



SUMMARY RECORD OF THE 12th MEETING

Chairman: Mr. GOERNER (German Democratic Republic)

CONTENTS

AGENDA ITEM 128: CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES; REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 126: REPORT OF THE SPECIAL COMMITTEE ON ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF NON-USE OF FORCE IN INTERNATIONAL RELATIONS

ORGANIZATION OF WORK

*This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

The meeting was called to order at 3.15 p.m.

AGENDA ITEM 128: 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/39/456 and Add.1-3; A/39/186; A/39/188)

1. Mr. SAINT-MARTIN (Canada) said that the introduction by the Legal Counsel and the statements made by delegations during the discussion confirmed once again the seriousness of the question of the protection, security and safety of diplomatic and consular missions and representatives. Despite the concerted efforts that had been made in recent years to obtain greater compliance with the relevant international conventions, incidents, offences and attacks on missions and representatives had increased. The report of the Secretary-General contained many examples and highlighted, in particular, the attack in Rangoon in which, among others, the Ambassador of the Republic of Korea to Burma had been killed. Mention should also be made of the attacks on the United States Embassy in Beirut.
2. Canada, a party to the Vienna Conventions and the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, condemned those acts of blind violence, regardless of the convictions and motivations of the individuals or groups responsible. In addition, Canada was prepared to participate in the adoption of any measure aimed at strengthening international co-operation in stopping such acts or preventing their repetition.
3. It was also important to remember that privileges and immunities were not conferred for individual benefit, but in order to ensure the effective fulfilment of the functions of representatives of States. In that context, the Committee's attention should be drawn to the serious abuse of those privileges and immunities by diplomatic and consular representatives themselves, which in the long run could not fail to undermine the very bases for their establishment. One only had to remember, in that connection, the Vienna Convention on Diplomatic Relations, which imposed on representatives the duty to respect the laws and regulations of the receiving country and not to use the premises of missions in a manner incompatible with the functions of missions. It was therefore essential that States parties to the relevant international legal instruments should fulfil scrupulously the obligations assumed under their provisions.
4. His delegation was prepared to participate actively in the study of any new proposal or measure aimed at strengthening the reporting system provided for in General Assembly resolution 38/136, which Canada had co-sponsored. His delegation agreed with those delegations that had underscored the importance of the item and had recommended that it should be retained in the agenda of the Sixth Committee.
5. Mr. KABAYABAYA (Burundi) said that the consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives was an essential stabilizing element in relations among States.

(Mr. Kabayabaya, Burundi)

The protection, security and safety of those missions and representatives had become crucial as the importance of their functions had increased as a result of the complex and multiple aspects of international relations. In addition to the political questions that had previously been the essence of diplomacy, economic, humanitarian, social and cultural questions were now also relevant to that field.

6. The report of the Secretary-General left no doubt as to the insecurity of diplomatic and consular missions and representatives. The many violations of international law were a matter of concern to his delegation, which believed that the only lasting solution would be one which linked the adoption of legal principles to their consistent application. The international community had adopted various conventions and protocols aimed at enhancing the protection, security and safety of missions and representatives. Undoubtedly, accession to the conventions gave them a universal character, but, in the final analysis, their value depended on the adoption of practical and effective measures to ensure the application of existing provisions.

7. His delegation believed that while it was necessary to implement fully the provisions on inviolability, immunity and other privileges granted to diplomatic and consular missions and representatives, it was also necessary to reconcile those provisions with respect for national laws and regulations. It was not possible to divorce the rights of parties from their obligations without altering the balance of mutual interest.

8. In an era characterized by violence against diplomatic and consular missions and representatives, his delegation was pleased that, in Burundi, there had been no case of violation of the protection, security and safety of missions and representatives, or of international organizations and their staff. In any event, it believed that the General Assembly of the United Nations should continue its consideration of the item in order to identify any shortcomings in the relevant measures and attempt to correct the situation.

9. Mr. NOLAN (Australia) said that a tragic development of the various societies had been that international terrorism and violence had continued throughout the past year. Of special concern was the fact that many of those acts of violence had been directed at diplomatic and consular missions and personnel, which seriously affected international peace, security and understanding.

10. The report of the Secretary-General contained examples of such acts, including the attack in Rangoon. One attack that had not been reported to the Secretary-General was the one on the United States Embassy in Beirut. The safety and security of diplomatic premises and personnel and the obligation of the receiving State to ensure that security constituted one of the basic principles of relations among States and, certainly, a corner-stone of international law. It was around that concept that the complex of principles, understandings, treaties and other bilateral and multilateral agreements among States had developed. In that connection, it was important for States that had not yet done so to accede to the Vienna Conventions and to the 1973 Convention on the Prevention and Punishment of

(Mr. Nolan, Australia)

Crimes against Internationally Protected Persons, including Diplomatic Agents. While new legal instruments should be elaborated where there was a clear need, his delegation believed that it was even more important to implement existing international instruments.

11. Another useful measure in the fight against acts of violence and terrorism in general was co-operation among States in the development and exchange of techniques and methods for the protection of diplomatic personnel. His Government was prepared to offer its full co-operation in the search for measures to enhance that protection and to support any measure to prevent acts of terrorism against internationally protected personnel and premises.

12. Mr. PALIAU (Papua New Guinea) said that the position of his country on the matter was clear, as made evident by its notification of succession to the relevant Conventions on the protection of diplomatic and consular missions and representatives. In addition, Papua New Guinea had taken all the necessary measures to fulfil its obligations as a receiving State under those Conventions.

13. His delegation reaffirmed its Government's resolve to take a firm stand against all acts of violence against diplomatic and consular missions and representatives, or the representatives of international and intergovernmental organizations. It also believed that the reporting procedures set forth in paragraph 8 of General Assembly resolution 38/136 were important. There had been no serious violations of the protection, security and safety of the missions or representatives of Papua New Guinea that would warrant using the reporting procedures.

14. Papua New Guinea shared the views submitted by Egypt pursuant to paragraph 10 of General Assembly resolution 38/136 (document A/39/456) concerning the importance of action to enhance the protection, security and safety of diplomatic and consular missions and representatives.

15. Mr. MUBANGA-CHIPOYA (Zambia) said that the diplomatic agent was the efficacious and vital channel through which the sending State and the receiving State were able to transact their political, economic, legal and other affairs; the protection and safety of diplomatic personnel and premises were therefore essential.

16. International legislation was enunciated mainly in the Vienna Convention on Diplomatic Relations of 1961, the Vienna Convention on Consular Relations of 1963, the Convention on Special Missions of 1969 and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, of 1973. All nations subscribed to the main purpose of those instruments through accession or ratification, incorporation of their purpose in their municipal laws, bilateral treaties based on those instruments, or simply by force of customary international law. Zambia had incorporated those international instruments in its domestic law.

(Mr. Mubanga-Chipoya, Zambia)

17. In discussing the item before it, the Committee should remain mindful of the requirements of international law to fulfil the essential purpose of the security and safety of diplomatic agents. In that connection, reference should be made to the text of article 29 of the Vienna Convention of 1961. On the other hand, diplomatic agents should clearly not help to undermine the confidence and respect of the people among whom they were serving. The above-mentioned Convention was equally unequivocal with regard to diplomatic premises. There was therefore no need for another convention; however, the General Assembly might consider preparing guidelines on the issues before the Committee.

18. In proposing such guidelines, the General Assembly might consider the circumstances under which the security of diplomatic agents was threatened. When a group of people resorted to violence against the diplomatic agents of a country whose policies were objectionable to the Government of the receiving State, that Government was duty-bound to bring those people to justice, in the interests of international peace and security. When a dissenting group resorted to violence against the diplomatic agents of its own country accredited to other countries, the duties of the Governments concerned remained the same under the international legal instruments. A group of people might turn to violence against a diplomatic mission for pecuniary gain, in which case the obligations established by international law were equally applicable.

19. With regard to the ways and means of tackling violence against diplomatic agents, his delegation referred specifically to General Assembly resolution 35/168, and cited as an example of possible methods the measures adopted by Lebanon in constituting a special task force in the national constabulary to protect diplomatic agents.

20. Mr. RAVIX (Haiti) said that Haiti based its behaviour on the peaceful settlement of disputes and respect for international obligations. It was a party to the Vienna Convention on Diplomatic Relations of 1961, the Vienna Convention on Consular Relations of 1963 and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, of 1973. His delegation welcomed the initiative of the Nordic countries in requesting the inclusion of the item before the Committee in the agenda of the thirty-fifth session of the General Assembly.

21. The deterioration of the international situation had increased the importance of the functions of diplomatic agents, but acts of violence against such agents were becoming innumerable. Some States and Governments resorted to violence against the diplomatic and consular agents of other Governments, thus practising what should be called State terrorism. In that connection, his Government condemned the attack perpetrated on 8 October 1983 in Rangoon.

22. It was the duty of the Government of the receiving State to adopt the necessary measures to protect the diplomatic and consular agents accredited to it. There was no need to amend the existing conventions; rather all States should be called upon to honour their commitments under the conventions they had signed.

(Mr. Ravix, Haiti)

23. Haiti shared the concern shown by the General Assembly in its resolution 38/136 and called upon States that had not yet done so to become parties to the conventions governing diplomatic relations. It also supported the measures set forth in the various resolutions on the subject adopted by the General Assembly and expressed its readiness to co-operate with all States which wished to adopt effective measures to protect diplomatic and consular agents, as well as the premises in which they exercised their functions.

24. Mr. AOKI (Japan) said that, as shown in the Secretary-General's report (A/39/456 and Add.1), acts of violence against diplomatic and consular personnel had continued to occur during the past year despite the efforts of the international community and various Governments. The United States Embassy in Beirut had been brutally bombed a few weeks earlier, and the attack on a group of high-ranking government officials and representatives of the Republic of Korea was still fresh in the minds of all. His delegation commended the Government of Burma for submitting an objective report (A/39/456/Add.1) pursuant to paragraph 8 of General Assembly resolution 38/136.

25. Effective measures must be adopted to enhance the security and safety of diplomatic and consular missions and representatives. Respect for the principles and norms of international law concerning diplomatic and consular relations required that those who enjoyed privileges and immunities strictly refrained from abusing them. The protection of diplomatic and consular missions and representatives and the prevention of any abuse of their privileges and immunities were two sides of the same coin. In any consideration of the question of diplomatic privileges and immunities, the interests of the sending State must be weighed against those of the receiving State.

26. His delegation believed that before the possibility of reviewing the existing conventions was considered, the merits and demerits of revision must be carefully examined. Japan hoped that, at the current session, the General Assembly would again examine possible measures to guarantee the observance of the principles and norms of international law concerning diplomatic and consular relations, taking into account the question of the abuse of diplomatic privileges and immunities. Japan also hoped that the Assembly would recommend such measures to Member States in the resolution to be adopted under the item.

27. Mrs. GLYNN (Honduras) said that Honduras had always attached great importance to diplomacy because of its essential role in the development of international relations. From the outset, Honduras had supported the international community's efforts to prepare legal instruments on the matter. It had ratified the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations. Receiving States should provide the protection legally required for diplomats and diplomatic and consular missions accredited to them.

28. Her delegation had studied with particular interest document A/39/456/Add.1, which described the barbarous attack in which various members of the delegation accompanying the President of the Republic of Korea on his goodwill State visit on

(Mrs. Glynn, Honduras)

9 October 1983 had died and for which a Government was responsible. Her delegation considered it necessary to urge the General Assembly to establish procedures and measures to strengthen the current system for the protection of diplomats.

29. The most important aspect of the fight against that type of terrorism was the punishment to be given to the perpetrators of those acts; the sympathy, moral and material support and the consequent impunity enjoyed by those criminals in some countries should therefore be condemned. States, even those not parties to the relevant conventions, should respect those principles and legal rules which had habitually governed diplomatic and consular relations. It was therefore the duty of the United Nations to consider and determine the responsibility of States which did not provide adequate protection in accordance with the provisions of international law.

30. Mr. ZAMANI (Islamic Republic of Iran) said that document A/39/456 contained the report on an attack on the Embassy of the Islamic Republic of Iran in The Hague which had occurred on 24 September 1983. The perpetrators of that act against the security of the Iranian Embassy had been sentenced to 25 days in prison. The small group of terrorists had attacked the Embassy two more times; 25 to 30 terrorists had participated in the second attack, on 24 April 1984, in which several members of the embassy personnel, including the Ambassador, had been injured and the building had been extensively damaged.

31. The lenient punishment received by the perpetrators of those criminal acts had encouraged a third attack on the Embassy of the Islamic Republic of Iran in The Hague, on 27 September 1984. In that attack, in which 25 to 30 terrorists had participated, several representatives, including the Ambassador, had been injured. On that occasion, the Netherlands police had arrested 20 terrorists. His delegation was pleased to announce to the Committee and the representative of the Netherlands that effective measures had been taken to ensure the protection, security and safety of diplomatic representatives of the Netherlands in Tehran.

32. On 26 April 1984, a group of terrorists had attacked the Consulate of the Islamic Republic of Iran in London. Apart from material damage, several members of the Consulate had been seriously injured. The security personnel of the Consulate had restrained the terrorists and had subsequently handed them over to the United Kingdom police. The Consulate had been attacked again on 6 May 1984. The terrorists had stolen consulate documents and the premises had been extensively damaged. On 7 November 1983, the Embassy of the Islamic Republic of Iran in Brussels had been attacked and several members of the staff had been injured.

33. Those attacks against the protection, security and safety of the diplomatic and consular missions and representatives of the Islamic Republic of Iran could have been reported to the Secretary-General under the procedures established in General Assembly resolution 35/168 and in paragraph 8 of General Assembly resolution 38/136. The reoccurrence of attacks on diplomatic and consular missions and their personnel gave rise to the question whether the host countries had provided adequate protection and observed their obligations imposed by

(Mr. Zamani, Islamic Republic of Iran)

international instruments concerning the protection, security and safety of diplomatic and consular missions.

34. All States should be firm in dealing with the perpetrators of attacks on diplomatic and consular missions and representatives. The Committee should base its analysis and judgements on well-founded facts rather than speculations and allegations. It was imperative to go beyond the immediate causes of those incidents and address their underlying motives, including the reasons for the host countries' probable support of the offenders. The Government of the Islamic Republic of Iran reiterated the importance it attached to adherence to and enforcement of the conventions regarding the protection, security and safety of diplomatic and consular missions and representatives and believed that the reporting procedure established in General Assembly resolution 35/168 was a major step towards the achievement of the Committee's objectives concerning the item under consideration.

35. Mr. JACOBS (Antigua and Barbuda) said that the contemporary world was becoming progressively more susceptible to the menace of power and terrorism. The family of nations espoused the principles of peace, justice, equality and development enshrined in the Charter, but some people were bent on destroying those principles. Recent acts of terrorism which should be mentioned included the siege of the United States Embassy in Iran, the attack on peace-keeping forces in Lebanon, the attack on Korean and Burmese officials in Rangoon and the destruction of a Korean aircraft, all of which had caused damage and loss of human life. Equally barbarous were the attacks made by the apartheid régime in South Africa on black people or anyone who dared to assert their rights in that military State, which defied all norms of decent behaviour. The Committee must therefore constantly hold up to the public view the fundamental legal principles designed to protect the human rights of all persons.

36. Violations of human rights and acts of terrorism, whether carried out by left-wing or right-wing régimes, must be condemned at all times and in all places. Violations of human rights were not functions of political rights, as South Africa maintained. Whenever they occurred, the international community must voice its outrage. The United Nations must remain constantly watchful over the activities of those vicious tyrants who oppressed their peoples and sought to intimidate and terrorize others.

37. Mr. AKHTAR (Bangladesh) said that his delegation had considered with interest the Secretary-General's report (A/39/456) on the item and had listened with interest to the remarks made by the Legal Counsel on that item. His delegation felt that the reporting procedures established by the General Assembly to draw the international community's attention to the violations of the security and safety of diplomatic and consular missions and representatives which had taken place served a useful purpose. Unfortunately, those illegal acts continued to occur with increasing frequency.

38. It was imperative to adopt effective measures to enhance the protection, security and safety of all those exercising diplomatic and consular functions. The

(Mr. Akhtar, Bangladesh)

Government of Bangladesh, which scrupulously respected all the relevant principles and rules of international law, had acceded to the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations, which showed the importance attached to developing an effective mechanism to protect diplomatic and consular security.

39. In his recent statement to the General Assembly, the Minister for Foreign Affairs of Bangladesh had expressed his deep concern at the recurrence of acts of international terrorism. Concerted efforts by all Member States at the national and international levels where necessary for the total elimination of that scourge, which was contrary to the Charter of the United Nations, to the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States and the Declaration on the Strengthening of International Security. Emphasizing its profound abhorrence of those phenomena, Bangladesh called on all countries to co-operate closely with a view to combating and preventing them. His delegation would welcome any positive initiative put forward pertaining to the agenda item under discussion.

40. Mr. Kyung-Won KIM (Observer for the Republic of Korea) said that his delegation believed that the principles and rules of international law pertaining to diplomatic and consular missions were of crucial importance for the maintenance of friendly relations among States and for the maintenance of international peace and security as a whole. Among such principles and rules, the most fundamental were those relating to the personal safety of diplomatic and consular representatives and agents.

41. The United Nations had made considerable progress in that regard. The item before the Committee had been included in the agenda of the General Assembly in 1980 at the request of five Nordic countries, namely, Denmark, Finland, Iceland, Norway and Sweden. Since then those countries had spared no effort to enhance the protection, security and safety of diplomatic and consular missions and representatives.

42. Clearly, a solid legal structure already existed to assure the security and safety of diplomatic and consular missions and representatives. The relevant international principles and norms showed the importance which the international community attached to the question. However, in practice, the report of the Secretary-General made it very clear that acts of terrorism continued to be perpetrated against diplomatic personnel in various parts of the world.

43. His country was a party to the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and vigorously condemned all violations and acts of terrorism against diplomatic and consular missions and representatives. On several occasions, the President of the Republic of Korea had expressed his country's firm resolve to use every legal means to prevent and combat acts of terrorism. In that connection, his country welcomed the Declaration on International Terrorism issued

(Mr. Kyung-Won Kim, Observer,
Republic of Korea)

by the Heads of State and Government of seven countries at the London economic summit meeting which had been held from 7 to 19 June 1984, and firmly supported the principles contained in the Declaration.

44. In discussing the item under consideration, he felt obligated to call the attention of the Committee to what, by virtue of its characteristics, had certainly been the most heinous act of terrorism in recent diplomatic history: the attack perpetrated on 9 October 1983 against the President of the Republic of Korea and his party at the Martyrs' Mausoleum in Rangoon, Burma, which had claimed the lives of 17 Korean officials, including four Ministers, and of four Burmese, and had seriously injured 46 other persons. At the time, the President of the Republic of Korea and his entourage had just begun official visits to several countries in order to promote friendly and co-operative relations with them.

45. As would be recalled, in the light of certain precedents, the world at first had only suspected North Korean involvement in the attack; subsequently, the entire world had been shocked by evidence of North Korea's direct responsibility for the outrageous attack. The act had been more than simply an act of international terrorism, for it had been an act of violence deliberately aimed at the members of an official diplomatic mission.

46. The details provided by Burma in its report (A/39/456/Add.1) made it absolutely clear that agents of the North Korean régime had flagrantly violated the rules of international law, particularly the provisions of the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, to which North Korea itself was a party. Even more appalling than the attack, which in itself was reprehensible, was the fact that, instead of showing signs of regret or remorse, the North Korean régime had been alleging that the attack had been planned and staged by the Government of the Republic of Korea. Those allegations were transparently false and could not be taken seriously. What was more, they were revealing of the mentality of those who could fabricate such allegations. Only those with the North Korean rulers' strain of fanaticism, touting blind dedication to violence in the service of an inhumane and dehumanizing ideology, could even imagine that a Government would wish to murder its own officials and cabinet members.

47. His country believed that the Government of Burma deserved the profound appreciation of the international community for making available to it the details of the official inquiry into the criminal act. That step was a significant contribution to the cause of enhancing the protection, security and safety of diplomatic representatives, and his country expressed its admiration to the Government of Burma for its resolve to combat acts of terrorism, whoever their perpetrators might be.

48. His delegation believed that efforts by the United Nations to enhance the safety of diplomats must continue and be further strengthened. Accordingly, he hoped that the General Assembly would keep the item on its agenda and that the Committee would again recommend by consensus the continuation of the measures set

(Mr. Kyung-Won Kim, Observer,
Republic of Korea)

forth in General Assembly resolution 38/136. In particular, his delegation believed that the reporting system established by the General Assembly in 1980 should be strengthened to the maximum. His country would continue to make every effort to enhance the protection, security and safety of diplomatic and consular missions and representatives.

49. Mr. MAPANGO ma KEMISHANGA (Zaire) emphasized the great importance of the item under consideration. Indeed, because States could not ensure their own survival by themselves, they had the obligation scrupulously to comply with the relevant international instruments, in particular, the 1961 Vienna Conventions and the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents. In that regard, it should be noted that compliance by States with international legal instruments concerning diplomatic and consular functions necessarily must go hand in hand with compliance by the protected persons with the laws of the receiving State.

50. Convinced that it was now more necessary than ever to safeguard relations between countries, regardless of their economic capability or of their political and social system, Zaire had pursued its foreign policy on the basis of respect for the rules of international law. It was therefore concerned at the irresponsible acts that had recently been witnessed in all parts of the world. Those acts frequently represented a settling of scores, either between States or between individuals, or were simply the work of criminals. The delegation of Zaire deplored and condemned any act that could be detrimental to international relations and diplomatic life in general, such as the attempt made in Rangoon, Burma, on the life of the President of the Republic of Korea.

51. The international community should show greater vigilance and call for more effective measures to discourage such acts. One immediate measure might be to appeal to Member States that had not yet done so to become parties to the relevant international conventions, in particular the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and to the Protocols to those instruments. The international community must also continue to deal with the question so as to monitor developments.

52. Mr. LI In Ho (Observer for the Democratic People's Republic of Korea) expressed his grave concern at the continued violations committed against diplomatic and consular missions and representatives and considered that effective measures should be taken to ensure their protection and security. All States should ratify the relevant international conventions or accede to them, as had the Government of the People's Democratic Republic of Korea, which had acceded to the Vienna Conventions on diplomatic and consular relations, the Convention on the Representation of States in their Relations with International Organizations of a Universal Character of 1967, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, of 1973, and other relevant international treaties. It had also adopted measures to implement, in good faith, its international duties to increase the protection and

(Mr. Li In Ho, Observer, Democratic
People's Republic of Korea)

security of diplomatic missions and representatives. It was gratifying to note that there had been no such violations in the Democratic People's Republic of Korea since its foundation.

53. Since a gentleman from South Korea had slandered the Democratic People's Republic of Korea in connection with the incident in Rangoon, it should be recalled that the previous year his Government had clearly stated its position on the matter in the Sixth Committee and had reaffirmed that the incident was a drama of the South Korean authorities' own making. The Government of the Democratic People's Republic of Korea had provided the Committee with adequate evidence of that in its memorandum (A/39/456/Add.2).

54. However, the report submitted by the Government of Burma (A/39/456/Add.1) charged that the Government of the Democratic People's Republic of Korea was responsible for the Rangoon incident, but failed to provide legal or material evidence to prove it. The South Korean authorities had concocted that incident in order to rid themselves of potential political opponents and to render the situation in the Korean peninsula extremely strained, so as to create conditions that would enable them to remain in power for many years. Such inhuman terrorist actions should naturally be condemned, but what was intolerable was that an attempt was being made to lay the blame on others.

55. His delegation believed that political propaganda was of no help in solving the problems under consideration in the Committee, and that attempts to involve the Committee in political altercations should not be allowed.

56. His Government would do its utmost to strengthen international peace and security and to develop friendship and co-operation between nations, and to enhance the protection and security of diplomatic and consular missions and representatives.

57. Mr. U Tin PE (Burma), speaking in exercise of the right of reply, said that the Government of Burma had been criticized, and totally erroneous and unfounded allegations had been made with regard to the terrorist bomb explosion in Rangoon on 9 October 1983, during the State visit to Burma of the President of the Republic of Korea. After the terrorist attack, the Government of Burma had undertaken an investigation and had subsequently revealed its findings to the world. The investigation had been conducted with total impartiality in order to arrive at the truth, without rancour or a desire for vengeance.

58. The report on the findings reached and the measures taken by the Government of Burma, circulated as document A/39/456/Add.1, provided an objective account based on sufficiently irrefutable evidence and presented the conclusions it had reached for the world to judge for itself. That report had been submitted in order to express the support of Burma for all the efforts undertaken by the international community to formulate effective measures to combat international terrorism. His delegation reiterated that it considered it appropriate to place that diplomatic

(Mr. U Tin Pe, Burma)

incident before the world community, not with the intention of furthering political polemics, but to prevent future acts of terrorism against diplomatic and consular missions and representatives.

59. Mr. ZAMANI (Islamic Republic of Iran), exercising his right of reply, wished to clarify a reference made by a previous speaker to what had happened in Teheran. Anyone who knew the history of relations between Iran and the United States during the past 30 years would have no difficulty in understanding what the people had done, in a popular reaction, to those whom they did not consider to be diplomats. The 1961 Vienna Convention prescribed certain obligations for diplomats and established what they could and could not do. In the light of those considerations it need only be added that, thanks to the prudence and patience of the new revolutionary Government of the Islamic Republic of Iran, the matter had been resolved as it had.

60. Mr. Kyung-Won KIM (Observer for the Republic of Korea), exercising his right of reply, regretted that the Observer for North Korea had attempted to attack the objectivity of the report of the Government of Burma (A/39/456/Add.1). No other delegation in the Sixth Committee had dared to attack the integrity of that report. It constituted an adequate reply to the allegations of the Observer for North Korea.

61. Mr. LI In Ho (Observer for the Democratic People's Republic of Korea), speaking in exercise of the right of reply, said that the statements made by the Observer for South Korea had nothing to do with the Committee's deliberations and was pure propaganda. In his opinion, there was no need to waste any more of the Committee's time.

AGENDA ITEM 126: REPORT OF THE SPECIAL COMMITTEE ON ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF NON-USE OF FORCE IN INTERNATIONAL RELATIONS (A/33/41; A/39/440; A/39/134-S/16418; A/39/360)

62. Mr. RAO (India), speaking as Vice-Chairman of the Special Committee, introduced the report of the Special Committee submitted in document A/39/41 in accordance with General Assembly resolution 38/133.

63. The first part of the report dealt with the organization of work for the session and the membership of the Special Committee. The second part summarized the general exchange of views, in which three main approaches had emerged. Several representatives, adopting the first approach, had expressed support for the proposal of the Soviet Union for the conclusion, at the earliest possible date, of an international treaty on the non-use of force in international relations and emphasized the need for members of the Special Committee to show good will and a constructive spirit to fulfil the mandate of the Special Committee. The first approach was described in paragraphs 19 to 30 of the report.

64. Delegations supporting the second approach felt that the solution to the problem did not lie in the conclusion of a new treaty reiterating the prohibition of the use of force, as such a treaty, could, in their opinion, be counter-

(Mr. Rao, India)

productive. The possibility of drafting a resolution, designed to make the rule stated in Article 2 (4), of the Charter more effective, should be left open. Others had expressed the view that a comprehensive political declaration should be drafted to form the basis for practical measures aimed at enhancing the effectiveness of the principle of non-use of force without diluting the relevant provisions of the Charter. The proponents of that view felt that proposals which had received general acceptance could be embodied in a resolution or declaration.

65. Delegations supporting the third approach had stated that the principle of non-use of force was a jus cogens norm of international law and emphasized the need for an instrument dealing with and further elaborating the principle of non-use of force to contribute towards an atmosphere of mutual trust between States. Among that group, some had favoured the idea of concluding a world treaty while others, without necessarily ruling out the idea, had felt that the task of the Special Committee was to agree, first, on the formulas to be contained in a future instrument on the matter.

66. The report of the Working Group comprised the third part of document A/39/41 and was contained in paragraphs 49 to 127. It might be recalled that the Working Group had had at its disposal several "headings" contained in the paper introduced by Mr. El-Araby. The Chairman of the Special Committee had summarized and identified in 1984 the points of disagreement under each "heading". Some delegations, upon examining the "headings", had stated that the proposals remained valid, while others, had felt that no final conclusions could be drawn in the absence of some understanding on the "headings" taken as a whole and agreement on the nature of the document that might be drafted.

67. At the request of a delegation, the Chairman of the Working Group had presented his own conclusions in the form of a statement which was contained in paragraph 122 of the report. The Chairman had also submitted a compilation of official proposals, which had been included in paragraph 123, and had made it clear that that compilation did not represent the view of any particular group or delegation. The statement and compilation of official proposals contained the different views expressed in the working groups. Some delegations had strongly objected to the statement and to the material circulated (paragraph 125), while others had described the Chairman's statement as an important contribution to the future work of the Special Committee and to the fulfilment of its mandate (paragraph 126). Another group of representatives had felt that the Chairman should have specified the provisional agreement as it had existed in the Working Group (paragraph 127).

68. The evaluation of the work done by the Special Committee during the 1984 session was contained in Chapter IV of the report, in paragraphs 128 to 143.

ORGANIZATION OF WORK (A/C.6/39/1; A/C.6/39/L.1)

69. Mr. SCHRICKE (France) asked the Chairman about the closing date for the list of speakers on agenda item 126 and added that, like other delegations, his delegation felt that the list should be kept as short as possible so as to make the best possible use of the Committee's meetings.

70. The CHAIRMAN said that, in accordance with the recommendation of the Special Committee contained in annex V of the rules of procedure of the General Assembly, the list of speakers would be closed at 6 p.m. on Tuesday, 9 October.

71. It was so decided.

The meeting rose at 5.25 p.m.