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DIPLOMATIC ASYLUM

Report of the Sixth Committee

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## I. INTRODUCTION

1. By a letter dated 16 August 1974 (A/9704), Australia requested the inclusion in the agenda of the twenty-ninth session of the General Assembly of an item entitled "Diplomatic asylum". On the recommendation of the General Committee (A/9750), the General Assembly decided, at the 2236th plenary meeting on 21 September 1974, to include the item in the agenda and, at its 2237th meeting held on the same day, to allocate it to the Sixth Committee.
2. In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum was attached to the request for inclusion. In addition, the Australian delegation submitted to the Sixth Committee a working paper on the question (A/C.6/L.992).
3. The Sixth Committee considered the item at its 1505th to 1511th meetings, held between 25 and 29 November and on 2 December 1974.

## II. PROPOSAL AND AMENDMENTS

4. At the 1507th meeting, on 27 November, the representative of Australia introduced a draft resolution (A/C.6/L.998) sponsored by Argentina, Australia, Ecuador, Ghana, Grenada, Guyana, Jamaica, Jordan, Panama, Uruguay and Venezuela, later joined by Colombia, Costa Rica and New Zealand. The draft resolution read as follows:

"The General Assembly,

"Conscious that a number of States have granted diplomatic asylum and that several conventions on this subject have been concluded in Latin America,

"Considering that it is desirable to initiate preliminary studies on the humanitarian and other aspects of the question of diplomatic asylum,

"1. Invites Member States who wish to express their views on the question of diplomatic asylum to communicate them to the Secretary-General not later than 30 June 1975;

"2. Requests the Secretary-General to prepare and circulate to Member States before the thirtieth session of the General Assembly a report containing an analysis of the question of diplomatic asylum taking into account in particular

"(a) The texts of relevant international agreements;

"(b) Relevant decisions of tribunals;

"(c) The consideration of the question in intergovernmental organizations;

/...

"(d) Relevant studies made or being made by non-governmental bodies concerned with international law;

"(e) The relevant views of qualified publicists;

"3. Decides to include in the provisional agenda of its thirtieth session an item entitled 'Report of the Secretary-General on the Question of Diplomatic Asylum'."

5. At the 1508th meeting, on 28 November, the representative of the Union of Soviet Socialist Republics submitted an amendment (A/C.6/L.999) which sought to replace in operative paragraph 3 the words "thirtieth session" by "thirty-first session".

6. At the 1509th meeting, on 29 November, the representative of the Byelorussian Soviet Socialist Republic submitted an amendment (A/C.6/L.1003) which sought to replace the words "30 June 1975" by "30 June 1976" in operative paragraph 1 and the words "thirtieth session" by "thirty-first session" in operative paragraph 2.

7. At the same meeting, the representative of France submitted an amendment (A/C.6/L.1000) which sought to delete subparagraph (d) of operative paragraph 2 and to reletter subparagraph (e) accordingly.

8. At the 1511th meeting, on 2 December, the amendments of the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and France were withdrawn by their respective sponsors.

9. At the same meeting, the Secretary of the Committee made a statement concerning the financial implications of the draft resolution contained in document A/C.6/L.998.

### III. VOTING

10. At the 1511th meeting, the Committee adopted the draft resolution contained in document A/C.6/L.998 by a recorded vote of 87 to none, with 16 abstentions (see para. 11 below). The voting was as follows: 1/

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1/ Subsequently the delegations of Costa Rica, Grenada and Panama made it known that, had they been present during the voting, they would have voted in favour of the draft resolution.

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Bhutan, Bolivia, Botswana, Brazil, Burundi, Canada, Chile, Colombia, Congo, Cuba, Cyprus, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Finland, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guyana, Honduras, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mexico, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: None.

Abstaining: Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia, Ethiopia, France, German Democratic Republic, Hungary, Mongolia, Nepal, Oman, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Zaire.

#### IV. RECOMMENDATION OF THE SIXTH COMMITTEE

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

##### Question of diplomatic asylum

##### The General Assembly,

Conscious of the fact that a number of States have granted diplomatic asylum and that several conventions on this subject have been concluded in Latin America,

Considering that it is desirable to initiate preliminary studies on the humanitarian and other aspects of the question of diplomatic asylum,

1. Invites Member States wishing to express their views on the question of diplomatic asylum to communicate those views to the Secretary-General not later than 30 June 1975;

2. Requests the Secretary-General to prepare and circulate to Member States, before the thirtieth session of the General Assembly, a report containing an analysis of the question of diplomatic asylum, taking into account in particular:

(a) The texts of relevant international agreements;

/...

- (b) Relevant decisions of tribunals;
- (c) The consideration of the question in intergovernmental organizations;
- (d) Relevant studies made or being made by non-governmental bodies concerned with international law;
- (e) The relevant views of qualified publicists;

3. Decides to include in the provisional agenda of its thirtieth session an item entitled "Report of the Secretary-General on the question of diplomatic asylum".

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