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IMPLEMENTATION BY STATES OF THE PROVISIONS OF THE  
VIENNA CONVENTION ON DIPLOMATIC RELATIONS OF 1961

Report of the Secretary-General

Addendum

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COMMENTS AND OBSERVATIONS RECEIVED FROM MEMBER STATES

POLAND

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1. The Government of the Polish People's Republic attaches great importance to the progressive development of diplomatic relations between States which constitutes an important part of over-all international co-operation.

In the opinion of the Polish Government the overwhelming majority of the international community fully observes the rules of international diplomatic law as set out in the Vienna Convention on Diplomatic Relations of 1961. <sup>1/</sup> At the same time, however, there exist disquieting instances of violations of the rules of diplomatic law and, in particular, of the provisions of the above-mentioned Convention. Such instances, the Government of Poland believes, stem, inter alia, from the fact that a number of States are not yet bound by the Convention.

Therefore, the Government of the Polish People's Republic deems it necessary that all States which have not yet done so become Parties to the Vienna Convention.

2. In respect of paragraph 4 of General Assembly resolution 3501 (XXX) of 15 December 1975, the Polish Government sees an urgent need for the elaboration of provisions concerning the status of the diplomatic courier.

Notwithstanding the constant development of other means of communication used by the diplomatic service, practice has shown that the extensive development of international relations creates an even greater need for the diplomatic courier's service. Therefore, the international community has an objective obligation to ensure the unimpeded performance of duty by the diplomatic courier.

While the status and functions of the diplomatic courier are covered by the provisions of articles 27 and 40 of the 1961 Vienna Convention, experience has amply demonstrated the necessity of elaboration of additional rules, safeguarding to the fullest extent possible the proper exercise of the diplomatic courier's functions.

The above-mentioned rules shall, at the same time, have effect on the diplomatic courier's enjoyment of all privileges and immunities of diplomatic agents as set forth in articles 29 to 36 of the 1961 Vienna Convention. Furthermore, the diplomatic courier shall thus enjoy personal inviolability and shall not be subject to any form of arrest or detention.

Proper consideration should also be given to the status of the diplomatic pouch which is not accompanied by the diplomatic courier.

The Government of the Polish People's Republic firmly believes that the elaboration of such rules would prevent all attempts to impede proper exercise of duty by the diplomatic courier.

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<sup>1/</sup> United Nations, Treaty Series, vol. 500, No. 7310, p. 95.