that Spain

/...

(Mr. Castroviejo, Spain)

had completed the process of acceding to the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

32. While emphasizing the need to respect the rules of international law relating to the protection of the inviolability, security and safety of diplomatic and consular missions and agents, his delegation was concerned about the danger arising from the abuse of diplomatic privileges and immunities. In that sphere, as in that of respect for international law and in particular for the relevant international conventions, co-operation among States and in particular between diplomatic and consular missions and host States would undoubtedly prove to be an effective weapon in the international community's struggle to put an end to criminal acts against diplomatic missions and agents.

33. Mr. NIYOMRERKS (Thailand) observed that although the General Assembly at each of its three preceding sessions had adopted a resolution aimed at enhancing the protection and safety of diplomats, consuls and their missions, violations of the security and safety of the representatives of foreign States had not ceased but had, on the contrary, increased. Moreover, in many cases the prosecution of the culprits had produced no effective results and the victims had not been compensated.

34. It would be difficult to exaggerate the importance of the role of diplomats in the establishment, maintenance and normalization of relations among States. In times of confrontation or reconciliation, diplomats were significant elements in the foreign policy of the State they represented. Nevertheless, they remained helpless, unarmed and vulnerable in a violent crisis, and their safety and even their lives lay at the mercy of the conflicting parties. For that reason, his delegation would support every endeavour to enhance the protection and safety of diplomatic and consular agents and representatives of international organizations.

35. Three points should be emphasized in that regard: first, it was the duty of States to abide by the principles of conventional and customary international law concerning the protection and safety of diplomats. Second, both the principles of customary law and the provisions of existing conventions, namely the 1961 Vienna Convention on Diplomatic Relations, the 1963 Vienna Convention on Consular Relations and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, should be genuinely respected and effectively implemented. It would be unnecessary to prepare further conventions if the aforementioned conventions were applied satisfactorily. Third, States should incorporate the principles laid down in the last-mentioned convention in their domestic law and provide for enforcement measures with a view to the prosecution of offenders.

36. Thailand had consistently fulfilled its obligations regarding the protection and safety of diplomats and foreign missions. It had signed and ratified the 1961 Vienna Convention on Diplomatic Relations; it also strictly observed the established rule on that subject and maintained its efforts to ensure that the representatives of other States could perform their functions in good conditions. Furthermore, it was seriously considering becoming a party to the Vienna Convention on Consular Relations and the aforementioned 1973 Conventions.

(Mr. Niyomrerks, Thailand)

37. Lastly, his delegation considered that the report of the Secretary-General on the item under consideration (A/40/453 and Add.1-6) would indeed promote public awareness of the importance of the safety of the diplomatic community, facilitate the prosecution of those responsible for attacks on diplomats, and strengthen public co-operation in that sphere. It would therefore seem important to keep the item under review and to include it in the agenda of the next session of the General Assembly.

38. Ms. WILLSON (United States of America) expressed her delegation's sympathy to the people of the Soviet Union over the tragic events involving Soviet diplomats serving in Beirut.

39. The protection of diplomatic and consular personnel was a matter of the highest concern to her Government, not only because of the increasing number of attacks on diplomats and the devastating effects of such attacks, but also because of the cumulative damage that each incident did to the very concept of diplomacy. Perpetrators of such atrocities not only attacked the State which the diplomat represented, but also undermined the entire system of international co-operation. There could be no distinction between attacks on representatives of States and attacks on international civil servants; both groups were the representatives of legal persons and performed functions essential to the maintenance of international peace and co-operation.

40. No cause could justify attacks on diplomats, neither the policy of a sending State nor the conduct of an individual diplomat. Receiving States must take appropriate steps to protect diplomatic and consular personnel and international civil servants. Of course, receiving States must also be able to protect themselves from abuses on the part of internationally protected persons. That ability was part of the régime of protection of diplomats and did not call into question the needlessness as well as the illegality and barbarity of attacks on diplomats.

41. Between August 1984 and August 1985 there had been 121 attacks on diplomats and diplomatic facilities. No diplomat was immune from the danger. The problem was common to the entire world and could best be dealt with through concerted action and international co-operation. All Member States must, jointly and severally, take firm action to end those attacks. In that regard, her delegation noted the co-ordinating role played by the Secretary-General. Meaningful progress had been made by the United Nations in formulating measures to enhance the protection and security of diplomatic missions and personnel.

42. In that connection, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents was of particular importance. Nevertheless, fewer than half of the States Members of the United Nations were parties to it. There was a need to institutionalize and thus solidify the international consensus that offences against internationally protected persons must be prevented by, inter alia, denying safe haven to the perpetrators of such acts. In order to achieve maximum effectiveness, the mechanism contained in the Convention - extradition or prosecution - must receive universal recognition through ratification.

(Ms. Willson, United States)

43. The reporting requirements of General Assembly resolution 39/83 kept the international community aware of the extent of the problem. Her delegation supported the continuation of those procedures and joined other delegations which favoured the establishment of a consultative mechanism among Member States to consider measures against States which failed to carry out their obligations under the Convention.

44.- Crimes directed against diplomats and international civil servants had no place in international discourse. The United States asked for the co-operation of all in silencing those who sought to be heard through death and destruction.

45. Mr. AWAWDEH (Jordan) said that the item under consideration was of the utmost importance in improving international relations and consolidating the spirit of co-operation among States. The status of diplomatic and consular missions and representatives was governed by international law. The elaboration of several international conventions, to which Jordan had become a party because it was convinced of their importance, had underlined the necessity of ensuring the protection, security and safety of diplomatic personnel. With a view to enhancing the principles set forth in those conventions, it was essential for States that had not yet done so to accede to them and comply with their provisions, particularly with regard to measures designed to ensure the protection, security and safety of diplomatic and consular missions and representatives.

46. Jordanian diplomatic missions and personnel had been the targets of numerous acts of terrorism in various countries; a number of innocent diplomatic agents had been killed or injured. As King Hussein had recently stressed, Jordan condemned such terrorism, whatever the objectives pursued and whatever the doctrine espoused by the perpetrators.

47. Jordan was sparing no effort to ensure in its territory the protection, security and safety of missions and representatives, taking all the measures called for in the international legal instruments and by international practice. It expected other States to do likewise and not fail to track down and prosecute offenders.

48. It was Jordan's fervent hope that international relations could be conducted in a spirit of understanding. It recognized that diplomatic and consular missions and representatives played a major role in that area by fulfilling important functions designed to enhance understanding among States so that peace and security would prevail throughout the world. Violence beget violence; in order to prevent its use in the settlement of disputes, there must be trust between States. That would be possible only if the various international instruments governing State conduct in that area were respected.

49. Jordan endorsed the relevant General Assembly resolutions. It hoped that they would help to stem the tide of terrorism, the primary victims of which were diplomatic and consular missions and representatives. All States must join in a concerted struggle against that scourge, which would spare no one if it went unchecked.

50. Mr. MASABO (Burundi) said that a reading of the report of the Secretary-General (A/40/453 and Add.1-3) confirmed that the international community was becoming more aware of the seriousness of the repeated violations of international legal principles and norms and the various international legal instruments governing diplomatic and consular relations. Such violations, which took the form of acts of violence against either diplomatic missions or agents, ranged from acts of intimidation to murder and included kidnapping and the planting of bombs and parcels containing explosives. While the perpetrators might believe that such methods could serve as a means of pressure in achieving their objectives, his delegation was rather of the opinion that the practice was dangerous and could only arouse distrust, increase hostility and aggravate tension between States and between separate communities. Furthermore, any act of violence, irrespective of the victim, was to be condemned and combated.

51. States had an important role to play in that connection and must join every effort to take appropriate steps to put an end once and for all to acts of violence perpetrated against diplomatic and consular missions. On the assumption that no one was safe from such acts, his delegation believed that all States must not only take preventive measures at the national level but must also co-operate at the bilateral, regional and multilateral levels in jointly adopting effective measures that would guarantee the protection and ensure the security of diplomatic and consular missions and their staffs, in accordance with the relevant legal instruments.

52. While recognizing the usefulness of accession to international instruments governing diplomatic privileges and immunities, his delegation none the less wished to point out that the simple fact of accession to a convention did not suffice and that the convention in question must also be properly implemented. Whereas diplomatic officials were entitled to enjoy the privileges and immunities provided for in the 1961 Vienna Convention, it was also their duty on the one hand to refrain from violating that Convention and on the other hand to respect the laws and regulations in force in the countries in which they exercised their functions.

53. His delegation was ready to take part in all efforts aimed at adopting appropriate measures for achieving the desired goal, in accordance with General Assembly resolution 39/83.

54. Mr. YIMER (Ethiopia) observed that the security of diplomatic missions and diplomatic and consular representatives, far from improving, was becoming increasingly precarious despite the efforts of receiving States to strengthen security. The most recent example had been the kidnapping in Beirut of four Soviet diplomats, followed by the murder of one of them, a particularly atrocious crime which had aroused the horror of the international community as a whole and for which his delegation wished to express its condolences to the delegation and the Government of the Soviet Union. Clearly, the General Assembly must continue to consider the problem, which had serious implications for international peace and security in general and for the promotion of friendly relations among States in particular.

(Mr. Yimer, Ethiopia)

55. International law governing diplomatic and consular relations was well established and was surely one of the least controversial areas of international law. When the Vienna Convention on Diplomatic Relations had been adopted on 14 April 1961, it had been generally recognized that the Convention to a large extent codified existing customary international law on diplomatic relations. That Convention had been followed by the 1963 Vienna Convention on Consular Relations and the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. The large number of accessions to those instruments - 144 for the Vienna Convention on Diplomatic Relations alone - clearly demonstrated the importance the international community attached to that area of public international law.

56. Article 22 of the Vienna Convention on Diplomatic Relations provided that the premises of a mission should be inviolable and that the agents of the receiving State could not enter them. The receiving State was also under a special duty to take all appropriate steps to protect the premises of a mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity. Article 29 of that Convention provided that the person of a diplomatic agent should be inviolable, that he should not be liable to any form of arrest or detention and that the receiving State should treat him with due respect and should take all appropriate steps to prevent any attack on his person, freedom or dignity.

57. Despite the many conventions and the clarity of their provisions, the security of diplomatic missions and diplomatic agents was increasingly threatened, as was borne out by the Secretary-General's report (A/40/453 and addenda), even though States were doing their utmost to live up to their obligations under international law. Nevertheless, that should be no cause for despair, because although ratification of the various international instruments was important, it was only a first step. International co-operation in the implementation of the conventions in question should do much to enhance the security of diplomatic missions and their agents. Ethiopia, which had 70 diplomatic missions and offices of 14 international organizations in its territory, was for its part scrupulous in fulfilling its obligations as a host State. Since the promulgation of the Ethiopian Penal Code in 1957, attacks against representatives of foreign States had been a criminal offence under Ethiopian law.

58. On the other hand, it was also incumbent upon the sending State to respect its own obligations under international law. While the occasional attacks against diplomatic agents or their missions were often featured in the headlines, the day-to-day violations of the security of the receiving State by diplomatic agents and missions went all too often unnoticed. Indeed, although article 41 of the Vienna Convention on Diplomatic Relations provided that it was the duty of all persons enjoying diplomatic privileges and immunities to respect the laws and regulations of the receiving State and not to interfere in the internal affairs of that State, that fundamental principle of international relations was by no means always strictly observed. The problem of the abuse of diplomatic privileges and immunities did exist and should not be ignored in the preoccupation with the admittedly more serious problem of the protection of diplomatic and consular missions and their agents. Indeed, in the long run, the abuse of diplomatic privileges and immunities could be as detrimental to healthy diplomatic relations as the lack of security of diplomatic missions and their agents.

59. Mr. YELCHENKO (Ukrainian Soviet Socialist Republic) said that it was necessary to ensure the protection of diplomatic missions in view of the important role played by multilateral diplomacy in the development of relations among States with a view to reducing international tension and especially the threat of a nuclear conflict. The increasing number of criminal acts which had been committed in recent years against diplomatic and consular missions and their representatives affected relations between States, and the many examples of acts of violence contained in the Secretary-General's report (A/40/453 and addenda), which included reports from States, indicated a dangerous trend with serious implications. Most recently, agents of a reactionary organization had kidnapped four Soviet diplomats in Beirut. One of them had already been murdered and the three others were threatened with the same fate. That monstrous act must be condemned most emphatically.

60. The Ukrainian SSR had always advocated respect for the fundamental rules of international law and strict observance of the norms of diplomatic law, and it had always favoured the adoption of measures that would ensure the safety and inviolability of diplomatic missions and their staff. It had participated in drafting 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. As a party to those conventions, the Ukrainian SSR strictly fulfilled its obligations, because it believed that such a course was the most effective guarantee of the safety of diplomatic and consular missions and representatives.

61. His delegation was convinced that attacks and acts of violence against diplomatic staff and premises would cease if receiving States were firmly resolved to put an end to them, in accordance with their international obligations. It was particularly regrettable that, sometimes certain acts of terrorism, provocation and vandalism against diplomatic missions were at least condoned, if not approved, of by the authorities of receiving States.

62. The information media had an important role to play in informing the public of the activities, responsibilities and role of diplomatic missions and their representatives. It was none the less regrettable that the media did not always work to foster co-operation and understanding among peoples, but rather contributed to provoking hostility against the diplomatic missions of certain States, especially the USSR. Such violations of the rules of international law should cease, and the information media should be used instead to promote a climate that would enable diplomatic and consular missions to discharge their duties normally.

63. The General Assembly could not remain passive in the face of acts which hampered the normal activities of States. The Assembly should strongly reaffirm that acts of violence against diplomatic and consular missions and representatives could not be condoned. The debates in the Committee confirmed the need to adopt effective measures speedily in order to ensure the protection and security of diplomatic missions and representatives, and it was desirable that the item should remain on the agenda and be considered on an annual basis, because the problem should hold the constant attention of the international community.

64. Mr. HAYASHI (Japan) said he felt that violent attacks against diplomatic and consular missions and their representatives, the taking of hostages and the seizure of their premises challenged some of the oldest and most firmly established rules of international law and could undermine the very foundations of international order. Consequently, the Government of Japan had co-sponsored the resolutions adopted under the item so far. His delegation was convinced that those resolutions, which had been unanimously adopted, as well as the debates in the Committee, had served to convince Member States of the need to strengthen the protection and security of diplomatic and consular missions and representatives. It was also gratifying to see that Member States had increasingly recognized the importance of international co-operation in that regard and had submitted reports to the Secretary-General, pursuant to those resolutions.

65. However, despite the heightened consciousness of the international community to the problem, a number of serious incidents still occurred, as enumerated in the report of the Secretary-General (A/40/453 and Add.1-3). It was therefore essential for the community of nations to take every step possible to combat those acts of violence. This delegation appealed to all States to co-operate to that end, both within and outside the United Nations, and to take more effective measures at the national level. For its part, Japan would continue its efforts in that direction in different bodies, particularly in the context of the Economic Summit Meetings of the Seven. His delegation hoped that, during the current session, the Committee would once again unanimously recommend the continuation of the measures enumerated in Assembly resolution 39/83. In particular, the reporting system established by the Assembly in 1980 should be strengthened as much as possible.

66. Mr. AZIZ (Egypt), speaking in exercise of the right of reply, said that he had listened attentively to the statement by the representative of Israel concerning the murder of Mr. Albert Atrakchi, administrative attaché at the Embassy of Israel in Cairo. He drew the attention of the Committee and of the representative of Israel to the note verbale dated 27 September 1985 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General (A/40/453/Add.3). That note, which informed the Secretary-General of the accident, also contained a condemnation of that act of terrorism by the Egyptian Government, a condemnation which had also been brought to the attention of the Minister for Foreign Affairs of Israel by the Deputy Prime Minister and Minister for Foreign Affairs of Egypt immediately after the accident. An in-depth inquiry was under way to identify the perpetrators and to bring them to justice as soon as possible. The Government of Egypt deeply regretted having, for the first time, to deplore the fact that a diplomat had been the victim of an accident in Egyptian territory. It was fully aware of its responsibility for the safety of diplomatic representatives in Egypt and would implement more effective measures to enhance the protection of all diplomatic and consular missions and their staff.

67. Mr. NETCHAEV (Union of Soviet Socialist Republics) expressed the thanks of his delegation to representatives who had expressed their condolences for the act of barbarism committed in Beirut against Soviet diplomats and who had condemned that act. He shared their conviction that the United Nations and Member States could

(Mr. Netchaev, USSR)

take all necessary steps both internationally and nationally, to ensure the protection, security and safety of diplomatic and consular staff, and he felt that it was the responsibility of the Sixth Committee to draft effective measures to prevent the recurrence of such acts.

The meeting rose at 12.30 p.m.