

**General Assembly**Distr.
GENERALA/43/821
21 November 1988
ENGLISH
ORIGINAL: SPANISHForty-third session
Agenda item 132**CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION,
SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND
REPRESENTATIVES****Report of the Sixth Committee****Rapporteur: Mr. Carlos VELASCO MENDIOLA (Peru)****I. INTRODUCTION**

1. The item entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" was included in the agenda of the forty-third session of the General Assembly pursuant to paragraph 14 of Assembly resolution 42/154 of 7 December 1987.
2. At its 3rd plenary meeting, on 23 September 1988, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.
3. In connection with the item, the Sixth Committee had before it a report of the Secretary-General (A/43/527 and Add.1-3) submitted pursuant to paragraph 12 of resolution 42/154, containing the reports and the views presented by States under paragraphs 9 and 11, respectively, of that resolution, as well as the report submitted in accordance with paragraph 12 (a) of the resolution on the state, as at 9 August 1988, of ratification of and accessions to the Vienna Convention on Diplomatic Relations of 1961, the Vienna Convention on Consular Relations of 1963 and the respective Optional Protocols thereto, as well as the Convention of 1973 on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. The following communications have also been circulated under the item: letter dated 29 August 1988 from the Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Germany to the United Nations addressed to the Secretary-General (A/43/574); letter dated 6 October 1988 from the Permanent Representative of Zimbabwe to the United Nations addressed to the Secretary-General (A/43/709).

4. The Sixth Committee considered the item at its 7th to 10th and 41st meetings, on 3 to 7 October and 17 November 1988. The summary records of those meetings contain the views of representatives who spoke during the consideration of the item (A/C.6/43/SR.7-10 and 41).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/43/L.7

5. At the 41st meeting, on 14 November, the representative of Norway introduced a draft resolution (A/C.6/43/L.7), entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives", sponsored by Argentina, Australia, Austria, Bulgaria, Canada, Denmark, Finland, Germany, Federal Republic of, Hungary, Iceland, Japan, Mongolia, the Netherlands, Norway, the Philippines, Sierra Leone, Sweden, Turkey and Uruguay.

6. At the same meeting, the Sixth Committee adopted the draft resolution without a vote (see para. 7).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The General Assembly,

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

Conscious of the need to develop and strengthen friendly relations and co-operation among States,

Convinced that respect for the principles and rules of international law governing diplomatic and consular relations is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,

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

1/ A/43/527 and Add.1-3.

Concerned at the failure to respect the inviolability of diplomatic and consular missions and representatives,

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

Emphasizing the duty of States to take all appropriate measures as required by international law, including measures of a preventive nature, and to bring offenders to justice,

Welcoming measures already taken by States to this end in conformity with their international obligations,

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

Reaffirming its resolution 42/154 of 7 December 1987,

1. Takes note of the report of the Secretary-General;
2. Strongly condemns acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives to international intergovernmental organizations and officials of such organizations, and emphasizes that such acts can never be justified;
3. Urges States to observe, implement and enforce the principles and rules of international law governing diplomatic and consular relations and, in particular, to ensure, in conformity with their international obligations, the protection, security and safety of such missions, representatives and officials as mentioned in paragraph 2 above officially present in territories under their jurisdiction, including practical measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize or engage in the perpetration of acts against the security and safety of such missions, representatives and officials;
4. Also urges States to take all necessary measures at the national and international levels to prevent any acts of violence against such missions, representatives and officials as mentioned in paragraph 2 above, and to bring offenders to justice;
5. Recommends that States should co-operate closely through, inter alia, contacts between the diplomatic and consular missions and the receiving State, with regard to practical measures designed to enhance the protection, security and safety of diplomatic and consular missions and representatives and with regard to exchange of information on the circumstances of all serious violations thereof;

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

7. Also calls upon States, in cases where a dispute arises in connection with a violation of their international obligations concerning the protection of such missions or the security of such representatives and officials as mentioned in paragraph 2 above, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General, and requests the Secretary-General, when he deems it appropriate, to offer his good offices to the States directly concerned;

8. Requests all States to report to the Secretary-General in accordance with the principles set forth in resolution 42/154;

9. Requests the Secretary-General to issue a yearly report on the present item, in accordance with paragraph 12 of resolution 42/154, as well as to proceed with his other tasks pursuant to the same resolution;

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