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REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

Report of the Sixth Committee

Rapporteur: Mr. Ibrahim Abdul-Aziz OMAR (Libyan Arab Jamahiriya)

I. INTRODUCTION

1. The item entitled "Report of the Committee on Relations with the Host Country" was included in the provisional agenda of the thirty-third session of the General Assembly pursuant to its resolution 32/46 of 8 December 1977.
2. At its 4th and 5th plenary meetings, on 22 September 1978, 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. Under the item, the Sixth Committee had before it the report of the Committee on Relations with the Host Country, 1/ and also a note verbale dated 31 August 1978 from the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/33/231). At the 62nd meeting, on 4 December, the Chairman of the Committee on Relations with the Host Country introduced the report.
4. The Sixth Committee considered the item at its 62nd, 64th and 65th meetings, on 4, 6 and 7 December. The summary records of these meetings (A/C.6/33/SR.62, 64 and 65) contain the views of representatives who spoke during the consideration of this item.

II. PROPOSAL

5. At the 64th meeting, on 6 December, the representative of Viet Nam introduced a draft resolution (A/C.6/33/L.14) sponsored by Afghanistan, Benin, Bulgaria, Cuba,

1/ Official Records of the General Assembly, Thirty-third Session, Supplement No. 26 (A/33/26).

Czechoslovakia, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Madagascar, Mongolia, the Union of Soviet Socialist Republics and Viet Nam. This draft resolution read as follows:

"The General Assembly,

"Having considered the report of the Committee on Relations with the Host Country,

"Considering that the problems related to the privileges and immunities of the United Nations and to the status of the missions accredited to it are of great importance and of mutual concern to the Member States, including the host country, as well as to the United Nations as a whole,

"Expressing its concern over the incident when despite the existing procedure a diplomatic representative of a Member State of the United Nations was unilaterally required to leave the host country,

"1. Accepts the recommendations of the Committee on Relations with the Host Country contained in paragraph 26 of its report;

"2. Urges the host country to take all the necessary measures of ensuring the guarantee of adequate security for missions and their personnel and the creation of normal conditions for the functioning of missions to the United Nations;

"3. Urges the host country to abide strictly by its assurances repeatedly given in relation to the inviolability of the property of the members of the missions;

"4. Urges the host country to implement the provisions of General Assembly resolutions 3498 (XXX), 3320 (XXIX) and 3107 (XXVIII) which, inter alia, appealed to the host country to review the measures concerning the parking of diplomatic vehicles with a view to meeting the desires and needs of the diplomatic community and terminate the practice of serving summonses;

"5. Requests the Secretary-General to enter into consultations with the host country concerning procedures for consultations pursuant to section 13 (b) of the Headquarters Agreement between the host country and the Member States or the Secretary-General and to report to the Committee on Relations with the Host Country in 1979;

"6. Decides to continue the work of the Committee on Relations with the Host Country, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971, with the purpose of examining on a more regular basis all matters falling within its terms of reference and requests the Secretary-General to provide the Committee with all necessary assistance;

"7. Decides to include in the provisional agenda of its thirty-fourth session the item 'Report of the Committee on Relations with the Host Country'."

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6. At the 65th meeting, on 7 December, the Committee had before it a revised version of the draft resolution (A/C.6/33/L.14/Rev.1), submitted by the original sponsors and the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic. At the same meeting, the Committee adopted the revised draft resolution by consensus (see para. 7 below).

### III. RECOMMENDATION OF THE SIXTH COMMITTEE

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

#### Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country, 2/

Considering that the problems related to the privileges and immunities of the United Nations and to the status of the missions accredited to it are of great importance and of mutual concern to the Member States, including the host country, as well as to the United Nations as a whole,

Expressing its concern over the incident and all its aspects which resulted in a diplomatic representative of a Member State of the United Nations being unilaterally required to leave the host country,

1. Takes note of the report of the Committee on Relations with the Host Country;

2. Considers that the security of the missions accredited to the United Nations and the safety of their personnel are indispensable for their effective functioning and notes with satisfaction the assurances given by the competent authorities of the host country and recognizes the usefulness of the various measures taken to this end;

3. Urges the host country to take all necessary measures without delay in order to prevent any acts violating the security of missions and the safety of their personnel or the inviolability of their property and in order to ensure normal conditions for the existence and functioning of all missions;

4. Urges the host country to continue to take measures to apprehend, bring to justice and punish all those responsible for committing criminal acts against

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2/ Official Records of the General Assembly, Thirty-third Session, Supplement No. 26 (A/33/26).

missions accredited to the United Nations as provided for in the 1972 Federal Act for the Protection of Foreign Officials and Official Guests of the United States; 3/

5. Calls upon the missions of Member States to co-operate, with a view to facilitating the course of justice, as fully as possible with the Federal and local United States authorities in cases affecting the security of those missions and their personnel;

6. Calls upon the host country to avoid actions not consistent with meeting effectively obligations undertaken by it in accordance with international law in relation to the privileges and immunities of Member States;

7. Requests the Secretary-General to enter into consultations with the host country concerning procedures for consultations, pursuant to section 13 (b) of the Headquarters Agreement, between the host country and the Member States or the Secretary-General and to report to the Committee on Relations with the Host Country in 1979;

8. Appeals to the host country to review the measures with regard to the parking of diplomatic vehicles with a view to facilitating the desires and needs of the diplomatic community and to consider terminating the practice of serving summonses to diplomats;

9. Welcomes the diplomatic community's readiness to co-operate fully with the local authorities in solving traffic problems and notes, in this regard, the desirability of missions making reasonable efforts to utilize off-street parking facilities;

10. Expresses the hope that efforts will be continued and intensified with a view to implementing an information programme in order to acquaint the population of the City of New York and its boroughs with the privileges and immunities of the personnel of the missions accredited to the United Nations and with the importance of the international functions performed by them;

11. Notes that there have been difficulties concerning unpaid bills for goods and services rendered by private persons and organizations to certain missions accredited to the United Nations and certain individual diplomats attached to those missions, and suggests that the Secretariat and others concerned work together to solve these outstanding difficulties;

12. Expresses its appreciation to the New York City Commission for the United Nations and the Consular Corps and those bodies which contribute to its efforts to help to accommodate the needs, interests and requirements of the diplomatic community, to provide hospitality and to promote mutual understanding between the diplomatic community and the people of the City of New York;

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5/ United States Public Law 92-539 (see A/8871/Rev.1).

13. Decides to continue the work of the Committee on Relations with the Host Country, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971, with the purpose of examining on a more regular basis all matters falling within its terms of reference, and requests the Secretary-General to provide the Committee with all necessary assistance;

14. Decides to include in the provisional agenda of its thirty-fourth session the item entitled "Report of the Committee on Relations with the Host Country".

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