



General Assembly

Distr.
GENERAL

A/40/453
23 August 1985
ENGLISH
ORIGINAL: ENGLISH/FRENCH/
SPANISH

Fortieth session
Item 137 of the provisional agenda*

CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION,
SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND
REPRESENTATIVES

Report of the Secretary-General

CONTENTS

	<u>Page</u>
I. INTRODUCTION	4
II. REPORTS AND VIEWS RECEIVED FROM STATES	6
A. Reports received from States pursuant to paragraph 8 of General Assembly resolution 39/83	6
1. Note verbale from the Permanent Mission of Australia to the United Nations addressed to the Secretary-General	6
2. Notes verbales from the Permanent Representative and the Permanent Mission of Austria to the United Nations addressed to the Secretary-General	6
3. Note verbale from the Permanent Mission of Belgium to the United Nations addressed to the Secretary-General	8
4. Note verbale from the Permanent Mission of Canada to the United Nations addressed to the Secretary-General	8

* A/40/150.

CONTENTS (continued)

	<u>Page</u>
5. Note verbale from the Permanent Mission of Denmark to the United Nations addressed to the Secretary-General	10
6. Note verbale from the Permanent Mission of the Dominican Republic to the United Nations addressed to the Secretary-General	10
7. Note verbale from the Permanent Representative of the Federal Republic of Germany to the United Nations addressed to the Secretary-General	10
8. Note verbale from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General	12
9. Note verbale from the Permanent Mission of Malawi to the United Nations addressed to the Secretary-General	12
10. Note verbale from the Permanent Mission of the Philippines to the United Nations addressed to the Secretary-General	12
11. Note verbale from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General	13
12. Note verbale from the Chargé d'affaires a.i. of the Permanent Mission of Rwanda to the United Nations addressed to the Secretary-General	14
13. Note verbale from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General	15
14. Notes verbales from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General	15
15. Note verbale from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General	17
B. Views received from States pursuant to paragraph 10 of General Assembly resolution 39/83	18
Australia	18
Austria	19
Colombia	19

CONTENTS (continued)

	<u>Page</u>
Denmark	19
Ecuador	20
Poland	21
Portugal	22
Rwanda	23
III. REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 12 OF GENERAL ASSEMBLY RESOLUTION 39/83 ON THE STATE, AS AT 3 AUGUST 1985, 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	24

I. INTRODUCTION

1. On 13 December 1984, the General Assembly adopted resolution 39/83, entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives". Paragraphs 2 to 13 of the resolution read as follows:

"The General Assembly,

"...

"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;

"3. Emphasizes the importance of enhanced awareness throughout the world of the necessity of ensuring the protection, security and safety of such missions, representatives and officials, as well as of the role of the United Nations in this regard;

"4. Urges States to observe and to implement the principles and rules of international law governing diplomatic and consular relations and, in particular, to take all necessary measures in conformity with their international obligations to ensure effectively the protection, security and safety of all diplomatic and consular missions and representatives officially present in territory under their jurisdiction, including practicable 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 and representatives;

"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. Calls upon States, in cases where a dispute arises in connection with a violation of the principles and rules of international law concerning the inviolability of diplomatic and consular missions and representatives, to make use of the means for peaceful settlement of disputes, including the good offices of the Secretary-General;

/...

"8. Requests:

(a) All States to report to the Secretary-General as promptly as possible serious violations of the protection, security and safety of diplomatic and consular missions and representatives;

(b) The State in which the violation took place - and, to the extent applicable, the States where the alleged offender is present - to report as promptly as possible on measures taken to bring the offender to justice and eventually to communicate, in accordance with its laws, the final outcome of the proceedings against the offender, and on measures adopted with a view to preventing a repetition of such violations;

"9. Requests the Secretary-General to circulate to all States, upon receipt, the reports received by him pursuant to paragraph 8 above, unless the reporting State requests otherwise;

"10. Requests the Secretary-General to invite States to inform him of their views with respect to any measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives;

"11. Also requests the Secretary-General, when a serious violation has been reported pursuant to paragraph 8 (a) above, to draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 8 above;

"12. Further requests the Secretary-General to submit to the General Assembly at its fortieth session a report on the state of ratification of, and accessions to, the instruments referred to in paragraph 6 above, as well as the reports received and views expressed pursuant to paragraphs 8 and 10 above, and invites him to submit any views he may wish to express on these matters;

"13. Decides to include in the provisional agenda of its fortieth session the item entitled 'Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives: report of the Secretary-General'."

2. By letter dated 5 February 1985, the Secretary-General drew the attention of States to the request contained in paragraph 8 of the above resolution and invited them to communicate to him not later than 31 July 1985 the views which they might wish to submit under paragraph 10 of that resolution.

3. Section II of the present report accordingly consists of two subsections: subsection A reproduces the reports under the terms of paragraph 8 which had been received by 23 August 1985. In compiling it, the Secretariat has treated statements by States to the effect that they had no serious violations to report for the period under review as "reports" under the terms of paragraph 8 of resolution 39/83, notwithstanding the links between such statements and the "views" of the States concerned in relation to the protection, security and safety of

diplomatic and consular missions and representatives. However, such statements have not been circulated under paragraph 9 of the said resolution.

4. Subsection B reproduced the views expressed by States, under paragraph 10 of resolution 39/83, which had been received by 23 August 1985.
5. Communications which might still be received from States will be circulated in addenda to the present report.
6. In accordance with paragraph 12 of resolution 39/83, section III contains a report on the state of ratification of and accessions to the Vienna Convention on Diplomatic Relations of 1961, 1/ the Vienna Convention on Consular Relations of 1963 2/ 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. 3/

II. REPORTS AND VIEWS RECEIVED FROM STATES

- A. Reports received from States pursuant to paragraph 8 of General Assembly resolution 39/83
 1. Note verbale from the Permanent Mission of Australia to the United Nations addressed to the Secretary-General

[Original: English]

[31 July 1985]

The Government of Australia is pleased to inform the Secretary-General that there have been no serious attacks over the last 12 months against diplomatic and consular representatives or missions or individuals abroad such as to warrant using the reporting procedure. The Government, however, remains aware of the continuing danger to international missions and seeks to provide special measures of protection, over and above its normal protection role, to missions requesting such measures if the perceived level of threat is thought to warrant them. [See also the views of Australia under subsection II.B.]

2. Notes verbales from the Permanent Representative and the Permanent Mission of Austria to the United Nations addressed to the Secretary-General 4/

[Original: English]

[13 December 1984]

In pursuance of General Assembly resolution 38/136 of 19 December 1983 and with particular reference to its operative paragraph 8 the following communication transmitted by the competent Austrian authorities is to be reported to the Secretary-General:

On 19 November 1984, Mr. Evner Ergun, Assistant Director of the Vienna based United Nations Centre for Social Development and Humanitarian Affairs was fatally shot by unknown persons while driving his car in the center of Vienna.

The perpetrator then threw a piece of cloth onto the car bearing the inscription "A.R.A." - the code words for the Armenian terrorist organization "Justice Commandos of Armenian Genocide" (J.C.A.G.). The killer who had been pursued by passers-by having witnessed the crime succeeded in escaping.

In the meantime an unidentified telephone caller to the Associated Press Office in Vienna claimed responsibility for the attack in the name of the "Armenian Revolutionary Army". He announced that this organization would continue its attacks against its "oppressors". A similar call was made to the Reuter Press Agency in Paris.

In close co-operation with INTERPOL the Austrian police authorities are presently engaged in one of their most intensive search operations to track down the perpetrator of this heinous attack in order to bring him the justice.

The Austrian authorities have set up a system of security measures which by all international standards is considered to be very effective and comprehensive in ensuring the protection of diplomatic and consular missions and representatives in Austria. This security programme covers alike the officials of the international organizations established in Austria. Following this latest terrorist attack a special task-force has been created, composed both of representatives of the Austrian authorities and of the international organizations, in order to join and co-ordinate, on a regular basis, the efforts of providing the best possible security for international protected persons.

[Original: English]

[30 July 1985]

On 19 November 1984, Mr. Evner Ergun, Assistant Director of the United Nations Center for Social Development and Humanitarian Affairs at Vienna, was shot and killed in his car by an unknown assassin, as reported to the Secretary-General by the Permanent Representative of Austria to the United Nations in the above-mentioned note.

No violations of the protection, security and safety of diplomatic and consular missions and representatives have happened since. [See also the views of Austria under subsection II.B.]

3. Note verbale from the Permanent Mission of Belgium to the United Nations addressed to the Secretary-General 5/

[Original: French]

[2 July 1985]

The Permanent Mission of Belgium to the United Nations has the honour ... to transmit herewith the following information:

1. On 20 April 1985, at 0658 hours, an attack was made on the headquarters of the North Atlantic Assembly at Brussels. The bomb exploded and seriously damaged the house inhabited by the Counsellor of the Embassy of Italy. Credit for the attack was claimed by the hitherto unknown "FRAP" movement. The offenders are still being sought.

2. On 11 December 1984, a parcel containing explosives was discovered at the entrance of a building inhabited by the Consul General of Turkey and the First Counsellor of the Embassy of Greece. The device did not explode; there was no damage and there were no victims. The offenders are being sought.

4. Note verbale from the Permanent Mission of Canada to the United Nations addressed to the Secretary-General 6/

[Original: English]

[19 July 1985]

The Permanent Mission of Canada to the United Nations ... has the honour ... to submit the following report:

The Permanent Mission of Canada regrets to inform the Secretary-General that on 12 March 1985 shortly after 7:00 hrs a.m., the Embassy of Turkey in Ottawa was forcibly entered and occupied by individuals who identified themselves as members of a group calling itself the Armenian Revolutionary Army. During the course of these events, the Ambassador of Turkey to Canada, H.E. Coskun Kirça, was seriously injured, a Canadian security guard at the Embassy was mortally wounded by gunfire, occupants of the Embassy were held hostage, and the premises of the Embassy were heavily damaged. This incident lasted approximately four hours, following which three individuals surrendered to Canadian authorities.

They have been identified as Kevork Marachelian, Ohannes Noubarian and Rafi Titizian. Criminal prosecutions have been commenced against each one of them on the following charges:

(a) First degree murder (punishable by life imprisonment);

(b) Attack upon the official premises of an internationally protected persons (punishable by up to five years imprisonment);

- (c) Intent to cause an explosion (punishable by life imprisonment);
- (d) Possession of grenades (punishable by up to five years imprisonment);
- (e) Use of firearm in committing an offence (punishable by up to 14 years imprisonment);
- (f) Unlawful confinement of another person (punishable by up to five years imprisonment);
- (g) Two counts of assault with a weapon (punishable by up to 10 years imprisonment).

The trial before judge and jury is set to begin in the Supreme Court of Ontario on 14 April 1986. The accused are being held in custody. The Permanent Mission of Canada will report the final outcome of the proceedings in this matter to the Secretary-General.

The Permanent Mission of Canada wishes to bring to the attention of the Secretary-General that the Deputy Prime Minister, the Honourable Erik Nielsen, condemned this act of terrorism and expressed the Canadian Government's deep regrets concerning the incident.

The Permanent Mission of Canada wishes to inform the Secretary-General that since this attack, the Canadian Government has actively implemented stronger measures to enhance the protection of diplomatic and consular missions and representatives in Canada. Moreover, it remains vigilant to any possible need to further enhance their security.

The Permanent Mission of Canada also wishes to take this opportunity to supplement its earlier report on the assassination attempt against Kani Gungor, Counsellor of the Embassy of Turkey, in Ottawa, on 8 April 1982. In March 1984, four individuals were apprehended by Canadian authorities and charged in relation to the incident. Charges against one of the accused were dismissed for lack of evidence of complicity in the attack. Each of the others, Haroutine (Harout) Kevork, Raffic Balian and Haig Gharakhanian, have been committed to stand trial on the following charges:

- (a) Attempted murder (punishable by life imprisonment);
- (b) Two counts of conspiracy to commit murder (punishable by up to 14 years imprisonment).

The trial before a judge and jury is set to begin in the Supreme Court of Ontario on 23 September 1985. The three accused are being held in custody. The Permanent Mission of Canada will report the final outcome of the proceedings in relation to this matter to the Secretary-General.

In addition, the Permanent Mission of Canada wishes to supplement its earlier report on the assassination in Ottawa on 27 August 1982 of Colonel Atilla Altikat, Military Attaché of the Turkish Embassy. To date, the perpetrator or perpetrators of this crime have not been apprehended. However, the Canadian authorities are continuing their efforts to bring the responsible person or persons to justice.

The Government of Canada wishes to emphasize that it unequivocally condemns these despicable acts of terrorism directed at diplomatic and consular missions and representatives. It firmly believes that vigorous prosecution is essential to bring the perpetrators of such acts to justice. Under no circumstances will the Canadian Government tolerate terrorism on Canadian soil. It will use every means at its disposal to defeat and discourage this vile activity.

5. Note verbale from the Permanent Mission of Denmark to the United Nations addressed to the Secretary-General

[Original: English]

[28 June 1985]

The Danish Government can ... inform the Secretary-General that fortunately there have been no violations in the past year which would have given cause for the Government to apply the report procedures set out in paragraph 8 of resolution 39/83. [See also the views of Denmark under subsection II.B.]

6. Note verbale from the Permanent Mission of the Dominican Republic to the United Nations addressed to the Secretary-General

[Original: Spanish]

[27 June 1985]

The Permanent Mission of the Dominican Republic to the United Nations has the honour to inform the Secretary-General that the Dominican Republic, fortunately, has no cases to report of violations of the protection, security and safety of diplomatic and consular missions and representatives, thanks to the climate of freedom and respect for human rights which the country is at present enjoying under the democratic and constitutional régime of the Dominican Government.

7. Note verbale from the Permanent Representative of the Federal Republic of Germany to the United Nations addressed to the Secretary-General 7/

[Original: English]

[11 March 1985]

The Permanent Representative of the Federal Republic of Germany to the United Nations has the honour to transmit herewith the following comments by the Federal Government on the incidents reported on 2 October 1984 by the Union of Soviet

Socialist Republics, 8/ in accordance with paragraph 8 of General Assembly resolution 38/136, to the extent that these incidents involved the Federal Republic of Germany:

The Federal Republic of Germany, as signatory, has consistently advocated strict adherence to the provisions of the Vienna Convention on Diplomatic Relations. Therefore, it firmly rejects the charges levelled against it by the Soviet Union.

As a result of an inquiry into the incidents mentioned by the Soviet Union it has been established that several demonstrations took place in front of the Soviet Embassy in Bonn in June and July of 1984. The participants, whose numbers varied between 2 and 23, comported themselves peacefully and never interfered with the operations of the Mission.

In another case, a German television team filmed members of the Soviet Embassy in Bonn and the building they live in. When requested by the police to refrain from further filming of the private sphere of the members of the Embassy and, because of the right to privacy of those concerned, to hand over the films already made, the camera team complied.

During the customs check of a Soviet truck at the border crossing point of Helmstedt on 19 July 1984, the cargo, declared as a diplomatic bag accompanied by courier, turned out not to conform to the relevant provisions of the Vienna Convention. The diplomatic courier accompanying the truck produced an official document which, while establishing his official status, did not indicate the number of packages constituting the diplomatic bag. That was clearly in contravention of article 27, paragraph 5, of the Vienna Convention. This Convention does not provide a legal basis to the claim that a truck with a total load of 9,000 kilograms could be held to constitute one single diplomatic bag. Hence, the Soviet Embassy was requested to open the truck and to submit a list indicating the number of packages. The Embassy complied with this request on 22 July 1984. The customs officials in charge verified that the number of packages contained in the truck tallied with the number indicated in the list. During this procedure none of the individual packages were opened. Upon completion of the customs clearance the truck was sealed again, then resuming its itinerary without hindrance.

The Federal Government applied the provisions of the Vienna Convention in a correct manner. Above that, the Federal Government placed great importance on settling the matter in an amicable manner, complying therefore with the Soviet wish to have the customs clearance carried out not at the border crossing but rather on the premises of the Soviet Embassy. It appears all the more regrettable that the Soviet Union should attempt to depict this case, which was resolved in mutual agreement, as an infringement of the Vienna Convention by the Federal Republic of Germany.

8. Note verbale from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General 9/

[Original: English]

[10 May 1985]

The Permanent Representative of the State of Kuwait to the United Nations ... has the honour to inform the Secretary-General in accordance with paragraph 8 of General Assembly resolution 39/83 of the following incident that had occurred in Kuwait.

The Attorney-General's office in Kuwait informed that the Iraqi Assistant Cultural Attaché and his son had been assassinated on 1 March 1985 by being fired at while asleep at their home, and that the Kuwaiti authorities had succeeded in arresting the suspected perpetrators who have been transferred to a criminal court for trial. Their case has not been decided upon yet.

9. Note verbale from the Permanent Mission of Malawi to the United Nations addressed to the Secretary-General

[Original: English]

[3 April 1985]

The Permanent Mission of Malawi wishes to advise that no serious violations of the protection, security and safety of diplomatic and consular missions and representatives have occurred in Malawi lately.

10. Note verbale from the Permanent Mission of the Philippines to the United Nations addressed to the Secretary-General 10/

[Original: English]

[3 December 1984]

The Permanent Mission of the Philippines to the United Nations ... in accordance with paragraph 8 (a) of General Assembly resolution 38/136, regrets to inform him of the manhandling and beating-up of Mr. Gavino Abaya III, son of Mr. Gavino Abaya Jr., First Secretary of this Mission, by two New York City transit policemen, which took place last 19 October 1984 in Manhattan, New York City. The circumstances of this incident are described below, based on an affidavit executed by Mr. Gavino Abaya III:

On 19 October 1984, at about 3.20 p.m., Mr. Gavino Abaya III was waiting for a lady friend at the subway station at Third Avenue and 53rd Street, Manhattan. A New York City transit police officer (later identified as Police Officer McMillen with badge no. 4754) accosted him and said that the gloves he was wearing were illegal weapons and that he was being placed under arrest.

Mr. Abaya III explained to Officer McMillen that he had been wearing the gloves for several months already; that they were in fact commercially available; and that the police officers stationed at 169th Street in Jamaica, Queens, which he passed every night, had never told him that they were illegal weapons. Mr. Abaya III also informed Officer McMillen that he had diplomatic status and showed his United Nations Identification Card, issued by the United States State Department.

Police Officer McMillen, however, insisted on arresting Mr. Abaya III. He did not even bother to look at Mr. Abaya III's United Nations Identification Card but arrogantly remarked that he did not care if Mr. Abaya had diplomatic status. Mr. Abaya III then agreed to be brought to the police station voluntarily but requested that he not be handcuffed.

Nonetheless, Officer McMillen insisted on putting handcuffs on Mr. Abaya III and, at the same time, shouted for assistance from a fellow police officer nearby (later on identified as Police Officer McGoldrick with badge no. 4748). Messrs. McMillen and McGoldrick dragged Mr. Abaya III and then boxed him, causing his eyeglasses to fly off. They eventually handcuffed him, damaging his wrist watch in the process, and brought him to the police station like a common criminal.

At the police station (in Columbus Circle), Mr. Abaya III was allowed to make a phone call only after two hours of detention, despite his earlier request to be allowed to do so, and only after his diplomatic status was verified with the United States Mission to the United Nations.

As a result of the injuries suffered by Mr. Abaya III, he was brought to the Nassau Hospital for emergency treatment. The X-rays taken of his injuries indicated that Mr. Abaya III would have to undergo surgery for a fracture on his right eye.

The Permanent Mission of the Philippines hopes that the Government of the United States will not fail to make a report to the Secretary-General of the United Nations on the measures it has taken, in accordance with paragraph 8 (b) of resolution 38/136, particularly on the prevention of a repetition of similar violations.

11. Note verbale from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General 11/

[Original: English]

[9 April 1985]

[The Permanent Mission of Portugal to the United Nations] regrets to report that in the past 10 years several serious attempts were made to the security and safety of diplomatic and consular missions and representatives in Portugal.

(a) In the night of 26 September 1975 there was an enormous attack on the Spanish Embassy followed by sacking and robbery;

(b) On 22 April 1976 there was an explosion in the Cuban Embassy in Lisbon, and two people were killed;

(c) On 13 November 1979 there was a murder attempt on the Ambassador of Israel, and his bodyguard died in consequence;

(d) On 12 September 1980 there was a bomb attack against the Chilean diplomatic mission in Lisbon and Porto;

(e) On 8 June 1980 there was an attempt against the Turkish commercial attaché; a bomb exploded in his car wounding seriously his wife, who died in consequence six months later;

(f) On 18 October of the same year a low intensity fire bomb exploded at the door of the Swiss Embassy in Lisbon;

(g) On 27 July 1983 there was a terrorist attack against the Turkish Embassy in Lisbon and there were seven casualties: the wife of the Chargé d'affaires died, a Portuguese policeman belonging to the Police for Public Security (P.S.P.) and four commandos of the Armenian Revolutionary Army died.

All these cases were dealt with by a special branch of the Polícia Judiciária (Criminal Police)

Many of the terrorists were killed in action and others were not found, because sometimes responsibility for the attacks was only later claimed from abroad.

In all the cases the Police try to find out the international connections of the terrorists - namely through INTERPOL - their identity and how they entered the country, the source of the weapon used etc.

When the investigations come to an end, the case is finally taken into court, if enough evidence is assembled against a suspect, or remains awaiting the gathering of more information or relevant evidence. [See also the views of Portugal under subsection II.B.]

12. Note verbale from the Chargé d'affaires a.i. of the Permanent Mission of Rwanda to the United Nations addressed to the Secretary-General

[Original: French]

[24 May 1985]

Concerning paragraphs 8 (a) and 8 (b) of resolution 39/83, [the Government of Rwanda] is pleased to report that no diplomatic or consular mission in Rwanda was the object of acts of violence or terrorism, and that this was also the case for Rwandese diplomatic missions and consular posts abroad. Consequently, since there

has been no case of violation of the protection, security and safety of diplomatic and consular missions and representatives, the Government of Rwanda has no report to submit on measures taken to bring offenders to justice. [See also the views of Rwanda under subsection II.B.]

13. Note verbale from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General 12/

[Original: Spanish]

[19 December 1984]

The Permanent Representative of Spain to the United Nations has the honour to state the following in connection with the Note of 3 August 1984: 13/

1. On 29 December 1983 the Jordanian subject Walid Yamali Balkiz, an employee of the Embassy of Jordan in Madrid, was killed by gunshots fired at his car. Ibrahim Subhi Al-Hamid, an administrative expert at the Embassy of Jordan, was seriously wounded in the gunfire.

2. According to eye-witnesses, the shots were fired by an individual of between 22 and 25 years of age, 1.75 metres in height, of average complexion and with dark curly hair, who - as the vehicle drove along calle García de Paredes in Madrid - approached the left front side window and fired a number of shots from a sub-machine-gun, then fled the scene immediately.

3. Fifteen 9 mm "Makarov" cartridges of Polish manufacture with the markings 75-21 were found at the scene. Their characteristics suggest that the shots could have been fired from a "WZ-63" sub-machine-gun.

4. The Spanish police immediately began an investigation, as a result of which a suspect was detained but he was later released owing to lack of evidence. The Spanish police are continuing their investigations.

14. Notes verbales from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

[Original: French] 14/

[17 June 1985]

The Permanent Mission of Turkey to the United Nations, in accordance with paragraphs 8 of General Assembly resolution 38/136 and of resolution 39/83, deeply regrets to report specific instances of serious violations of the protection and security of Turkish diplomatic and consular missions and representatives which have occurred in Iran and in Canada in the circumstances described below:

1. A series of attacks was perpetrated successively on 27 and 28 March 1984 against the diplomatic representatives of the Embassy of Turkey at Teheran:

(a) Towards the evening of 27 March 1984, a terrorist was killed following the explosion of a bomb which he was placing in the automobile of Mr. Isil Günel, the Assistant Commercial Counsellor of the Embassy of Turkey at Teheran;

(b) During the morning of 28 March 1984, another armed attack was committed against the First Secretary of the Embassy of Turkey at Teheran. Mr. Hasan Okten was slightly wounded by two bullets;

(c) During the morning of the same day, the Assistant Military Attaché of the Embassy of Turkey at Teheran, Mr. Ismail Pamukçu, was seriously wounded as he left his house to get into his automobile. The two terrorists who shot him fled on a motor cycle;

(d) On the same day, the Administrative Attaché of the Embassy of Turkey at Teheran, Mr. Ibrahim Ozdemir, reported to the local police two suspicious individuals who were waiting in front of his house. The police officers caught the two terrorists with weapons in their possession, as well as with the home addresses of the former Counsellor and of the Second Secretary of the same Embassy;

(e) On the same day, three terrorists who were waiting in front of the Chancellery of the Embassy of Turkey at Teheran were caught with weapons in their possession by the Iranian police.

Responsibility for the above-described attacks was claimed by the ASALA (Armenian Secret Army for the Liberation of Armenia) in a telephone call to the offices of a foreign agency at Teheran.

2. On 12 March 1985, at 7.10 a.m., a team of three Armenian terrorists, after knocking down a Canadian security guard, blew up the entrance of the Embassy of Turkey at Ottawa with explosives and occupied the Embassy. The terrorists took hostage the Ambassador's wife and daughter and the members of the service personnel who were there. After approximately four hours, the three terrorists, stating that they were members of the ARA (Armenian Revolutionary Army), surrendered to the police, who had quickly arrived on the scene. Ambassador Coskun Kirça, seriously wounded during the incident, was taken to hospital.

The Permanent Mission of Turkey hopes that the Governments in whose territories these incidents took place will not fail to report to the Secretary-General as promptly as possible, in accordance with the provisions of paragraphs 8 of the above-mentioned resolutions, on the measures they have taken to bring the offenders to justice and the final outcome of the proceedings against these criminals, and on the measures they have adopted to prevent a repetition of such violations.

[Original: French] 15/

[13 August 1985]

The Permanent Mission of Turkey deeply regrets to report the incident which took place at Ankara under the conditions described below:

On 24 July 1985, at 8.45 a.m., the First Secretary of the Embassy of the Hashemite Kingdom of Jordan in Turkey, Mr. Zaid I. Sati, was murdered at the wheel of his car while driving to the Embassy. After firing several shots at the diplomat, who had stopped at a red light, the murderer managed to escape. The police have launched a vast search operation to apprehend the author of this odious attack and bring him to justice.

15. Note verbale from the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General 16/

[Original: English]

[30 May 1985]

The Permanent Mission [of the United Kingdom] deeply regrets to have to inform the Secretariat of the kidnapping and subsequent murder of a senior official of the Indian High Commission in the United Kingdom and of the subsequent prosecution and conviction of six persons against whom criminal charges were brought in that connection. 17/ The facts were as follows:

On 3 February 1984, Mr. R. H. Mhatre, an Assistant Commissioner in the Birmingham office of the Indian High Commission, was kidnapped from near his home. His murdered body was found two days later, on 5 February 1984, near Hinckley in Leicestershire.

A group calling itself the Kashmir Liberation Army claimed on 3 February 1984 to have kidnapped Mr. Mhatre and made demands for the release of prisoners in India and for the payment of money. They threatened to kill Mr. Mhatre if their demands were not met.

The West Midlands police conducted an investigation into Mr. Mhatre's disappearance and subsequent murder, which led to the prompt arrest, in late February, of six suspects all of Kashmiri origin. Three other suspects are still being sought but are believed to have fled the country.

The six suspects arrested were brought to trial on a number of charges at Birmingham Crown Court on 14 January 1985. The following was the final outcome of the proceedings:

Abdul Qayyum Raja

Life imprisonment for murder, 18 years imprisonment for kidnapping; sentences to run concurrently

/...

Mohammed Riaz	Life imprisonment for murder, 12 years imprisonment for kidnapping; sentences to run concurrently
Mohammed Siddique Bhatti	20 years imprisonment for kidnapping and 7 years imprisonment for concealing evidence; sentences to run concurrently
Jahghir Akhtar Mirza	3 years imprisonment for concealing evidence
Abdul Mahjid Ansari	2 years imprisonment for concealing evidence
Mohammed Ishaq	Fined 500 pounds sterling for attempting to obtain a false passport

At the beginning of August 1984, the Government of the United Kingdom requested the Pakistan Government to initiate extradition proceedings against the three suspects still at large. The Pakistan Government has agreed to this request should it be established that the accused are in Pakistan.

B. Views received from States pursuant to paragraph 10 of General Assembly resolution 39/83

AUSTRALIA

[Original: English]

[31 July 1985]

1. The Government of Australia supports the general principles underlying the inclusion of the item at the fortieth session of the General Assembly entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives". Australia shares the concern expressed in resolution 39/83 over the number of violations of diplomatic and consular security in recent years and attaches particular importance to the co-operation of all States in maintaining effective diplomatic and consular protection. To this end, the Government of Australia sees the reporting procedures established in resolution 35/168 as an important and useful step.

2. Australia is a party to the relevant conventions on the protection of diplomatic and consular missions and representatives and has undertaken all necessary measures to fulfil its responsibilities as a receiving State under those conventions. [See also the report of Australia under subsection II.A.1.]

AUSTRIA

[Original: English]

[30 July 1985]

1. For several years efforts have been undertaken by the Austrian authorities to prevent acts of violence against foreign diplomatic or consular missions. In 1984, an average of 480 police officers were assigned around the clock to the protection of foreign missions and the premises of the international organizations established in Austria. About 120 objects were given special protection by individual security guards and around 70 objects were protected by continuous police patrols. Each information registered hinting at an increased security risk for such objects is most carefully studied and often leads to a tightening and enlargement of these already very strict security measures.

2. Austria considers further ratifications of the already existing relevant international instruments, as called for in paragraph 6 of resolution 38/136, a practical measure to enhance the security and safety of diplomatic and consular missions and representatives. [See also the report of Austria under subsection II.A.2.]

COLOMBIA

[Original: Spanish]

[15 April 1985]

The Permanent Representative of Colombia to the United Nations ... wishes to inform the Secretary-General that with regard to enhancing the protection, security and safety of diplomatic and consular missions and representatives, the Government of Colombia is of the opinion that national legislations should be strengthened by imposing more severe penalties on those who violate the security and safety of such missions and representatives, and that State security services should be provided with suitable personnel and equipment for the prevention of any attack on, or lack of respect for, missions and representatives.

DENMARK

[Original: English]

[28 June 1985]

1. The Government of Denmark has noted with deep concern that violations of the safety of diplomatic and consular missions and representatives have occurred at an alarming rate also during the past year. In view of such events the measures called for in resolution 39/83 for the protection of diplomatic and consular missions and representatives continue to be of the highest importance.

/...

2. Recent events have demonstrated the need for the community of nations to act in concert against all terrorist activities including acts of violence against diplomats and acts involving abuse of diplomatic privileges and immunities.
3. As to the question of reversing the current trend of terrorism, a first practical step would be to urge States to speed up the processes of ratifying or acceding to the relevant international conventions aimed at preventing and punishing various forms of terrorism.
4. In order to establish concrete protective measures close co-operation between the States directly affected by a terrorist incident as indicated in General Assembly resolutions 37/107, paragraph 4, 38/136, paragraph 5, and 39/83, paragraph 5, is highly important.
5. Furthermore, practical arrangements should ensure the inviolability of diplomatic and consular missions. In this connection it must be pointed out that while sending States are entitled to expect the best possible protection of their representatives, the duty, under international law, of diplomatic and consular representatives to respect the laws and regulations of the receiving States must be recognized. [See also the report of Denmark under subsection II.A.4.]

ECUADOR

[Original: Spanish]

[8 June 1985]

1. The penal legislation of Ecuador contains express provisions for the punishment of crimes perpetrated against diplomatic and consular representatives and the missions accredited to the Ecuadorian Government. It should be pointed out that such crimes are liable to public prosecution and, as such, are automatically subject to investigation.
2. In addition, the law provides for the competent courts to impose prison sentences on the authors of such crimes, pursuant to the relevant norms of procedure envisaged in the national legislation.
3. Furthermore, it should be recalled that Ecuador is a party to the 1961 Vienna Convention on Diplomatic Relations and the 1963 Vienna Convention on Consular Relations, the texts of which have been incorporated in its domestic legislation. Consequently, the provisions of such international instruments relating to the right of diplomatic officials and consular agents to immunity from civil, penal and administrative jurisdiction are scrupulously observed by the national Government.
4. With regard to the protection of the premises of diplomatic missions and consular offices, the Ecuadorian State has constantly provided the facilities and means to ensure that such protection is effective, through measures that guarantee the inviolability of such premises and the private residences of diplomatic officials and consular agents, with a view to preventing any intrusion or damage,

any disturbance of the peace of the mission or any affront to its dignity. Occasionally, additional protection or security measures have been adopted at the request of diplomatic and consular missions and representatives.

5. Likewise, the State has been concerned to ensure that the premises of diplomatic missions and consular offices meet minimum security standards with regard to their physical structure and siting, and has provided them, where appropriate, with the necessary police protection or patrols.

6. Consequently, Ecuador, in its desire to facilitate the normal conduct of relations between States, and faithful to the purposes and principles of the Charter of the United Nations, remains constantly prepared to adopt measures conducive to safeguarding the inviolability of missions established in its territory and to protect diplomatic and consular agents, since it realizes that it thus fulfils an essential duty towards the international community.

POLAND

[Original: English]

[30 July 1985]

1. In connection with the continued large number of failures to respect the inviolability of diplomatic and consular missions and representatives, including the deterioration of the level of the necessary protection of Polish diplomatic missions by receiving States, it is deemed advisable to initiate on a global scale the necessary steps for increasing the protection and security of diplomatic and consular missions. To this end, the Government of Poland offers the following suggestions:

(a) There should be an agreement on the appropriate distance to be kept between diplomatic and consular premises and any protest actions. The matter is currently left to regulations of receiving States, subject to discretionary interpretation by local authorities. Enactment of uniform regulations on the basis of reciprocity shall serve as a means of ensuring the efficient performance of the functions of diplomatic and consular missions and protecting their staff and premises from terrorist activities. It seems necessary that protest actions be held at a minimum distance of 100 metres from the premises of a mission.

(b) While issuing permissions for the staging of any protest action in front of a foreign mission, the local authorities should notify the head of the mission and should bear full responsibility for the maintenance of order and the protection of the mission. The authorities should also be held materially responsible for any damage suffered by the mission or its staff as a result of such protest action.

2. The Government of Poland considers it extremely important that the security and protection of diplomatic and consular missions be ensured and is ready to take part in the work aimed at elaborating provisions safeguarding the proper functioning of diplomatic and consular missions.

PORTUGAL

[Original: English]

[9 April 1985]

...

1. In order to secure the protection, security and safety of diplomatic and consular missions and representatives outside the buildings they occupy, there is a permanent policeman (or more than one) belonging to the Police for Public Security (P.S.P.)
2. The Portuguese law punishes specifically any crime committed against a diplomatic representative or a representative of an international organization.
3. In this matter, the Penal Code states:

Article 353

"Whoever attempts against the life, physical integrity, freedom or honour of a representative of a foreign State or an international organization, the offended party being in Portugal in an official mission, will be punished with the penalty foreseen for the respective crime, increased with a third of the penalty, within its minimum and maximum limits."

Article 355

"1. These rules will only apply when all the following circumstances take place:

"(a) Dealing with States with which Portugal has diplomatic relations, as long as there is reciprocity when dealing in criminal terms with such facts, when they occur and at trial.

"(b) Participation of the Portuguese Government in the criminal procedure.

"2. Dealing with offences to the honour, it is also required that the above-mentioned participation -(b)- be requested by the foreign government, by its representatives, or by the international organization concerned".

4. In Portugal there are also special police forces to fight terrorism, being prepared to act whenever such acts take place.
5. There is a special Cabinet within the Criminal Police - a Technical Cabinet for Prevention - that studies and puts into practice measures to prevent such crimes, and the Home Office supervises a special branch of the Police forces, named Grupo de Operações Especiais - Special Operations Group. This is a highly efficient force, trained and equipped with the most sophisticated techniques used today throughout the world to fight terrorism.

/...

6. For instance, this group was promptly in action when the attempt against the Turkish Embassy took place in August 1983.

7. The Government of Portugal suggests that close collaboration should take place between the missions and the host country in order to choose the area and buildings to be occupied and also to study and foresee the security measures together.

8. As terrorist attempts undertaken against diplomatic and consular missions and representatives are related to political events in their own countries, for more efficient prevention by the host country it would be very useful to keep the latter informed of any fact that may allow to foresee a terrorist attempt against its representatives or missions. [See also the report of Portugal under subsection A.II.10.]

RWANDA

[Original: French]

[24 May 1985]

...

With regard to paragraph 10 of resolution 39/83, the Government of the Rwandese Republic considers that the following measures could contribute to enhancing the protection, security and safety of diplomatic and consular missions and representatives, and to restoring a favourable working climate for diplomatic and consular agents:

(a) All States should be called upon to respect the commitment which they freely undertook in signing and ratifying the conventions concerning diplomatic and consular relations;

(b) States which are not yet parties to the relevant international instruments concerning diplomatic and consular relations should be called upon to accede to them at the earliest possible date;

(c) Close collaboration between the sending State and the receiving State should be recommended and encouraged;

(d) Offenders should be brought to justice. [See also the report of Rwanda under subsection A.II.11.]

/...

III. REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 12 OF GENERAL ASSEMBLY RESOLUTION 39/83 ON THE STATE, AS AT 3 AUGUST 1985, 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*

A. Vienna Convention on Diplomatic Relations of 1961

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Afghanistan	6 Oct 1965 <u>a</u>
Algeria	14 Apr 1964 <u>a</u>
Argentina	10 Oct 1963
Australia	26 Jan 1968
Austria	28 Apr 1966
Bahamas	17 Mar 1977 <u>d</u>
Bahrain	2 Nov 1971 <u>a</u>
Bangladesh	13 Jan 1978 <u>d</u>
Barbados	6 May 1968 <u>d</u>
Belgium	2 May 1968
Benin	27 Mar 1967 <u>a</u>
Bhutan	7 Dec 1972 <u>a</u>
Bolivia	28 Dec 1977 <u>a</u>
Botswana	11 Apr 1969 <u>a</u>
Brazil	25 Mar 1965
Bulgaria	17 Jan 1968
Burma	7 Mar 1980 <u>a</u>
Burundi	1 May 1968 <u>a</u>
Byelorussian Soviet Socialist Republic	14 May 1964
Cameroon	4 Mar 1977 <u>a</u>
Canada	26 May 1966
Cape Verde	30 Jul 1979 <u>a</u>
Central African Republic	19 Mar 1973
Chad	3 Nov 1977 <u>a</u>
Chile	9 Jan 1968
China	25 Nov 1975 <u>a</u>
Colombia	5 Apr 1973

* For the text of reservations, declarations or communications accompanying the signatures, ratifications or accessions to the international instruments, see "Multilateral Treaties Deposited with the Secretary-General", document ST/LEG/SER.E/3 (Sales No. E.85.V.4) as well as its subsequent issues.

<u>State</u>	<u>Ratification,</u> <u>accession (a),</u> <u>notification of</u> <u>succession (d)</u>
Congo	11 Mar 1963 a
Costa Rica	9 Nov 1964
Cuba	26 Sep 1963
Cyprus	10 Sep 1968 a
Czechoslovakia	24 May 1963
Democratic Kampuchea	31 Aug 1965 a
Democratic People's Republic of Korea	29 Oct 1980 a
Democratic Yemen	24 Nov 1976 a
Denmark	2 Oct 1968
Djibouti	2 Nov 1978 a
Dominican Republic	14 Jan 1964
Ecuador	21 Sep 1964
Egypt	9 Jun 1964 a
El Salvador	9 Dec 1965 a
Equatorial Guinea	30 Aug 1976 a
Ethiopia	22 Mar 1979 a
Fiji	21 Jun 1971 d
Finland	9 Dec 1969
France	31 Dec 1970
Gabon	2 Apr 1964 a
German Democratic Republic	2 Feb 1973 a
Germany, Federal Republic of	11 Nov 1964
Ghana	28 Jun 1962
Greece	16 Jul 1970
Guatemala	1 Oct 1963
Guinea	10 Jan 1968 a
Guyana	28 Dec 1972 a
Haiti	2 Feb 1978 a
Holy See	17 Apr 1964
Honduras	13 Feb 1968 a
Hungary	24 Sep 1965
Iceland	18 May 1971 a
India	15 Oct 1965 a
Indonesia	4 Jun 1982 a
Iran (Islamic Republic of)	3 Feb 1965
Iraq	15 Oct 1963
Ireland	10 May 1967
Israel	11 Aug 1970
Italy	25 Jun 1969
Ivory Coast	1 Oct 1962 a
Jamaica	5 Jun 1963 a
Japan	8 Jun 1964
Jordan	29 Jul 1971 a
Kenya	1 Jul 1965 a
Kiribati	2 Apr 1982 d

Ratification,
accession (a),
notification of
succession (d)

<u>State</u>			
Kuwait	23 Jul 1969	a	
Lao People's Democratic Republic	3 Dec 1962	a	
Lebanon	16 Mar 1971		
Lesotho	26 Nov 1969	a	
Liberia	15 May 1962		
Libyan Arab Jamahiriya	7 Jun 1977	a	
Liechtenstein	8 May 1964		
Luxembourg	17 Aug 1966		
Madagascar	31 Jul 1963	a	
Malawi	19 May 1965	a	
Malaysia	9 Nov 1965	a	
Mali	28 Mar 1968	a	
Malta	7 Mar 1967	d	
Mauritania	16 Jul 1962	a	
Mauritius	18 Jul 1969	d	
Mexico	16 Jun 1965		
Mongolia	5 Jan 1967	a	
Morocco	19 Jun 1968	a	
Mozambique	18 Nov 1981	a	
Nauru	5 May 1978	d	
Nepal	28 Sep 1965	a	
Netherlands	7 Sep 1984	a	
New Zealand	23 Sep 1970		
Nicaragua	31 Oct 1975	a	
Niger	5 Dec 1962	a	
Nigeria	19 Jun 1967		
Norway	24 Oct 1967		
Oman	31 May 1974	a	
Pakistan	29 Mar 1962		
Panama	4 Dec 1963		
Papua New Guinea	4 Dec 1975	d	
Paraguay	23 Dec 1969	a	
Peru	18 Dec 1968	a	
Philippines	15 Nov 1965		
Poland	19 Apr 1965		
Portugal	11 Sep 1968	a	
Republic of Korea	28 Dec 1970		
Romania	15 Nov 1968		
Rwanda	15 Apr 1964	a	
San Marino	8 Sep 1965		
Sao Tome and Principe	3 May 1983	a	
Saudi Arabia	10 Feb 1981	a	
Senegal	12 Oct 1972		
Seychelles	29 May 1979	a	
Sierra Leone	13 Aug 1962	a	

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Somalia	29 Mar 1968 <u>a</u>
Spain	21 Nov 1967 <u>a</u>
Sri Lanka	2 Jun 1978
Sudan	13 Apr 1981 <u>a</u>
Swaziland	25 Apr 1969 <u>a</u>
Sweden	21 Mar 1967
Switzerland	30 Oct 1963
Syrian Arab Republic	4 Aug 1978 <u>a</u>
Thailand	23 Jan 1985
Togo	27 Nov 1970 <u>a</u>
Tonga	31 Jan 1973 <u>d</u>
Trinidad and Tobago	19 Oct 1965 <u>a</u>
Tunisia	24 Jan 1968 <u>a</u>
Turkey	6 Mar 1985 <u>a</u>
Tuvalu	15 Sep 1982 <u>d</u>
Uganda	15 Apr 1965 <u>a</u>
Ukrainian Soviet Socialist Republic	12 Jun 1964
Union of Soviet Socialist Republics	25 Mar 1964
United Arab Emirates	24 Feb 1977 <u>a</u>
United Kingdom of Great Britain and Northern Ireland	1 Sep 1964
United Republic of Tanzania	5 Nov 1962
United States of America	13 Nov 1972
Uruguay	10 Mar 1970
Venezuela	16 Mar 1965
Viet Nam	26 Aug 1980 <u>a</u>
Yugoslavia	1 Apr 1963
Zaire	19 Jul 1965

**B. Optional Protocol to the Vienna Convention on Diplomatic
Relations concerning Acquisition of Nationality of 1961**

<u>State</u>	<u>Ratification, accession (a)</u>
Argentina	10 Oct 1963
Belgium	2 May 1968 <u>a</u>
Botswana	11 Apr 1969 <u>a</u>
Burma	7 Mar 1980 <u>a</u>
Central African Republic	19 Mar 1973
Democratic Kampuchea	31 Aug 1965 <u>a</u>
Denmark	2 Oct 1968
Dominican Republic	14 Jan 1964
Egypt	9 Jun 1964 <u>a</u>
Finland	9 Dec 1969

<u>State</u>	<u>Ratification, accession (a)</u>
Gabon	2 Apr 1964 <u>a</u>
Germany, Federal Republic of	11 Nov 1964
Guinea	10 Jan 1968 <u>a</u>
Iceland	18 May 1971 <u>a</u>
India	15 Oct 1965 <u>a</u>
Indonesia	4 Jun 1982 <u>a</u>
Iran (Islamic Republic of)	3 Feb 1965
Iraq	15 Oct 1963
Italy	25 Jun 1969
Kenya	1 Jul 1965 <u>a</u>
Lao People's Democratic Republic	3 Dec 1962 <u>a</u>
Libyan Arab Jamahiriya	7 Jun 1977 <u>a</u>
Madagascar	31 Jul 1963 <u>a</u>
Malawi	29 Apr 1980 <u>a</u>
Malaysia	9 Nov 1965 <u>a</u>
Morocco	23 Feb 1977 <u>a</u>
Nepal	28 Sep 1965 <u>a</u>
Netherlands	7 Sep 1984 <u>a</u>
Niger	28 Mar 1966 <u>a</u>
Norway	24 Oct 1967
Oman	31 May 1974 <u>a</u>
Panama	4 Dec 1963 <u>a</u>
Paraguay	23 Dec 1969 <u>a</u>
Philippines	15 Nov 1965
Republic of Korea	7 Mar 1977
Sri Lanka	31 Jul 1978 <u>a</u>
Sweden	21 Mar 1967
Thailand	23 Jan 1985
Tunisia	24 Jan 1968 <u>a</u>
United Republic of Tanzania	5 Nov 1962
Yugoslavia	1 Apr 1963
Zaire	15 Jul 1976 <u>a</u>

C. Optional Protocol to the Vienna Convention on Diplomatic Relations
 concerning the Compulsory Settlement of Disputes of 1961

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Australia	26 Jan 1968 <u>a</u>
Austria	28 Apr 1966
Bahamas	17 Mar 1977 <u>a</u>
Belgium	2 May 1968
Botswana	11 Apr 1969 <u>a</u>

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Central African Republic	19 Mar 1973
Costa Rica	9 Nov 1964 <u>a</u>
Democratic Kampuchea	31 Aug 1965 <u>a</u>
Denmark	2 Oct 1968
Dominican Republic	13 Feb 1964
Ecuador	21 Sep 1964
Fiji	21 Jun 1971 <u>d</u>
Finland	9 Dec 1969
France	31 Dec 1970
Gabon	2 Apr 1964 <u>a</u>
Germany, Federal Republic of	11 Nov 1964
Guinea	10 Jan 1968 <u>a</u>
Iceland	18 May 1971 <u>a</u>
India	15 Oct 1965 <u>a</u>
Iran (Islam Republic of)	3 Feb 1965
Iraq	15 Oct 1963
Italy	25 Jun 1969
Japan	8 Jun 1964
Kenya	1 Jul 1965 <u>a</u>
Lao People's Democratic Republic	3 Dec 1962 <u>a</u>
Liechtenstein	8 May 1964
Luxembourg	17 Aug 1966
Madagascar	31 Jul 1963 <u>a</u>
Malawi	29 Apr 1980 <u>a</u>
Malaysia	9 Nov 1965 <u>a</u>
Malta	7 Mar 1967 <u>d</u>
Mauritius	18 Jul 1969 <u>d</u>
Nepal	28 Sep 1965 <u>a</u>
Netherlands	7 Sep 1984 <u>a</u>
New Zealand	23 Sep 1970
Niger	26 Apr 1966 <u>a</u>
Norway	24 Oct 1967
Oman	31 May 1974 <u>a</u>
Pakistan	29 Mar 1976 <u>a</u>
Panama	4 Dec 1963 <u>a</u>
Paraguay	23 Dec 1969 <u>a</u>
Philippines	15 Nov 1965
Republic of Korea	25 Jan 1977
Seychelles	29 May 1979 <u>a</u>
Sri Lanka	31 Jul 1978 <u>a</u>
Sweden	21 Mar 1967
Switzerland	22 Nov 1963
United Kingdom of Great Britain and Northern Ireland.....	1 Sep 1964
United Republic of Tanzania	5 Nov 1962
United States of America	13 Nov 1972
Yugoslavia	1 Apr 1963
Zaire	19 Jul 1965 <u>a</u>

D. Vienna Convention on Consular Relations of 1963

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Algeria	14 Apr 1964 <u>a</u>
Argentina	7 Mar 1967
Australia	12 Feb 1973
Austria	12 Jun 1969
Bahamas	17 Mar 1977 <u>d</u>
Bangladesh	13 Jan 1978 <u>d</u>
Belgium	9 Sep 1970
Benin	27 Apr 1979
Bhutan	28 Jul 1981 <u>a</u>
Bolivia	22 Sep 1970
Brazil	11 May 1967
Burkina Faso	11 Aug 1964
Cameroon	22 May 1967
Canada	18 Jul 1974 <u>a</u>
Cape Verde	30 Jul 1979 <u>a</u>
Chile	9 Jan 1968
China	2 Jul 1979 <u>a</u>
Colombia	6 Sep 1972
Costa Rica	29 Dec 1966
Cuba	15 Oct 1965
Cyprus	14 Apr 1976 <u>a</u>
Czechoslovakia	13 Mar 1968
Democratic People's Republic of Korea	8 Aug 1984 <u>a</u>
Denmark	15 Nov 1972
Djibouti	2 Nov 1978 <u>a</u>
Dominican Republic	4 Mar 1964
Ecuador	11 Mar 1965
Egypt	21 Jun 1965 <u>a</u>
El Salvador	19 Jan 1973 <u>a</u>
Equatorial Guinea	30 Aug 1976 <u>a</u>
Fiji	28 Apr 1972 <u>a</u>
Finland	2 Jul 1980
France	31 Dec 1970
Gabon	23 Feb 1965
Germany, Federal Republic of	7 Sep 1971
Ghana	4 Oct 1963
Greece	14 Oct 1975 <u>a</u>
Guatemala	9 Feb 1973 <u>a</u>
Guyana	13 Sep 1973 <u>a</u>
Haiti	2 Feb 1978 <u>a</u>
Holy See	8 Oct 1970
Honduras	13 Feb 1968 <u>a</u>
Iceland	1 Jun 1978 <u>a</u>

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
India	28 Nov 1977 <u>a</u>
Indonesia	4 Jun 1982 <u>a</u>
Iran (Islamic Republic of).....	5 Jun 1975
Iraq	14 Jan 1970 <u>a</u>
Ireland	10 May 1967
Italy	25 Jun 1969
Jamaica	9 Feb 1976 <u>a</u>
Japan	3 Oct 1983 <u>a</u>
Jordan	7 Mar 1973 <u>a</u>
Kenya	1 Jul 1965 <u>a</u>
Kiribati	2 Apr 1982 <u>d</u>
Kuwait	31 Jul 1975
Lao People's Democratic Republic	9 Aug 1973 <u>a</u>
Lebanon	20 Mar 1975
Lesotho	26 Jul 1972 <u>a</u>
Liberia	28 Aug 1984
Liechtenstein	18 May 1966
Luxembourg	8 Mar 1972
Madagascar	17 Feb 1967 <u>a</u>
Malawi	29 Apr 1980 <u>a</u>
Mali	28 Mar 1968 <u>a</u>
Mauritius	13 Mar 1970 <u>a</u>
Mexico	16 Jun 1965
Morocco	23 Feb 1977 <u>a</u>
Mozambique	18 Apr 1983 <u>a</u>
Nepal	28 Sep 1965 <u>a</u>
New Zealand	10 Sep 1974 <u>a</u>
Nicaragua	31 Oct 1975 <u>a</u>
Niger	26 Apr 1966
Nigeria	22 Jan 1968 <u>a</u>
Norway	13 Feb 1980
Oman	31 May 1974 <u>a</u>
Pakistan	14 Apr 1969 <u>a</u>
Panama	28 Aug 1967
Papua New Guinea	4 Dec 1975 <u>d</u>
Paraguay	23 Dec 1969 <u>a</u>
Peru	17 Feb 1978
Philippines	15 Nov 1965
Poland	13 Oct 1981
Portugal	13 Sep 1972 <u>a</u>
Republic of Korea	7 Mar 1977 <u>a</u>
[Republic of South Viet Nam] <u>18/</u>	10 May 1973 <u>a</u>
Romania	24 Feb 1972 <u>a</u>
Rwanda	31 May 1974 <u>a</u>
Sao Tome and Principe	3 May 1983 <u>a</u>

<u>State</u>	<u>Ratification, accession (a), notification of succession (d)</u>
Senegal	29 Apr 1966 <u>a</u>
Seychelles	29 May 1979 <u>a</u>
Somalia	29 Mar 1968 <u>a</u>
Spain	3 Feb 1970 <u>a</u>
Suriname	11 Sep 1980 <u>a</u>
Sweden	19 Mar 1974
Switzerland	3 May 1965
Syrian Arab Republic	13 Oct 1978 <u>a</u>
Togo	26 Sep 1983 <u>a</u>
Tonga	7 Jan 1972 <u>a</u>
Trinidad and Tobago	19 Oct 1965 <u>a</u>
Tunisia	8 Jul 1964 <u>a</u>
Turkey	19 Feb 1976 <u>a</u>
Tuvalu	15 Sep 1982 <u>d</u>
United Arab Emirates	24 Feb 1977 <u>a</u>
United Kingdom of Great Britain and Northern Ireland	9 May 1972
United Republic of Tanzania	18 Apr 1977 <u>a</u>
United States of America	24 Nov 1969
Uruguay	10 Mar 1970
Venezuela	27 Oct 1965
Yugoslavia	8 Feb 1965
Zaire	15 Jul 1976

E. Optional Protocol to the Vienna Convention on Consular Relations
concerning Acquisition of Nationality of 1963

<u>State</u>	<u>Ratification, accession (a)</u>
Belgium	9 Sep 1970 <u>a</u>
Denmark	15 Nov 1972
Dominican Republic	4 Mar 1964
Egypt	21 Jun 1965 <u>a</u>
Finland	2 Jul 1980
Gabon	23 Feb 1965 <u>a</u>
Germany, Federal Republic of	7 Sep 1971
Ghana	4 Oct 1963
Iceland	1 Jun 1978 <u>a</u>
India	28 Nov 1977 <u>a</u>
Indonesia	4 Jun 1982 <u>a</u>
Iran (Islamic Republic of)	5 Jun 1975 <u>a</u>
Iraq	14 Jan 1970 <u>a</u>
Italy	25 Jun 1969

<u>State</u>	<u>Ratification, accession (a)</u>
Kenya	1 Jul 1965 <u>a</u>
Lao People's Democratic Republic	9 Aug 1973 <u>a</u>
Madagascar	17 Feb 1967 <u>a</u>
Malawi	23 Feb 1981 <u>a</u>
Morocco	23 Feb 1977 <u>a</u>
Nepal	28 Sep 1965 <u>a</u>
Niger	21 Jun 1978 <u>a</u>
Norway	13 Feb 1980
Oman	31 May 1974 <u>a</u>
Panama	28 Aug 1967
Paraguay	23 Dec 1969 <u>a</u>
Philippines	15 Nov 1965 <u>a</u>
Poland	13 Oct 1981
Republic of Korea	7 Mar 1977 <u>a</u>
[Republic of South Viet Nam] <u>18/</u>	10 May 1973 <u>a</u>
Senegal	29 Apr 1966 <u>a</u>
Suriname	11 Sep 1980 <u>a</u>
Sweden	19 Mar 1974
Tunisia	24 Jan 1968 <u>a</u>

F. Optional Protocol to the Vienna Convention on Consular Relations
concerning the Compulsory Settlement of Disputes of 1963

<u>State</u>	<u>Ratification, accession (a)</u>
Australia	12 Feb 1973 <u>a</u>
Austria	12 June 1969
Belgium	9 Sep 1970
Burkina Faso	11 Aug 1964
Denmark	15 Nov 1972
Dominican Republic	4 Mar 1964
Finland	2 Jul 1980
France	31 Dec 1970
Gabon	23 Feb 1965
Germany, Federal Republic of	7 Sep 1971
Iceland	1 Jun 1978 <u>a</u>
India	28 Nov 1977 <u>a</u>
Iran (Islamic Republic of)	5 Jun 1975 <u>a</u>
Italy	25 Jun 1969
Japan	3 Oct 1983 <u>a</u>
Kenya	1 Jul 1965 <u>a</u>
Lao People's Democratic Republic	9 Aug 1973 <u>a</u>
Liechtenstein	18 May 1966
Luxembourg	8 Mar 1972
Madagascar	17 Feb 1967 <u>a</u>

<u>State</u>	<u>Ratification, accession (a)</u>
Malawi	23 Feb 1981 <u>a</u>
Mauritius	13 May 1970 <u>a</u>
Nepal	28 Sep 1965 <u>a</u>
New Zealand	10 Sep 1974
Niger	21 Jun 1978
Norway	13 Feb 1980
Oman	31 May 1974 <u>a</u>
Pakistan	29 Mar 1976 <u>a</u>
Panama	28 Aug 1967
Paraguay	23 Dec 1969 <u>a</u>
Philippines	15 Nov 1965
Republic of Korea	7 Mar 1977 <u>a</u>
[Republic of South Viet Nam] <u>18/</u>	10 May 1973 <u>a</u>
Senegal	29 Apr 1966 <u>a</u>
Seychelles	29 May 1979 <u>a</u>
Suriname	11 Sep 1980 <u>a</u>
Sweden	19 Mar 1974
Switzerland	3 May 1965
United Kingdom of Great Britain and Northern Ireland	9 May 1972
United States of America	24 Nov 1969

G. Convention on the Prevention and Punishment of Crimes
 against Internationally Protected Persons, including
 Diplomatic Agents of 1973

<u>State</u>	<u>Ratification, accession (a)</u>
Argentina	18 Mar 1982 <u>a</u>
Australia	20 Jun 1977
Austria	3 Aug 1977 <u>a</u>
Barbados	26 Oct 1979 <u>a</u>
Bulgaria	18 Jul 1974
Burundi	17 Dec 1980 <u>a</u>
Byelorussian Soviet Socialist Republic	5 Feb 1976
Canada	4 Aug 1976
Chile	21 Jan 1977 <u>a</u>
Costa Rica	2 Nov 1977 <u>a</u>
Cyprus	24 Dec 1975 <u>a</u>
Czechoslovakia	30 Jun 1975
Democratic People's Republic of Korea	1 Dec 1982 <u>a</u>
Denmark	1 Jul 1975
Dominican Republic	8 Jul 1977 <u>a</u>
Ecuador	12 Mar 1975
El Salvador	8 Aug 1980 <u>a</u>
Finland	31 Oct 1978

<u>State</u>	<u>Ratification, accession (a)</u>
Gabon	14 Oct 1981 <u>a</u>
German Democratic Republic	30 Nov 1976
Germany, Federal Republic of	25 Jan 1977
Ghana	25 Apr 1975 <u>a</u>
Greece	3 Jul 1984 <u>a</u>
Guatemala	18 Jan 1983
Haiti	25 Aug 1980 <u>a</u>
Hungary	26 Mar 1975
Iceland	2 Aug 1977
India	11 Apr 1978 <u>a</u>
Iran (Islamic Republic of)	12 Jul 1978 <u>a</u>
Iraq	28 Feb 1978 <u>a</u>
Israel	31 Jul 1980 <u>a</u>
Jamaica	21 Sep 1978 <u>a</u>
Jordan	18 Dec 1984 <u>a</u>
Liberia	30 Sep 1975 <u>a</u>
Malawi	14 Mar 1977 <u>a</u>
Mexico	22 Apr 1980 <u>a</u>
Mongolia	8 Aug 1975
Nicaragua	10 Mar 1975
Niger	17 Jun 1985 <u>a</u>
Norway	28 Apr 1980
Pakistan	29 Mar 1976 <u>a</u>
Panama	17 Jun 1980 <u>a</u>
Paraguay	24 Nov 1975
Peru	25 Apr 1978 <u>a</u>
Philippines	26 Nov 1976 <u>a</u>
Poland	14 Dec 1982
Republic of Korea	25 May 1983 <u>a</u>
Romania	15 Aug 1978
Rwanda	29 Nov 1977
Seychelles	29 May 1980 <u>a</u>
Sweden	1 Jul 1975
Switzerland	5 Mar 1985 <u>a</u>
Togo	30 Dec 1980 <u>a</u>
Trinidad and Tobago	15 Jun 1979 <u>a</u>
Tunisia	21 Jan 1977
Turkey	11 Jun 1981 <u>a</u>
Ukrainian Soviet Socialist Republic	20 Jan 1976
Union of Soviet Socialist Republics	15 Jan 1976
United Kingdom of Great Britain and Northern Ireland	2 May 1979
United States of America	26 Oct 1976
Uruguay	13 Jun 1978 <u>a</u>
Yugoslavia	29 Dec 1976
Zaire	25 Jul 1977 <u>a</u>

Notes

- 1/ United Nations Treaty Series, vol. 500, No. 7310, p. 95.
- 2/ Ibid., vol. 596, No. 8638, p. 261.
- 3/ General Assembly resolution 3166 (XXVIII), annex.
- 4/ The first note verbale was transmitted to the Permanent Representative of Turkey to the United Nations by a note verbale from the Secretary-General dated 21 January 1985 and circulated to all States under cover of a note verbale from the Secretary-General dated 24 January 1985.
- 5/ Transmitted to the Permanent Representatives of Greece, Italy and Turkey to the United Nations by notes verbales from the Secretary-General dated 9 July 1985 and circulated to all States under cover of a note verbale from the Secretary-General dated 12 July 1985.
- 6/ Transmitted to the Permanent Representative of Turkey to the United Nations by a note verbale from the Secretary-General dated 2 August 1985 and circulated to all States under cover of a note verbale from the Secretary-General dated 2 August 1985.
- 7/ Transmitted to the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations by a note verbale from the Secretary-General dated 2 April 1985 and circulated to all States under cover of a note verbale from the Secretary-General dated 8 April 1985.
- 8/ For the report of the Union of Soviet Socialist Republics dated 12 October 1984 see document A/39/456/Add.3.
- 9/ Transmitted to the Permanent Representative of Iraq to the United Nations by a note verbale from the Secretary-General dated 22 May 1985 and circulated to all States under cover of a note verbale from the Secretary-General dated 29 May 1985.
- 10/ Transmitted to the Permanent Representative of the United States to the United Nations by a note verbale from the Secretary-General dated 15 January 1985 and circulated to all States under cover of a note from the Secretary-General dated 24 January 1985.
- 11/ Circulated to all States under cover of a note verbale from the Secretary-General dated 10 May 1985.
- 12/ Transmitted to the Permanent Representative of Jordan to the United Nations by a note from the Secretary-General dated 15 January 1985 and circulated to all States under cover of a note verbale from the Secretary-General dated 24 January 1985.

Notes (continued)

13/ This incident has also been reported by the Permanent Representative of Jordan to the United Nations by a note verbale dated 27 July 1984, reproduced in document A/39/456.

14/ Transmitted to the Permanent Representatives of Canada and the Islamic Republic of Iran to the United Nations by notes verbales dated 21 June 1985 and circulated to all States under cover of a note verbale from the Secretary-General dated 25 June 1985.

15/ Transmitted to the Permanent Mission of Jordan by a note verbale dated 15 August 1985 and circulated to all States under cover of a note verbale from the Secretary-General.

16/ Transmitted to the Permanent Representative of India to the United Nations by a note verbale from the Secretary-General dated 19 June 1985 and circulated to all States under cover of a note verbale from the Secretary-General dated 13 June 1985.

17/ This report has also been circulated pursuant to Article 11 of the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents (see C.N. 163-1985.TREATIES-5 (Depositary Notification), dated 22 July 1985).

18/ At the time of preparing this document no indication had been received from the Government of the Socialist Republic of Viet Nam regarding its position with respect to a possible succession.

ANNEX

INTERNATIONAL LABOUR OFFICE
BUREAU INTERNATIONAL DU TRAVAIL
OFICINA INTERNACIONAL DEL TRABAJO

GB.230/19/4
230th Session

GOVERNING BODY
CONSEIL D'ADMINISTRATION
CONSEJO DE ADMINISTRACION

Geneva,
June 1985

Nineteenth item on the agenda

REPORT OF THE DIRECTOR-GENERAL

Second Supplementary Report

Declaration of the socialist countries on the
situation in the International Labour Organisation

1. On 29 March 1985, the Director-General received from H.E. Mr. Milos Vejvoda, Ambassador of Czechoslovakia, a communication forwarding a "Declaration of the socialist countries on the situation in the International Labour Organisation", signed by the Ambassadors of Bulgaria, the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, the Ukrainian SSR and the USSR.
2. On 26 April 1985, the Director-General sent Ambassador Vejvoda a communication enclosing a memorandum containing observations related to the above-mentioned Declaration.
3. The texts of those two communications are appended for the information of the members of the Governing Body.

Geneva, 29 April 1985.

/...

APPENDIX I

Geneva, 29 March 1985

Mr. Director-General,

On behalf of the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Czechoslovak Socialist Republic, the German Democratic Republic, the Hungarian People's Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, we are forwarding to you herewith the Declaration of the socialist countries on the situation in the International Labour Organisation in which the above-mentioned socialist countries defined their fundamental positions on the activities of the International Labour Organisation. We have been authorised, Mr. Director-General, to inform you that the text of the said Declaration had been agreed with the national trade union centres and organisations which, in the International Labour Organisation, represent the directors of socialist enterprises. May we at the same time, Mr. Director-General, request on behalf of the above-mentioned socialist countries that the Declaration be published and circulated as an official document of the International Labour Organisation.

Please accept, Mr. Director-General, the assurances of our highest consideration.

(Signed by the Ambassadors of the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Czechoslovak Socialist Republic, the German Democratic Republic, the Hungarian People's Republic, the Mongolian People's Republic, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics)

Mr. Francis Blanchard,
Director-General,
International Labour Office,
Geneva.

Declaration of the socialist countries on the situation
in the International Labour Organisation

(Translation from Russian)

The socialist countries which have co-sponsored this Declaration attach great importance to the promotion of international co-operation on issues within the ILO's competence. This has motivated their numerous specific proposals designed to achieve the aims and purposes of the ILO Constitution, as well as their desire to use this Organisation's potential for strengthening world peace and protecting workers' vital interests and rights. The ILO has drafted and adopted a number of Conventions and Recommendations serving, in general, the interests of workers and their trade unions. The Organisation is making a well-known contribution to the efforts of the international community to eliminate the odious system of apartheid. Some useful activities on a number of specific social and labour problems are being carried out. Yet, our overall assessment of the results of the activities of the ILO and of the Office's authorities remains negative; there is a need for a radical change in the Organisation's work.

Since their elaboration in 1919 the ILO's basic concept and structure have remained essentially unchanged. The Organisation virtually ignores the fact of admission of socialist and developing countries to its membership. By following its old course, the ILO in effect serves the interests of only one socio-political system, that of capitalism, in an attempt to impose its will and ways on other States.

The socialist countries are gravely concerned about the abnormal situation prevailing in the International Labour Organisation. The Organisation's activities, particularly in recent times, have been characterised by:

- a clear disregard for, and a playing down of, the importance of issues affecting workers' basic interests, above all the right to life and the right to work;
- attempts to use the Organisation for unseemly political ends against socialist and other progressive countries in order to interfere in their internal affairs;
- discrimination against socialist countries, making their full participation in ILO activities impossible; a number of politically biased decisions adopted by its bodies; an absence of necessary prerequisites and possibilities for equal co-operation of all countries and parties in the ILO.

All this results in subverting the ILO's universality and making its practical activities correspond ever less to the constitutional aims of the Organisation.

1. A steady growth in the non-socialist countries of the armies of the unemployed - both those who have lost their employment and those who have never even received a first employment - resulting in suffering, illness, hunger and despair, urgently calls for vigorous action on the part of the ILO without delay. The ILO's contribution in dealing with that problem remains, however, quite modest at best. The ILO activities in the field of employment are marked by a dispersal of efforts among numerous issues and projects of secondary importance. The World Employment Programme proclaimed a few years

ago has proved unable to produce a meaningful effect upon the solution of the employment problem in the non-socialist world.

The ILO has not succeeded either in an area where it would seem to have a duty to be the first to have its say, i.e., incorporating into a Convention the right to work, a fundamental right of workers long ago proclaimed by the United Nations in the 1948 Universal Declaration of Human Rights and the 1969 Declaration on Social Progress and Development and which was embodied in international law in the 1966 International Covenant on Economic, Social and Cultural Rights. The ILO has not so far sufficiently assisted the developing countries in the realisation of the right to work.

Nor has the ILO been active enough on such important issues as protecting workers' incomes against inflation and safeguarding trade union freedoms in enterprises controlled by the transnational corporations. Everything that has been done so far in these fields is of no assistance even in exposing the real causes behind the infringement of workers' rights and interests so as to help them to protect their rights.

Despite numerous proposals of the socialist countries, the above issues, so crucial for workers in an overwhelming majority of the ILO's member States, have not been the subject-matter of ILO Conventions, thus severely impairing the ILO's potential in attaining the purposes of its Constitution under present conditions.

2. Within its terms of reference, the International Labour Organisation should assist in dealing with the pressing problems of today, particularly by contributing to the preservation and consolidation of peace and international security, the prevention of nuclear disaster, and halting the arms race which places a heavy burden on workers' shoulders. We have witnessed recently, however, that the activities designed to promote peace and disarmament are being deliberately slowed down in the ILO. In particular, unlike other specialised agencies, the ILO has taken no appropriate action to promote the effective implementation of UN resolution A 38/188 J on the institutional arrangements relating to the process of disarmament and of other appropriate decisions and resolutions adopted both by the UN and the ILO itself.

The publication of a few articles on the socio-economic aspects of disarmament and the implementation of one study can hardly be considered as an adequate contribution to disarmament on the part of such a major international organisation as the ILO. ILO research on problems of peace and on the socio-economic aspects of disarmament require substantially increased resources. Pursuant to the resolution on the economic and social aspects of disarmament adopted by the ILO General Conference in 1981, the socialist countries put forward a proposal to develop a special ILO programme on the socio-economic aspects of disarmament which would provide a framework for analysing and disseminating available information, for holding international and regional conferences, symposia and seminars on the socio-economic aspects of disarmament. Despite the fact that the progressive forces had put forward appropriate proposals, neither the Governing Body nor the Director-General of the International Labour Office deemed it necessary to proceed with the implementation of the above-mentioned resolution.

At the same time, we have witnessed, especially in recent years, broad anti-war demonstrations by workers in many countries and their growing awareness of the danger of nuclear conflict. To ignore the views of millions of workers and of their trade union organisations on this cardinal issue of today, including the views expressed at ILO General Conferences, is to preclude the International Labour Organisation deliberately from expressing or even reflecting workers' interests.

The socialist countries expect that the ILO will make its due contribution to international co-operation in the interests of peace and disarmament, in particular in view of the proclamation by the United Nations of 1986 as the International Year of Peace, and that this will be reflected in particular in the preparatory work for the ILO General Conference.

3. Reactionary forces are using the Organisation for purposes of ideological diversion against the socialist countries and attempting to interfere in our internal affairs under the pretext of supervising compliance with ILO Conventions, going as far as demanding such changes in the political and social structures of the socialist countries that are unacceptable in the framework of international relations.

Although called upon to promote on an equal footing co-operation among countries with different social systems, the ILO has not only proved unable to secure conditions necessary for the attainment of that objective within its own structure but is even apparently becoming an instrument directed against such co-operation.

The unseemly role of the ILO has been particularly evident in respect of the Polish People's Republic. The Organisation has openly sided with the imperialist circles most hostile to socialist Poland and has become an instrument for gross interference in the internal affairs of Poland, an instrument for destabilising the situation in that country. Despite numerous warnings by the Polish Government, the governments of socialist and other countries about the serious consequences that the continued anti-Polish campaign might have for the ILO, the Governing Body took in November 1984 another decision hostile to Poland, which was supported essentially by the representatives of Western countries, employers and reformist trade unions. Consequently, the Polish Government had to announce its decision to withdraw from the ILO.

The discussion of the so-called "Polish question" in the ILO confirms that the structural and political crisis in this Organisation has deepened. Such actions, which place obstacles in the way of equal co-operation among States with different social and political systems, call into question the very nature of the Organisation and may well mark the beginning of its collapse.

As an expression of full solidarity and support for the position of the Polish People's Republic and for its actions to counter the anti-Polish campaign launched by the imperialist and other reactionary forces within the ILO, the socialist countries will take appropriate steps to oppose those forces and combat them resolutely so as to prevent them from using the Organisation as an instrument of anti-communism by distorting its objectives and directing its activities against the basic interests of the working masses of the socialist community and of the progressive forces of the world.

4. The socialist States and a number of other countries have on many occasions expressed their dissatisfaction with the composition and functioning of the ILO's so-called supervisory machinery entrusted with supervising the application of international labour standards. Instead of assisting member States in the effective application of international labour standards in a spirit of constructive co-operation and mutual understanding and dialogue, the so-called supervisory machinery is increasingly turning into a judicial body in respect of a certain group of countries. If implemented, the proposals of socialist countries on the restructuring of the so-called ILO supervisory machinery, submitted at the 1983 and 1984 Sessions of the Conference, would help to strengthen the elements of co-operation in the Organisation currently

overshadowed by the elements of confrontation, to improve and democratise that machinery and assure its credibility among all member countries.

However, the Director-General has completely ignored the positions of all those who spoke at the 70th Session of the International Labour Conference in favour of seeking ways to improve the functioning of the existing supervisory machinery.

We reject categorically the allegations that socialist countries are asking for special treatment in ILO "supervisory" bodies. We have consistently held that these bodies should be objective and unbiased in their activities, that they should recognise the realities of socialism and of the socio-political development of our countries and that they should not cast aspersions on our realities or the achievements of our social policy which is designed for the benefit of all working people. There is a striking contrast between approaches towards representations and complaints lodged against socialist States and those concerning imperialist States. Regardless of the subject under discussion, be it trade union pluralism or relations between trade unions and ruling parties, the former are in fact told to change the foundations of their social system, whereas gross violations of workers' rights in capitalist countries are either hushed up or cynically justified, as was the case, for instance, with the disbanding of the air traffic controllers' union in the United States.

Representatives of socialist countries are not admitted to such important bodies of the so-called ILO supervisory machinery as, for example, the Governing Body Committee on Freedom of Association.

5. The socialist countries are profoundly interested in changing the existing ILO structure and methods of work and bringing them into conformity with present-day political, social and economic realities.

The role of the General Conference as the ILO supreme body is currently played down, whereas the composition of the Governing Body is determined in violation of the principles of equality which are generally recognised in the UN system. For instance, private employers are using their majority to block participation in the Governing Body of representatives of enterprise managers from socialist countries. In this context, the organisations representing socialist enterprise managers express their profound concern over the fact that they are being denied the possibility of fully participating in ILO activities at all levels. The socialist countries will continue their efforts to ensure that the process of democratisation of the ILO structure involves the adoption of a package of decisions that would meet the concerns of all countries and parties concerned and take their legitimate interests into account.

6. National trade union organisations in socialist countries are deeply concerned about the stubborn reluctance of the Office management to contribute to the development of co-operation and understanding among trade union movements of different political tendencies. In their view, political bias alone lies behind the Secretariat's refusal to promote the dissemination of objective and truthful information about the role and place of trade unions in socialist society, their real participation in the management of the State at all levels and their rights and possibilities in socialist countries. Even a very modest proposal along these lines to hold an international seminar on the situation of trade unions in socialist countries is being resolutely opposed. Our national trade union organisations certainly have sufficient means, without recourse to the ILO, to reach world public opinion with true information about their activities. However, we are deeply convinced that it

is the duty of the Organisation towards countries and parties participating in its activities to protect them from slander and conjecture.

7. The system of geographical rotation is applied inconsistently in filling elected posts in ILO bodies, and clearly discriminates against socialist countries. It is contrary to logic that socialist countries are barred from chairing major committees of the General Conference and that they have never held the chairmanship of the Governing Body in all their years in the ILO. No similar situation can be found in any other organisation of the UN system.

The national trade union organisations of socialist countries are gravely concerned that their representatives are openly discriminated against in the ILO. Suffice it to point out in this context that socialist countries' trade unions are under-represented in ILO bodies and elected posts. No trade union representative from socialist countries has ever been elected to the vice-chairmanship of the International Labour Conference or of its committees.

If the ILO is to function normally, it is crucial that all of its bodies with a limited membership should have an equitable composition. However, this problem is far from being solved. The unbalanced composition of Industrial Committees is an obvious case in point. For many years the ILO has been discussing the question of changing the criteria for determining the composition of these Committees, but a fair and non-discriminatory system of seat distribution in Industrial Committees has yet to be adopted since Western countries are unwilling to give up their privileged position.

8. Nationals from a very limited group of Western countries hold key positions in the International Labour Office in violation of the principle of equitable geographical distribution generally recognised in the UN system. The ILO Director-General is adamant in refusing to take effective action to remedy this abnormal situation. The fact that Western countries are unjustifiably over-represented in the ILO inevitably leads to a certain political and ideological bias in ILO activities which does not reflect in a balanced way the legitimate interests and aspirations of the entire ILO membership. It is no accident that the wealth of experience that socialist countries have gained in solving social and labour problems is deliberately ignored in both the practical activities and the publications of the ILO. As a result, the ILO has increasingly become a tool for propagating and implanting Western models of social development, of so-called social partnership actively used to the detriment of the workers' basic interests. An Organisation which claims universality cannot tolerate such a situation, which should be remedied as soon as possible so as to ensure confidence towards its Secretariat among all member States.

9. The ILO should strive to develop equal co-operation among States with different social systems in various regions of the world.

Meanwhile, the Organisation's activities in the European region have been reduced to an extremely low level, although every ILO Member could greatly benefit from a co-operation among European countries, as they have accumulated considerable and varied experience in economic development and in dealing with social, labour and trade union problems. Numerous specific proposals made by European socialist countries to intensify those activities and to work out appropriate institutional arrangements to that end (the establishment of a European Advisory Committee) have yet to be incorporated in ILO programmes. And as far as the ILO decisions on regional co-operation are concerned, in particular those adopted by the Third European Regional Conference, they are being carried out in a lop-sided and unbalanced way and to the political advantage of the West. The above-mentioned socialist countries insist that

the ILO take specific measures with a view to developing constructive and equal co-operation among European countries.

10. An alarming aspect of ILO activities is its increased assistance to employers' organisations, which is inevitably detrimental to the needs of workers' organisations. Socialist countries hold that employers' organisations in the ILO must assume specific obligations to apply in their enterprises ILO social and labour standards aimed at improving the status of workers. Every attempt made in the ILO to ensure equal treatment of workers' and employers' problems runs counter to the spirit of its Constitution and the very raison d'être of the Organisation and raises the question as to which interests - labour or capital - the ILO is primarily serving today. The employers may also have their own special problems concerning the management and organisation of the work process, which may be and are in fact considered by the ILO, but this should not be done to the detriment of its main activities and, surely, not in the form of assistance to employers' organisations.

11. An ever-increasing share of the financial resources available to the ILO, including those from its regular budget, is being spent on technical co-operation programmes. However, policies pursued by the Office management in this major field of the Organisation's activities can only cause grave concern.

A trend endangering the economic independence of developing countries has recently begun to emerge more and more clearly in the ILO. This trend consists in giving preference to projects which encourage the activities in developing countries of Western private companies, above all the transnational corporations. In the field of technical assistance, the ILO is becoming increasingly dependent on the international financial institutions which are a tool of the neo-colonial policies pursued by imperialism in developing countries.

On the other hand, the participation of socialist countries in ILO technical assistance projects is being deliberately and artificially restricted. Under various contrived pretexts, the Office management has prevented the Organisation from applying the wealth of experience gained by socialist countries in their social and economic development and, in particular, from recruiting their experts.

The position of socialist countries on ILO technical assistance is widely known. They are in favour of such ILO activities in this area that help to promote the social and economic development of developing countries, and against subjecting their economies still further to the domination of monopolies of developed capitalist countries, above all the transnational corporations. ILO technical assistance should be closely linked to national social and economic development plans of developing countries.

The socialist countries are prepared to participate actively in ILO activities to provide technical assistance to developing countries on a fair basis within the framework laid down by the ILO Constitution.

12. The socialist countries, like many others, have repeatedly voiced their concern with the efficiency of the financial management of the Organisation. They are convinced that the ILO must take effective action to stabilise its budget, in order to achieve maximum streamlining and restraint in expenditure, particularly in administrative costs. The ILO's programmes, if tailored to present-day needs and requirements, could well be expanded and carried out within the available resources on the basis of a more flexible

reordering of the Organisation's priorities and discontinuance of obsolete and low-efficiency programmes.

*
* * *

The socialist countries demand that the ILO enhance the effectiveness of its work, concentrate on major social problems of vital importance to workers all over the world, establish truly equal and non-discriminatory co-operation among all States and parties in the social and labour fields and actively promote peace and disarmament.

Otherwise, the Organisation will stray further away from the path leading to the achievement of its main objectives, i.e. the improvement of workers' living and working conditions and the promotion of international co-operation in the social and labour fields; it will isolate itself even more from the broad masses of workers and will once and for all become a tool of unseemly political manipulations.

The socialist countries are fully prepared to co-operate in radically improving ILO activities so as to enable the ILO to implement effectively the aim of its Constitution.

APPENDIX II

26 April 1985

Dear Mr. Ambassador,

I refer to your letter dated 29 March 1985 with which you were good enough to forward to me a Declaration of the socialist countries signed by the Ambassadors of Bulgaria, Byelorussia, the GDR, Hungary, Mongolia, the Ukraine and the USSR, in addition to yourself.

As a number of issues raised in it go beyond the authority conferred upon me under the Constitution, because they touch upon the role of the Governing Body and the International Labour Conference and upon their respective powers of decision-making on ILO programmes and policies, I intend to communicate it, together with my comments thereon, for information to the Governing Body at its next session, in the form of an official supplementary report of the Director-General.

As regards the various substantive issues raised in the Declaration I should like to draw your attention to the explanations and comments in the note attached.

I should like to reiterate that the Office and myself stand ready to co-operate with all member States to pursue the high goals of the Organisation and to implement its programmes to the best of our ability.

Yours sincerely,

(Signed)

Francis Blanchard.

H.E. Mr. Milos Vejvoda,
Ambassador,
Permanent Mission of the Socialist
Republic of Chzechoslovakia,
9, chemin de l'Ancienne-Route,
1218 GRAND-SACONNEX,
Geneva.

/...

Observations related to the "Declaration of the
socialist countries on the situation in the
International Labour Organisation"

Memorandum prepared by the Director-General
of the International Labour Office

1. Employment

The Declaration says (extracts):

The ILO's contribution ... remains ... quite modest at best.

The ILO's activities in the field of employment are marked by a dispersal of efforts among numerous issues and projects of secondary importance.

The World Employment Programme ... has proved unable to produce a meaningful effect upon the solution of the employment problem in the non-socialist world.

What foundation is there for these allegations? It is, unfortunately, all too true that unemployment and underemployment remain at alarmingly high levels, in spite of the ILO's efforts. But it would be unrealistic to think that the ILO alone is going to solve a problem of this magnitude, which goes far beyond the capacities and resources of any single organisation.

What role, then, can the ILO realistically be expected to play?

(a) To mobilise political will to do
something about the problem

Its most effective means of doing this is through the Employment Policy Convention (No. 122) which requires ratifying governments "to declare and pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment". The Convention has been ratified by 69 countries, and the Committee of Experts on the Application of Conventions and Recommendations has, during the past few years (including this year), been paying particular attention to the extent to which these countries are giving effect to this obligation - through concrete policy measures as well as through declarations of good intentions - and has addressed searching questions to countries which do not appear to be doing so.

At its 70th (1984) Session, the International Labour Conference adopted a Recommendation concerning employment policy, which is intended to supplement the existing ILO standards on this subject, namely Convention No. 122 and its accompanying Recommendation No. 122.

As regards future action, concern at the extremely high proportion of young people among the unemployed prompted the decision of the ILO Governing Body at its 228th Session (November 1984) to place the question of youth on the agenda of the 1986 Session of the Conference for general discussion.

In the International Youth Year (1985) the ILO will publish a general survey of the needs and problems of young people in the field of work. The 1985 Conference discussion would enable suggestions to be put forward on concrete measures to be taken at the national level to combat youth

unemployment, particularly in developing vocational training and guidance and improving the efficiency of placement services.

The promotion of small and medium-sized undertakings will also be the subject of a general discussion at the 1986 Conference. In deciding this, the Governing Body stressed in particular the importance of the contribution of these enterprises to employment creation. They represent from 60 to 80 per cent of enterprises in the manufacturing and services sector in industrialised countries and up to 90 per cent in developing countries. The Conference discussion on this theme would provide an opportunity to evaluate national and international policies, programmes and projects in the field over the past decade, and suggest specific measures to encourage these enterprises.

Moreover, employment problems in the sectors concerned figure regularly on the agendas of major industrial committee-type and smaller meetings held under the ILO programme of industrial meetings.

(b) To draw attention to the nature and causes of the employment problem

The ILO has done this through a major effort of research and publications¹ which have drawn attention to the dimensions of the unemployment problem in different parts of the world and have assessed the effectiveness of different measures adopted by governments to overcome it.

Some examples:

- (i) It has reviewed the development plans, policies and programmes of governments of various developing countries to assess what impact they have had on employment and poverty, and how they might be reoriented to be more effective in dealing with these problems.
- (ii) It has assessed the efforts of countries to plan and forecast their manpower requirements for future development.
- (iii) It has paid particular attention to employment in rural areas. Neglect of agriculture - and of peasant agriculture in particular - has been and remains a root cause of unemployment and underemployment in the world. ILO studies have examined the effectiveness of different agrarian systems and different policies for rural industrialisation in offering jobs and incomes to the vast masses of the rural poor.
- (iv) It has analysed the interaction between population growth and employment.
- (v) It has paid particular attention to the special problems of women's employment.
- (vi) It has analysed the impact of different technologies on unemployment and drawn attention to the wide scope that exists for selecting technologies which are economically viable and utilise more labour.

¹ By headquarters and the regional employment teams.

- (vii) It has drawn attention to the problems of the informal sector where many millions of people are engaged in precarious economic activities outside the formal structure of the economy and to the means by which their incomes and living standards could be improved.
 - (viii) It has examined the international dimensions of the employment problem - international trade, financial and monetary policies and their impact on employment.
- (c) To assist in devising and executing policies and programmes which can create employment - in the short and long term

About one-third of the ILO's technical co-operation is directed at this goal. Activities include:

- assistance in drawing up and evaluating development plans that are geared to the objective of employment creation;
 - assistance in manpower planning and developing information on the labour market;
 - assistance in planning, organising and executing special public works programmes which provide jobs for hundreds of thousands of workers;
 - assistance in introducing viable labour-intensive technologies, particularly in road construction and maintenance;
 - assistance in developing employment and income-generating activities for particularly disadvantaged groups (such as women, refugees, unemployed youth);
 - assistance in devising programmes and policies for workers in the informal sector.
- (d) For the industrialised countries the ILO is currently working on four important areas of concern:
- youth unemployment;
 - working hours and employment;
 - international trade and adjustment policies;
 - new technologies and employment.

In the light of the above, it scarcely seems possible to assert that the ILO has "dispersed its efforts among numerous issues and projects of secondary importance". It has, on the contrary, attempted to direct its efforts at the crucial factors underlying today's serious employment problems.

(e) Right to work

The issue of adopting a Convention on the right to work was raised by representatives of socialist countries at the 1984 Conference. An overwhelming majority of the members of the Conference Committee on Employment

Policy did not support this initiative; they preferred a Recommendation to supplement existing instruments which gives guidance to governments on how employment should be promoted. This Recommendation does contain provisions concerning the right to work: e.g. "the promotion of full, productive and freely chosen employment provided for in the Employment Policy Convention and Recommendation, 1964, should be regarded as the means of achieving in practice the right to work" (paragraph 1).

2. Disarmament

A full discussion of the ILO's activities relating to disarmament took place in the International Organisations Committee at the November 1984 Session of the Governing Body.

Although representatives of socialist countries expressed dissatisfaction at the extent of the ILO's work and involvement in this field, others did not share that view.

The ILO's current research efforts in this field consist, in accordance with the Governing Body's decisions, of work on two topics (not one, as stated in the Declaration):

- (a) the effects of disarmament on employment and development in developing countries. An econometric model is being used to estimate these effects.
- (b) the problems of conversion of manpower from defence-related to civilian industries. A questionnaire has been sent to member States to obtain the necessary information and a number of case-studies will be carried out.

The possibility of holding conferences and symposia was mentioned by socialist countries in the IOC discussion. This might be useful at a later stage, but we first need to obtain and analyse the facts.

3. Alleged interference in the internal affairs of member States

As regards the assertions made in this section of the Declaration, reference is made to the Director-General's earlier communications to the Government of Poland and to the eight socialist countries on the subject, the contents of which were published in press releases issued at the time. The reply which the Director-General addressed most recently on 29 November 1984 to a letter dated 23 November 1984 from the eight socialist countries remains valid in this context. An extract from that reply is reproduced below.

No one attaches greater importance than I do to the universality of the International Labour Organisation. I therefore deeply regret the decision taken by Poland, a founding Member of the ILO, to give notice of its withdrawal from the Organisation. Moreover, after all the efforts in which I have been associated to prevent this outcome, I cannot accept the terms of your communication referring to 'actions hostile to Poland'.

The decision to ratify international labour Conventions is a matter for the sovereign appreciation of member States. When a government has freely decided to subscribe to a Convention, the inevitable result is that it becomes bound by a number of obligations in accordance with the Constitution.

In the present case the action taken by the Governing Body at its 228th Session was the final stage in a procedure resulting from an obligation to which Poland, as a Member of the ILO, had freely subscribed in ratifying Convention No. 87. As I have already had occasion to point out, the Governing Body's action merely involved taking note, in the context of article 29 of the Constitution, of the fact that the Commission of Inquiry established under article 26 of the Constitution had completed its work and that its report had been duly communicated to the Governing Body. The same procedure has been strictly followed in all other cases in which commissions of inquiry have been established by the Governing Body. I would, in addition, stress that the Constitution provides a means of challenging the legality of the procedure followed and the recommendations of a commission of inquiry by referring the matter to the International Court of Justice. Poland did not make use of this possibility.

I should add that under my supervision the officials of the ILO have in this matter strictly abided by their obligations under the Constitution of the International Labour Organisation, as well as under the declaration of loyalty they have made in accordance with the Staff Regulations.

In conclusion, may I say once more that I will continue to do everything in my power to maintain the universality of the Organisation, in keeping with its vocation to serve the whole of the international community with all due objectivity and respect for the rule of law.

4. Supervisory machinery

The majority of the speakers in the 1984 Conference discussion on international labour standards considered the existing procedures to be objective and effective and did not wish the question to be reopened. It is worth noting in this connection that a draft resolution submitted by the socialist countries at that session, concerning the establishment of a working party of the General Conference to undertake a thorough review of the supervisory system, was not adopted; subsequently the Governing Body, when fixing the terms of reference of the Working Party on International Labour Standards which it had decided to set up, did not deem it appropriate to include reference to the supervisory procedures in the Working Party's terms of reference.

The composition of the Committee of Experts on the Application of Conventions and Recommendations and that of the Committee on Freedom of Association have been examined on previous occasions by the Governing Body. The latter has considered the composition of those bodies as they now stand to be balanced and satisfactory. It is recalled that the Committee of Experts has three members from socialist countries, and that both the chairman and the reporter of that Committee are from developing countries.

It is inexact to state that the supervisory procedures have been used as a means of interference in the internal affairs of the socialist countries. These procedures are based on obligations accepted by member States under the ILO Constitution and on decisions taken by the Conference and the Governing Body. They operate in respect of all member States, whatever their political, economic or social system. In the last 25 years, for example, 13 complaints and 17 representations alleging non-observance of ratified Conventions have been received. Only one of these complaints and two of the representations have related to socialist countries, whereas the overwhelming proportion of these cases have concerned industrialised market-economy

countries or developing countries. The same is true of the large volume of complaints examined by the Committee on Freedom of Association.

As regards the question of the extent to which account should be taken in the supervisory procedures of particular economic and social systems, both the Committee of Experts and the Conference Committee on the Application of Conventions and Recommendations have taken the view that the evaluation of compliance with ratified Conventions must be carried out in a uniform manner for all States, irrespective of their economic or social system. Many speakers in last year's Conference discussion, from developed and developing countries alike, insisted that, in so far as the area of basic human rights is concerned, there is no place for flexibility either in the standards themselves or in supervising their implementation.

It is appropriate to recall the indications given in the report on international labour standards presented to the Conference in 1984 that, in cases where governments do not accept the conclusions reached by the ILO's regular supervisory bodies concerning compliance with ratified Conventions, the ILO Constitution provides for the possibility of obtaining a decision from the International Court of Justice. Consideration could be given to having recourse to this procedure in respect of selected cases in which the governments of socialist countries contest the views of ILO supervisory bodies. The important issues involved would thus be the subject of full examination by the world's highest judicial authority.

5. Structure

It is not for the Director-General to comment on the substance of the issues of structure which are being discussed among the constituents of the Organisation.

However, in recent years, and before very diverse audiences, the Director-General has repeatedly insisted on the need to complete, as soon as possible, what is known as the "package" of issues relating to the Constitution of the ILO so as to enable the Organisation to concentrate all its energy on the pressing social needs of the turn of the century.

He has welcomed the "Briki formula" since indeed this formula, which all parties agreed to include in the future Constitution, represents a decisive step towards general agreement on two fundamental provisions: representativity of the Governing Body, taking account of the various geographical, economic and social interests within its three groups; autonomy of the groups.

The Director-General has gladly accepted, in the same spirit, to fulfil the good offices which the Conference entrusted to him. It was a great encouragement that representatives of the various parties concerned accepted to meet with him. He is hopeful that with continued good will on both sides, these contacts will be carried to a successful result. For his part, he will spare no efforts to that end.

6. Alleged Secretariat resistance to East-West trade union co-operation

It is a constant concern of the ILO Secretariat to provide information about the role, place and activities of trade unions in socialist countries in Europe or elsewhere. Within the framework of its workers' education activities, the dissemination of such information has been achieved by a

variety of means, including the publication of articles, reports and news items in the ILO bulletin Labour Education. In this connection, it may be noted that the ILO has repeatedly invited trade union leaders and educators from the socialist countries to contribute to the bulletin their views and experiences on important aspects of workers' education. Although the response has so far not been encouraging, the ILO would, of course, still welcome any such material.

In response to the request made by the Third European Regional Conference, provision was included in the ILO programme and budget for 1982-83 and for 1984-85 for a number of country studies of the trade union situation and industrial relations in Europe. These studies have included two which were carried out in Hungary and Yugoslavia respectively. The study on Hungary was submitted to the Governing Body at its 225th Session (February-March 1984) and subsequently published. That on Yugoslavia was examined by the Governing Body at its 229th Session (February-March 1985), which also authorised its publication.

As regards the proposal to hold an international seminar on the situation of trade unions in socialist countries, the ILO stands ready, as in the case of the four meetings of East-West European trade unions held in the past, to provide all possible technical assistance and facilities, if and when all the parties concerned agree to hold such a seminar within the framework of the ILO.

7. Filling of elective posts and distribution of seats in the ILO bodies

General Conference

As regards the officers of the Conference and of Conference committees (Governments), in each of the years from the mid-sixties to 1984 a representative of a socialist country has held office as Government Vice-President of the Conference; in addition, the chairmanship of one technical committee of the Conference is regularly held by a representative of a socialist country.

The presidency of the 50th (1966) Session of the Conference was held by Poland.

As regards the Workers' group of the Conference, since the early 1970s the USSR Workers' delegate has regularly been elected by the Workers' group of the Conference Vice-Chairman of the Workers' group of the Conference. Moreover, the Hungarian Workers' delegate has regularly been elected to a seat on the Bureau of the Workers' group.

Governing Body

In the Governing Body, the chairmanship of its International Organisations Committee (or one out of the nine committees) has been held throughout the period 1972-84 by a representative of a socialist country. The chairmanship of the Industrial Activities Committee of the Governing Body is now held by a representative of a socialist country.

Industrial Committees

As at 1 January 1984, 35 out of the total number of 345 seats making up the composition of the 13 Industrial and analogous Committees were held by the

socialist countries, or 10 per cent of the total number of seats available. Since 1969, eight meetings of Industrial and analogous Committees out of a total number of 46 have been chaired by representatives of socialist countries, i.e. 18 per cent.

8. Staffing

With reference to the statement that "nationals from a very limited group of Western countries hold key positions in the ILO in violation of the principle of equitable geographical distribution ...", it may be noted that the breakdown by region of the 82 positions held at the D.1 and D.2 levels is as follows: Africa 14; Americas 13; Asia 17; Eastern Europe 3; Western Europe 34; Middle East 1. At the directorate level, one position of Assistant Director-General is held by a USSR national.

It is a fact that the number of USSR nationals on the staff is less than that to which its budgetary contribution would entitle it. The USSR is not alone in this situation: the countries which are un- or under-represented number 59 and include the United States and Japan - also leading contributors to the ILO budget. The Director-General is doing his utmost to lower this figure, taking account of the programme needs of the Office and considerations of geographical distribution.

In 1984, seven USSR nationals were appointed out of a total of 35 recruitments, or 20 per cent. That being said, as indicated above the Director-General is fully alive to the need to increase the level of nationals coming from under-represented countries in the Organisation and will pursue his efforts to that end, to the extent that budgetary resources enable him to do so.

9. Lack of East-West co-operation

Proposals made by the socialist countries at the Third European Regional Conference were fully considered, as were all other proposals, and taken into account in the unanimously adopted conclusions of the conference.

As regards implementation of the decisions of the Third European Regional Conference, these were taken into account when the Governing Body took decisions on the ILO's programme and budget. Thus, four studies on trade union situations and industrial relations in Hungary, Norway, Spain and Yugoslavia have been completed and considered by the Governing Body. Furthermore, a successful meeting on "Implications of New Technologies for Work Organisation and Occupational Safety and Health in Industrialised Countries" with participation from market economy and centrally planned industrialised countries was held in Geneva this month. This is another follow-up of the European Regional Conference.

A tripartite advisory meeting on the integration of youth into working life is in accordance with the wishes of the Regional Conference and will be held later this year.

In addition, the Governing Body decided to include provision for the Fourth European Regional Conference in the draft programme and budget for 1986-87.

The proposal concerning the establishment of a European Advisory Committee is subject to discussion and decision by the Governing Body. However, agreement concerning such an Advisory Committee has not yet been

reached. This has not impaired consultations among European members of the Governing Body.

10. Assistance to employers' organisations in developing countries

The ILO has a constitutional obligation to promote industrial harmony and higher production efficiency which will contribute to economic development and, ultimately, to the attainment of social justice. In order to fulfil these obligations, the concerted efforts of governments, workers and employers are indispensable. This is why the ILO's activities are always based on the unique system of tripartism. For the tripartite system to function well, the existence of strong and responsible organisations of workers and employers is a prerequisite: so it can be said that the ILO has an equal obligation under its Constitution to help all three social partners to enable them to carry out their respective roles.

ILO assistance to employers is limited to employers' organisations in developing countries. These organisations are faced with a bigger challenge than their predecessors in industrialised countries, for example, at the beginning of this century. The economic, social and political atmosphere of today is much more tense and acute than it was in those days.

The Employers' group has never asked for equal treatment between ILO assistance to workers and to employers in terms of quantity. They recognise that workers' needs are much greater, and fully support ILO assistance to workers throughout the world.

Under the ILO Programme of Assistance to Employers, various meetings, seminars, advisory services and fellowships are provided. Emphasis is placed on such fields as good labour-management relations, improvement of occupational safety and health, workers' welfare, amelioration of the environment, development of small enterprises and the promotion of the application of international labour standards. In short, the target is to help and enable employers in developing countries to accept the social standards established by the ILO in their own enterprises and contribute to the social development of their countries.

11. Technical co-operation

The use of regular budget technical co-operation (RBTC) funds is in accordance with the criteria approved by the Governing Body. These criteria emphasise ILO concerns, especially tripartism and assistance to employers' and workers' organisations and improvement of working conditions, and project development generally, particularly the development of projects of a pronounced social character.

The use of RBTC funds is regularly reviewed by the Governing Body.

All technical assistance projects are projects prepared in co-operation with developing countries or in specific response to their expressed needs.

ILO technical co-operation is financed largely by UNDP and multi-bilateral funds. The figures on technical co-operation expenditure for 1984 show the following picture.

<u>Total expenditure</u>	\$83.37 million
of which:	
UNDP (45.8 %)	\$38.15 million
Multi-bilateral and trust funds (38.8%)	\$32.39 million
UNFPA (5.3%)	\$ 4.40 million
RBTC (10.1%)	\$ 8.43 million

International financial institutions like the World Bank do not finance ILO technical co-operation projects directly. These institutions give loans to governments of developing countries for specific investment projects. The developing countries, in turn, seek ILO assistance wherever necessary. Thus, the ILO and the developing country reach agreements (funds-in-trust) on what specific technical services will be provided to meet the country's needs within the framework of the investment project.

During 1984, ILO technical co-operation expenditure on such funds-in-trust projects was about \$4 million or 5 per cent of total technical co-operation expenditure.

ILO technical co-operation with developing countries is invariably linked with national economic and social development plans and the priorities expressed in them. The proposals for technical co-operation are initiated by the government, designed jointly by the government and the ILO as required, and implemented by the government with ILO as the implementation partner. This approach is followed in all technical co-operation projects irrespective of the source of funds - whether UNDP, or multi-bilateral or funds-in-trust.

The final decisions on the size of each technical co-operation project, its components and the ILO experts and consultants who will be engaged to assist in their implementation are thus taken by the governments of developing countries.

12. Efficient use of budgetary resources

Substantial and tangible progress has been made in streamlining operations and optimising efficiency in the use of the Organisation's resources. As stated in the Preface to the Programme and Budget for 1984-85, the current biennial budget is in real terms some 8 per cent below that of ten years ago. Yet, the number of member States has markedly increased since then and additional demands have been made on the budget or the Organisation. Thus, for example, despite the 8 per cent drop, the budget has to accommodate new language services in Arabic and Chinese for a total cost currently estimated at around \$6 million. In other words, the ILO is today able to do more than ten years ago with substantially less resources, including a drop in staff resources which in 1984-85 are some 460 work-years less than in 1974-75 (all sources of funds). These facts by themselves provide a clear indication of major improvements in productivity and efficiency.

These improvements in the efficient use of resources are particularly noticeable in terms of administrative costs. By comparison with the budget originally approved for 1978-79, the resources of the administrative and support programmes have declined in real terms by an average of some 20 per cent. Examples of improved administrative efficiency abound. For example,

printing services today operate with exactly half the number of staff of a few years ago (24 officials instead of 48) despite a 27 per cent increase in the number of printed pages. Thanks to a better use of modern heat recuperation techniques, energy consumption for the ILO building in Geneva has been halved by comparison with its level when the ILO first moved into the building. The staff of the Personnel Department has declined by 35 officials (118 officials in 1976 as compared with 83 in 1984) despite the increase in the number of member States and in the complexities of personnel management in the international context. Similar examples may be given with regard to the major programmes responsible for the financial services, the editorial and document services, the information system and the relations and meetings services.

Naturally, efforts to seek further improvements in productivity wherever these may still be identified will be continued.
