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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**

ORGANIZATION OF WORK

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The meeting was called to order at 10.50 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 (A/40/453 and Add.1-3)

1. Mr. FLEISCHHAUER (Under-Secretary-General, The Legal Counsel), introducing the report of the Secretary-General under item 136, which was before the Committee pursuant to paragraph 12 of General Assembly resolution 39/83, said that the structure of the report was determined by paragraphs 9, 10 and 12 of the resolution.
2. In the communications appearing in the first subsection of the report, a number of States reported sometimes tragic incidents which had occurred in their territory or of which their nationals had been victims. In some cases, indeed, reference was made to a number of incidents. However, the report was far from reflecting the situation as it currently stood: incidents were increasing in number, and the Secretary-General had very recently had occasion to condemn a new breach of the international norms relating to the security and safety of diplomats in the performance of their duties, and to emphasize the need for a concerted international effort to resolve the problem of terrorism in all its breadth. It should also be noted that, for the first time since the Assembly had instituted the system initially established under resolution 35/168, the report of a Member State described a fatal attack on a United Nations official. Violence thus seemed to be gaining ground not only against diplomatic and consular officers, but also against other classes of people employed at the international level. The first part of the report did, however, give rise to a positive comment: most of the communications describing such breaches of the principles and norms of international law also reported measures taken by the Governments concerned to find and punish those responsible. It was manifestly that will to act which the Assembly had sought to stimulate by establishing a system designed to make breaches of the protection, security and safety of diplomatic and consular representatives known throughout the world, through official channels, and thus to increase the international community's awareness of the need to ensure the security, safety and protection of such persons, as well as of missions and representatives to international intergovernmental organizations and officials of those organizations.
3. As note 17 in the report of the Secretary-General indicated, one of the communications had also been circulated pursuant to article 11 of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, which provided that "The State Party where an alleged offender is prosecuted shall communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties".
4. The second subsection of the report contained the views communicated by some States with respect to measures needed to enhance the protection, security and safety of missions and their personnel, as well as a number of specific suggestions for such measures. The Committee would no doubt study with the greatest attention the information and suggestions contained in the communications submitted by Governments in response to paragraph 10 of resolution 39/83.

(Mr. Fleischhauer)

5. Finally, the last section of the report made it apparent that participation in the Vienna Convention on Consular Relations had remained static, whereas the number of States parties to the two other Conventions had increased by two in the case of the Vienna Convention on Diplomatic Relations and by one in the case of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. There had been no changes during the past two months.

6. He was convinced that the debate under item 136 and the consideration of the report of the Secretary-General under that item would contribute to combating acts of violence against diplomatic and consular agents, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations, to ensuring their protection, security and safety and to securing general respect for the principles and rules of international law governing diplomatic and consular relations.

7. Mr. HAKAPÄÄ (Finland), speaking on behalf of the five Nordic countries, recalled that it was the Nordic Governments which had proposed the question of diplomatic protection for consideration by the General Assembly, and that concerns for the security and safety of diplomatic and consular missions and representatives were shared by the international community as a whole.

8. However, it was not sufficient to alert public opinion to the problem and to bring about world-wide recognition of the need to enhance the protection and safety of diplomatic and consular representatives: in addition, solutions needed to be proposed. That was why the resolutions adopted on the subject had also stressed the need to find ways of implementing the fundamental obligation of all States to protect diplomatic and consular representatives in their territory.

9. In the resolutions in question, reference was made inter alia to the existing conventions in the field. In that connection, the Nordic delegations appealed to all States which had not yet done so to become parties to those conventions. Effective and universal implementation of measures such as those envisaged in the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, would certainly facilitate the attainment of results.

10. Co-operation between sending and receiving States was also of great importance: missions and the receiving State should obviously contact each other without delay regarding potential threats and jointly seek means of eliminating them. The safety measures to be taken would necessarily depend on local conditions, but the principle of co-operation should apply in all circumstances.

11. The reporting procedures concerning serious violations of the protection, security and safety of diplomatic and consular representatives, which constituted a practical innovation established by the relevant resolutions, could be seen as strengthening the practice of diplomatic protection; they drew public attention to the violations concerned, and contributed to the element of co-operation which was instrumental to practical protection measures.

(Mr. Hakapää, Finland)

12. For the past five years, the item under discussion had been a regular feature of the Committee's agenda, and it had been considered in previous discussions that the item should be considered annually in order continuously to emphasize the need for the protective measures envisaged. That argument was certainly justified by the alarming rate at which violations of the safety of diplomatic and consular missions and representatives were increasing; conversely, it might also be asked whether annual discussions of the subject might not in the long term lead to routine treatment which would not advance the cause of diplomatic protection. In the view of the Nordic delegations, the need for effective diplomatic protection was currently as urgent as it had been at the time when the item was first brought before the Committee.

13. Those delegations considered also that all the measures envisaged, in particular in resolution 39/83, were continuously relevant for ensuring the protection of diplomatic and consular missions and representatives as well as that of missions and representatives to intergovernmental organizations and of officials of such organizations. That applied, inter alia, to the reporting procedures. In that regard, however, it might facilitate the work of the Committee if an overall survey was produced of the actual operation of those procedures over the past five years. On the basis of such a study, which might be prepared by the Secretariat for the forty-first session of the General Assembly, the Committee could decide whether or not it should modify the approach adopted in respect of the item.

14. The Nordic delegations intended to prepare a draft resolution on the item and would take account of any comments or proposals that might be made during the discussion so that the draft could secure the agreement of all delegations.

15. Mr. AKDAG (Turkey) said that it was deplorable that Turkish diplomatic missions and representatives as well as their families had continued to be attacked by gangs of criminals. On 19 November 1984, Mr. Ergun, Assistant Director of the United Nations Centre for Social Development and Humanitarian Affairs at Vienna, had been shot and killed in the centre of the city. On 12 March 1985, three terrorists, after knocking down a Canadian security guard and blowing up the entrance of the Embassy of Turkey at Ottawa, had occupied the Embassy. They had taken hostage the Ambassador's wife and daughter and members of the Embassy personnel. As the police had arrived swiftly, they had had to surrender after a few hours, but the Ambassador had been seriously wounded. Again, on 24 July 1985, the First Secretary of the Embassy in Jordan at Ankara had been killed in a terrorist attack. The Turkish delegation renewed to the Jordanian delegation its sincere condolences on that sad incident. Those acts of serious violence and those mentioned in the report of the Secretary-General (A/40/453) showed that terrorism had reached its peak and even dared to attack representatives of the United Nations.

16. The danger was reaching terrifying proportions, with the emergence of close links between terrorist organizations and arms and drugs traffic. In that connection, he referred to the Milan Plan of Action, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which had stressed that priority should be accorded to the combating of terrorism in all its forms through co-ordinated and concerted action on the part of the international community and that it was imperative to eliminate illicit traffic in and abuse of drugs and organized crime, which disturbed and destabilized society.

(Mr. Akdağ, Turkey)

17. In that context, the General Assembly should retain the item under consideration on the agenda of its subsequent sessions: the periodic examination of that item and the reports prepared by the Secretary-General would prompt States to become parties to the conventions relating to the protection, security and safety of diplomatic and consular missions and representatives. It was, moreover, necessary to emphasize that it was the duty of States to take all necessary legislative and administrative measures for the pursuit, apprehension and punishment in an exemplary manner of the authors of such acts, which constituted crimes not only under international customary and conventional law but also under the national criminal legislation of all States Members of the United Nations. In that regard, the resolution on terrorism adopted by consensus by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders urged all States to adopt legislation aimed at strengthening punitive measures against the perpetrators of such acts of violence and to facilitate the exchange of information between States so that Governments would be able to prevent violence, protect citizens and react more effectively to the offences covered by the relevant multilateral conventions.

18. It was also important that States should conclude bilateral, regional and multilateral treaties providing either for extradition or for prosecution or should become parties to the existing international legal instruments on the subject. The Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders had stressed the importance of international co-operation in the field of crime prevention and criminal justice and had considered that the United Nations should prepare appropriate model instruments for possible use by interested countries and should contribute to the drafting of regional agreements co-ordinated at the global level. In that regard, mention should be made of the European Convention on the Suppression of Terrorism, drawn up by the Council of Europe. It was necessary to launch a new appeal to all Member States which had not yet done so to become parties to the conventions relating to the protection, security and safety of diplomatic and consular missions and representatives and to bilateral, regional and multilateral legal instruments on the subject.

19. The role of the media in the combating of terrorism should also be emphasized. In that regard, his delegation believed that the United Nations, through its Department of Public Information should endeavour to make world public opinion better informed on the necessity of ensuring the protection of diplomatic and consular missions and representatives, about the role of the Organization in that regard and about the innumerable damage caused by acts of terrorism at the national and international levels.

20. The reporting system established and developed by the relevant resolutions of the General Assembly had proved its worth and should now be maintained and strengthened, because it made it possible to monitor the way in which States discharged the obligations incumbent on them under international law and encouraged them to take effective measures to ensure the protection, security and safety of diplomatic and consular missions and representatives. The Secretary-General of the United Nations had an important role and important duties in that regard.

(Mr. Akdağ, Turkey)

21. The General Assembly should include in the resolution to be adopted on that agenda item the measures adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders for the prevention and punishment of terrorism in all its forms.
22. His delegation was prepared to support any new effective measures aimed at strengthening the protection, security and safety of diplomatic and consular missions and representatives as well as representatives to international intergovernmental organizations and officials of those organizations.
23. Mr. NETCHAEV (Union of Soviet Socialist Republics) said that an abominable crime had been committed in Beirut: the members of an extremist rightist organization had taken hostage four Soviet diplomats and were tying their release to the activities of warring factions in the Tripoli region. A hideous murder had already been committed, and the lives of the other hostages were in danger. The Soviet Union vehemently condemned that act of barbarous terrorism, which was a flagrant violation of international law, and all comparable crimes committed against diplomatic or consular representatives. Such terrorist activities should be categorically condemned by the international community as a whole, and the United Nations should without delay take effective measures to prevent crimes of that kind.
24. That type of criminal activity was occurring with increasing frequency, because certain States, instead of seeking to strengthen the norms of diplomatic law, were taking measures which went in the contrary direction. They did not respect the provisions of the 1961 Vienna Convention on Diplomatic Relations nor those of other instruments of international law adopted in that field. That was, however, an attitude that cut both ways because those States were also falling victim to the trend towards the development of that type of criminal activity.
25. He pointed out that, in accordance with article 22, paragraph 2 of the 1961 Vienna Convention, the receiving State was under a duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity. Pursuant to article 30, paragraph 1, the private residence of a diplomatic agent enjoyed the same inviolability and protection as the premises of the mission. The receiving State was also required, under articles 29 and 37, to treat diplomatic agents, members of the administrative and technical staff of the mission and members of their families with due respect and to take all appropriate steps to prevent any attack on their person, freedom or dignity. Those provisions applied also to officials of international intergovernmental organizations.
26. Despite those provisions, certain States did not properly guarantee the safety and security of diplomatic representatives and officials working in missions and prevented diplomats from performing their duties under normal conditions. Embassies, permanent missions to international organizations and consular establishments were often the target of hostile and criminal activities and defamation campaigns. Sometimes even persons holding public office participated in such campaigns, which were aimed at inciting scorn and hostility towards the diplomatic representatives of other States.

(Mr. Netchaev, USSR)

27. A policy of laissez-faire, and even encouragement, towards the criminal activities of groups which organized demonstrations near diplomatic or consular missions and which were given to acts of provocation and violence against diplomats and their families was even more inexcusable because the Vienna Conventions and other instruments of international law imposed the duty to take steps to prevent that type of activity. The defamation campaigns waged with the complicity and even participation of the authorities of certain States did nothing but undermine the bases of diplomatic law and encourage attacks on the security and safety of diplomats.

28. The Soviet Union strongly condemned acts of terrorism against diplomats and felt that the international community should take the most effective steps possible to eliminate such practices. Recent events showed clearly that the item under consideration was still current and urgent. It was necessary to ensure scrupulous respect by all States for the principles and norms of customary international law and the principles of the United Nations Charter, as well as for the obligations stemming from treaties concerning diplomatic and consular relations. It was crucial for steps to be taken without delay, at national, regional and international levels to combat criminal activities against diplomats. That was an essential prerequisite for the establishment of a climate of trust and mutual understanding among States and for the strengthening of peace - objectives which the General Assembly and the Committee had a duty to promote.

29. Mr. GERIN (Canada) said that the matter under consideration continued to be urgent and serious, as attested to by the recent growing number of incidents and attacks on diplomatic and consular missions and representatives. He deplored the abduction of Soviet diplomats in Lebanon and stressed that his country had always condemned such acts of violence.

30. His delegation, from the outset, had unreservedly supported the initiative taken by the Nordic delegations and continued to support the procedure established by the previous resolutions on the item, which, in view of its importance, should be kept on the agenda of the Committee on an annual basis.

31. Canada was a party to the Vienna Conventions on Diplomatic and Consular Relations, as well as to the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. Like most States, it did not feel that any new legal instrument needed to be drafted on that question. Rather, it proposed that each State should adhere more faithfully to the existing instruments.

32. Canada, which was seeking ways to improve co-operation within all the international organizations of which it was a member, encouraged all States to participate with it in achieving that goal.

33. Canada was prepared to endorse measures designed to put an end to the increasing acts of violence against diplomatic and consular missions and representatives. As Canada knew from experience, no State was exempt from threats against the security of such missions and representatives on its territory. It was important, within the framework of the Committee, actively to seek new ways of confronting that blight.

(Mr. Gerin, Canada)

34. Canada was prepared to take whatever measures were necessary to ensure the protection and safety of diplomatic and consular missions and representatives, which it was responsible for protecting under the Vienna Conventions on Diplomatic and Consular Relations. His Government would not tolerate the commission of illegal acts against diplomatic and consular missions and representatives by individuals or groups, regardless of the cause they espoused. Stronger security measures had been taken during the current year to discourage those who might be tempted to commit such acts; in particular, the number of police officers assigned to protect diplomatic and consular missions and representatives had been significantly increased. The Canadian Government firmly believed that vigorous legal action was necessary to bring to justice persons who had committed offences against such missions and representatives.

35. However, the purpose of privileges and immunities was not to benefit individuals but to ensure the efficient performance of the functions of diplomatic missions as representatives of States. The serious abuses which had been committed by diplomatic and consular representatives were sapping the strength from the very foundations of the institution. The Vienna Conventions on Diplomatic and Consular Relations stipulated that all persons who enjoyed privileges and immunities had the duty to respect the laws and regulations of the receiving State. Those Conventions also stated that the premises of the mission must not be used in any manner incompatible with the functions of the mission. It was important for States parties to those international legal instruments to comply fully with their contractual obligations.

36. His delegation would participate actively in a study of any new measures proposed to reinforce the régime of co-operation set forth in General Assembly resolution 39/83, of which Canada had been one of the sponsors.

37. Mr. JAZIC (Yugoslavia) said that good diplomatic relations were indispensable in promoting the atmosphere of mutual trust which was necessary for the maintenance of peace, security and friendly relations in the world.

38. The adoption, under the auspices of the United Nations, of a series of conventions and other instruments governing the status and the protection of diplomats and of diplomatic and consular missions reaffirmed the important role played by the Organization in the field of the codification of international law.

39. His country had, from the outset, supported the initiative taken by the Nordic countries to include the question under consideration in the Committee's agenda.

40. Notwithstanding the instruments adopted within and outside the United Nations system, attacks against diplomatic and consular missions and diplomats had continued to increase, as the report of the Secretary-General (A/40/453) indicated. The latest example was the kidnapping of Soviet diplomats in Beirut, which his country strongly condemned in the same way as it did all terrorist acts against diplomats. It was of the utmost importance that the United Nations should take measures that contributed to the suppression of such acts, which could seriously affect the normal development of international relations.

(Mr. Jazic, Yugoslavia)

41. His country, whose diplomatic and consular missions as well as a number of diplomats had been victims of terrorist acts, joined in the demand that all States should observe the principles and norms of international law governing diplomatic and consular relations and should take all necessary measures in conformity with their international obligations to ensure effectively the protection, security and safety of all missions and all diplomatic and consular representatives. The international conventions in that field must be ratified by the largest possible number of States. However, it was equally important for States to co-operate with regard to practical measures and to exchange information in all cases of serious violations of the security and safety of diplomatic and consular missions and representatives.

42. While his delegation was in favour of strict application of the provisions of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and in particular those provisions relating to the punishment and extradition of perpetrators, it believed that preventive measures were of far greater importance. States must take practicable measures to prohibit in their territories illegal activities of persons, groups and organizations that encouraged, organized or engaged in the perpetration of acts against the security and safety of diplomatic and consular missions and representatives.

43. The results achieved thus far within the United Nations system were encouraging: almost all the elements of the resolutions adopted on the question had proved to be of great practical value and constituted a sound basis for further measures. Nevertheless, new means of enhancing the protection, security and safety of diplomatic and consular missions and representatives had to be sought. The Committee should therefore continue its consideration of that question, but in a manner which would not lead to confrontation among States. In order to avoid that pitfall, it was necessary to analyse in greater depth all the related phenomena and to seek measures which could yield results as soon as possible. Thought must therefore be given even at the current stage to the future organization of work in that regard. It was of the utmost importance to reach agreement as to what issues should receive special attention in the immediate future. The questions whether work should be directed towards elaborating a new instrument and if so, what its content and form should be were also important, but could be taken up later.

44. The fortieth session of the General Assembly afforded a good opportunity to reconsider all such questions, and Member States should be called upon to undertake a more thorough analysis in order to adopt, by consensus, recommendations which could ensure a greater degree of safety and security for diplomatic and consular missions and representatives. That would enable the latter to carry out their functions to the full extent, and thus would contribute to enhancing international co-operation at both the bilateral and multilateral levels. His delegation would participate in all efforts undertaken towards that end.

45. Mr. HAMPE (German Democratic Republic) said that, in view of the deterioration of the international situation, it was increasingly important for the strengthening of peaceful co-operation among all States with different social systems that diplomatic and consular missions and their representatives and missions accredited to international organizations should be able to carry out their functions without

(Mr. Hampe, German Democratic Republic)

hindrance or discrimination. Any attack on a foreign mission or its representatives jeopardized the process of détente and was likely to strain good relations among States. In that regard, his country strongly condemned the kidnapping of Soviet diplomats in Lebanon and the murder of one of them.

46. The work carried out by the United Nations in the progressive development and codification of diplomatic and consular law had contributed significantly to the security and safety of diplomatic and consular missions and other official missions. Reference should be made in particular to the Vienna Conventions on Diplomatic and Consular Relations, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and the Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies, which constituted a system of legal norms that had been recognized by the overwhelming majority of States and had proved their value in practice. His country therefore emphasized once again that ratification of or accession to those conventions and strict observance of their provisions represented the best way of enhancing the security and protection of diplomatic and consular missions and representatives, and that States which did not fulfil or which insufficiently fulfilled their international obligations with regard to the security and safety of such missions and representatives must assume their international responsibility, and in particular should be held liable for compensation.

47. The reporting procedures established under General Assembly resolution 35/168 were a means of assisting States in their efforts to enhance the protection of official missions and representatives abroad. However, the exchange of information should also cover preventive measures, thus adding considerably to the value of such reporting.

48. Discussions should also deal with the protection, security and safety of missions and representatives to international intergovernmental organizations and of officials of such organizations, which were included, in General Assembly resolutions 38/136 and 39/83, in the category of internationally protected premises and persons. In view of the mounting number of attacks on missions accredited to international organizations and given the concomitant political and legal problems, the Committee should, without in any way interfering in the work of the Committee on Relations with the Host Country, give consideration to that matter. The new resolution, which would be based on General Assembly resolution 39/83, should expressly refer to representatives to international organizations and officials of such organizations in all relevant paragraphs.

49. Although his delegation fully shared the view that the abuse of immunities and privileges could also compromise relations between States, it considered that investigation of the problems related to such abuse did not fall under the agenda item under discussion.

(Mr. Hampe, German Democratic Republic)

50. His delegation again noted with regret that the report of the Secretary-General (A/40/453) did not provide any information on the 1975 Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. It hoped that the resolution to be adopted during the current session would request all States that had not yet done so to become parties to that Convention.

51. Mr. WILLEMARCK (Belgium), speaking on behalf of the 10 States members of the European Economic Community, said that serious attacks on diplomatic and consular missions and representatives continued in several countries, including certain States members of the Community.

52. The recent deplorable events in Beirut demonstrated that no country was immune from such attacks. Without exception, all countries should therefore firmly oppose such criminal actions through joint and concerted efforts.

53. The Governments of the States members of the European Economic Community vigorously condemned such crimes, which endangered international relations by attacking the very people whose task it was to ensure harmonious and peaceful inter-State relations and to promote friendly relations between States.

54. The Ten were determined to use all the legal means at their disposal to prevent and combat those attacks, as they had shown when similar attacks had taken place in their territory. They were 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, was indispensable for the normal conduct of inter-State relations and the attainment of the purposes and principles of the United Nations.

55. The vital concern for the protection, security and safety of diplomatic and consular missions and representatives should not overshadow the potential danger of abuse on the part of those enjoying diplomatic privileges and immunities, because such abuse damaged the credibility of the diplomatic profession and of calls for the protection of diplomats. While they enjoyed inviolability, diplomats were required to respect their obligations, including those deriving from the laws and regulations of the receiving State. In that regard, the Governments of the Ten were determined to combat abuses of diplomatic immunity and had reached agreement on measures designed to prevent such abuses, the persistence of which could undermine the immunity system itself.

56. The Ten believed that current international legislation offered sufficient means to enhance the protection, security and safety of diplomatic and consular missions and representatives. As a result, new initiatives de lege ferenda were not needed at present. The difficulty rather was that Governments were not always able or willing to make use of those means in specific situations.

(Mr. Willemarck, Belgium)

57. The Ten therefore called on all States scrupulously to respect their obligations under international law, in particular those under international conventions on diplomatic and consular relations. They hoped that States that were not yet parties to the relevant conventions would consider becoming parties, without reservations which would be incompatible with the aims of those instruments.

58. It was also to be hoped that States would promote co-operation between diplomatic and consular missions and receiving States.

59. In conclusion, he stressed that the reporting system had proved very useful. The General Assembly should maintain it by asking all States to implement the relevant recommendation.

60. Mr. KAKOLECKI (Poland) said that the efficient conduct of diplomatic and consular relations was necessary for the development of friendly relations between States and for the fulfilment of the purposes and principles of the Charter of the United Nations. Among the most important rules of diplomatic law were those concerning the protection, security and safety of diplomatic and consular missions, as well as their premises and their members. It was essential that the relevant conventions should be implemented with respect for the principle of non-discrimination, in accordance with the principle of sovereign equality of States. The same protection should be provided to missions and to the representatives and officials of international organizations.

61. The large number of attacks and offences perpetrated against diplomatic and consular missions and representatives, despite the norms of international law, was to be deplored. His delegation associated itself with previous statements which had vigorously condemned the increasing terrorism against foreign diplomats and representatives, and expressed its indignation at the kidnapping in Lebanon of four Soviet officials and the murder of one of them. His Government had also noted the deterioration in the level of necessary protection of Polish diplomatic missions by some receiving States.

62. There was therefore an urgent need for the international community to take all appropriate measures to prevent breaches of the security of diplomatic and consular missions and representatives. The basic prerequisite to that end remained the observance of the rules of diplomatic law. A State which failed to comply fully with its obligations in that regard and which tolerated, encouraged or omitted to prevent and punish infringements of the inviolability of diplomatic and consular missions should bear the responsibility for its action or inaction.

63. All States that had not yet done so should be called upon to accede not only to the Vienna Conventions on diplomatic and consular relations, but also to the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character and the Convention on Special Missions. Poland was a party to all those Conventions and fully respected their provisions.

(Mr. Kakolecki, Poland)

64. There was also a great need for objective information in international relations. Tendentious propaganda and misinformation in a receiving State could provoke hostile emotions towards foreign missions and representatives and threaten their security. The mass media should therefore ensure the objectivity of information on the role of diplomats and international organizations and conferences, and should avoid all defamatory allegations.
65. His delegation supported the procedure instituted by the General Assembly concerning the transmission of all relevant information to the Secretary-General. However, in view of the acts of terrorism against diplomatic and consular missions, his Government felt that further measures were required to enhance their security. It had to that end made some suggestions, which were contained in the report of the Secretary-General (A/40/453, p. 21); it hoped that they would be of interest to other delegations and would appreciate their comments.
66. Mr. KAHALEH (Syrian Arab Republic) said that attacks on diplomatic and consular missions and representatives heightened discord between States. Discord, even within certain States, had repercussions on diplomatic and consular missions and their members. Criminal acts committed out of spite, despair or resentment could not be tolerated. The Syrian Arab Republic condemned such acts and was convinced that they should be punished as firmly as possible.
67. The Syrian authorities had taken all precautions to ensure the security and safety of diplomatic and consular missions and representatives, and Syrian criminal law imposed the most severe penalties on those who carried out attacks on foreign missions.
68. He recalled that the Syrian Arab Republic was a party to the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations, the provisions of which it scrupulously implemented. The Syrian authorities were proud of the fact that so far no attack had taken place on diplomatic and consular missions in Syrian territory. Concerned to implement the resolutions and recommendations of the General Assembly in that area, they had many times proved their desire to co-operate with all States and had done everything in their power to save the lives of diplomats and other innocent hostages. Recent events had demonstrated the effectiveness of measures taken to that end.
69. His delegation expressed its profound regret and its indignation at the kidnapping of four Soviet diplomats in Beirut and the murder of one of them. Such irresponsible actions were absolutely unjustifiable.
70. Mr. DJAMBONA (Central African Republic) said that offences against diplomatic missions and representatives had recently assumed alarming proportions.
71. The reports submitted to the Secretary-General pursuant to paragraph 8 of General Assembly resolution 39/83 documented many violations of the protection due to diplomats, violations which compromised the diplomatic relations so essential to the maintenance of international peace and security.

(Mr. Djambona, Central
African Republic)

72. The Central African Republic vigorously condemned acts of violence against diplomatic and consular missions or missions and representatives to international intergovernmental organizations.

73. His Government would not hesitate to report any violation of the security of diplomatic missions to the Secretary-General and to bring those responsible to justice. His delegation was, however, pleased to inform the Committee that, to date, no diplomatic or consular mission located in the territory of the Central African Republic had suffered any breach of its security.

74. In order to provide better protection for diplomatic missions and representatives, his delegation thought it necessary to strengthen and promote close co-operation between the sending and receiving States.

75. Mr. AENA (Iraq) stressed the importance which his country attached to the question under consideration and the need to take practical measures. The Secretary-General could act as an intermediary between States so as to strengthen international co-operation aimed at averting breaches of the security of diplomatic and consular missions and representatives.

76. It was also important for States which had not yet done so to become parties to the conventions governing diplomatic and consular relations, but that should go hand in hand with scrupulous respect for the principles and norms of international law contained in those conventions. To that end, each State should adopt national legislation which took account of its international obligations and apply it without discrimination against any State or group of States.

77. It was necessary to maintain the system established under resolution 35/168, which was intended to improve co-operation between States through the establishment of contacts and the exchange of information on breaches of the security of diplomatic and consular missions and representatives, as well as on the steps taken to bring the perpetrators to justice, to prevent the repetition of such breaches and to combat the terrorist groups which sought to commit them.

78. Iraq would very carefully study all proposals aimed at extending the scope of the agenda item. Nevertheless, the Committee should give priority to offences against diplomatic and consular missions and representatives and should refrain from broaching subjects which related to other items on its agenda.

79. Mr. BAEV (Bulgaria) said that his country had always considered the question under consideration to be extremely important and urgent. Diplomatic and consular relations had a substantial role to play in maintaining and strengthening international peace and security and in fostering friendly relations among States in a world menaced by heightened tension and threat of war. The provisions of paragraph 4 of General Assembly resolution 39/83 were thus particularly important.

80. The best way of ensuring the protection, security and safety of missions and representatives was, beyond any doubt, through strict observance of the principles and norms of contemporary international law governing diplomatic and consular relations and, in particular, the relevant international conventions. In that

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connection, it was gratifying that the 1961 Vienna Convention on Diplomatic Relations had already become universal in character, but, regrettably, the same could not be said of the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. For that reason, his delegation considered that States not only should adopt legislative and administrative measures to ensure the security and inviolability of diplomatic missions, but should, had they not yet done so, become parties to the relevant conventions as soon as possible.

81. It was unfortunate that a number of receiving States, although signatories to the relevant international instruments, had failed to fulfil their obligations, either by violating the provisions or by remaining passive in the face of acts of terrorism against missions and representatives. If a receiving State used its national legislation as a pretext for failing to comply with its international obligations, it was doubtful whether the State was sincerely willing to guarantee and enhance the protection, security and safety of foreign missions and representatives. In accordance with article 47 of the 1961 Vienna Convention, the receiving State was bound to apply the provisions of the Convention with no discrimination between States.

82. The United Nations could make a substantial contribution to the strengthening of international law and to the development of effective measures guaranteeing the discharge of diplomatic functions under normal conditions. To that end, however, it would be necessary to enhance the role and prestige of the Organization and to emphasize its importance as a universal instrument for the maintenance of international peace and security and the promotion of international co-operation and friendly relations among States. That required condemnation of the growing practice of undermining the authority of the United Nations and of breeding a climate of distrust with respect to individual Member States or members of the United Nations Secretariat.

83. Further, the mass media could and should play an important part in providing objective information to the public on the role, objectives and activities of the United Nations and of diplomatic and consular missions, and on the meaning of the privileges and immunities accorded by international law to diplomatic representatives in the performance of their functions. The mass media could thus help to reduce the number of criminal and hostile acts against diplomatic and consular missions, which would be in the interests of all countries and of international peace and co-operation.

84. In keeping with its international obligations, Bulgaria had enacted legislation and had introduced measures to ensure unqualified respect for the inviolability and immunities of diplomatic and consular missions and representatives. Any act against the life and security of foreign diplomats or internationally protected persons was treated under the Bulgarian Penal Code as an aggravating circumstance. Further, Bulgaria was a party to many international agreements governing diplomatic and consular relations and aimed at improving protection for all diplomatic representatives.

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85. His delegation supported the reporting procedure established under resolution 35/168. There was no doubt that the submission of objective information on acts of violence against diplomatic personnel and on the measures taken against those responsible constituted an effective means of making receiving States more aware of their responsibilities with regard to the protection of diplomatic and consular personnel.

86. In view of its importance, the item under consideration should continue to be included in the Committee's agenda.

ORGANIZATION OF WORK

87. The CHAIRMAN said that it was important to make the best possible use of the conference services made available by the Secretariat and to adhere to the timetable which the Committee had agreed upon.

The meeting rose at 1 p.m.