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

Report of the Secretary-General

Addendum

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A. Reports received from States pursuant to paragraph 9 of General Assembly resolution 42/154

1. Note verbale from the Permanent Mission of Chile to the United Nations addressed to the Secretary-General

[Original: Spanish]

[6 October 1988]

1. The Permanent Mission of Chile to the United Nations ... has the honour to refer to your note LA/COD/4/88, concerning subparagraph 10 (d) of resolution 42/154, regarding serious violations of the protection, security and safety of diplomatic and consular missions and representatives, as well as missions and representatives with diplomatic status to international intergovernmental organizations.

2. In that regard, I wish to inform you that the following serious violations of the protection, security and safety of Chilean diplomatic and consular missions and representatives abroad took place between 1 July 1987 and 30 June 1988:

I

1. Time, date and location of reported violation

11 September 1987 (night).

2. Characteristics of the reported violation

Attack on the Diplomatic Mission by a group of approximately 400 persons, insults directed at the Government and Ambassador and incitement to aggression.

The demonstrators twice attacked the Embassy of Chile in Argentina.

3. Mission(s) of representative(s) against whom the reported violation was directed

Embassy of Chile in Argentina.

4. Casualties sustained and damage caused by the reported violation

Eleven broken windows and extensive damage to the ground floor, gardens, outer walls, lights, and damage to the television camera.

During the second attack, some federal policemen who were guarding the Embassy were injured.

5. Name, nationality, place of habitual or permanent residence of the alleged offender(s) and other available information regarding the identity of such offender(s)

Among those actively demonstrating were the Chilean national Rolando Calderón and the Unión Cívica Radical Party Deputy Hugo Piucill.

6. Devices and means used for carrying out the reported violation

Stones, bricks and other means such as paint of various colours and incendiary bombs.

7. Accomplices of the alleged offender(s)

Chileans and Argentines.

8. Measures taken to apprehend and to bring the alleged offender(s) to justice

The Argentine Federal Police intervened only during the second attack on the Embassy.

9. Final outcome of the proceedings against the offender(s)

Various Argentines and Chileans were arrested and held pending proceedings before a federal judge.

10. Assistance of other States directly concerned in connection with the proceedings brought in respect of the offence(s) committed

-

11. Measures adopted with a view to preventing a repetition of the reported violation

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12. Other relevant information

On 11 September 1987 demonstrations took place in various Argentine cities against our diplomatic missions, promoted for the most part by the Chile Democrático movement.

II

1. Time, date and location of reported violation

25 August 1987 (midday).

2. Characteristics of the reported violation

A group of 20 persons entered the Consulate while work was being carried out, at a time when the guard was being changed.

3. Mission(s) or representative(s) against whom the reported violation was directed

Chilean Consulate General in Amsterdam.

4. Casualties sustained and damage caused by the reported violation

The damage was minimal.

5. Name, nationality, place of habitual or permanent residence of the alleged offender(s) and other available information regarding the identity of such offender(s)

The group of 20 persons included five or six Chileans.

6. Devices and means used for carrying out the reported violation

Blunt instruments and other devices for forcing doors.

7. Accomplices of the alleged offender(s)

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8. Measures taken to apprehend and to bring the alleged offender(s) to justice

They were ejected by the police.

9. Final outcome of the proceedings against the offender(s)

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10. Assistance of other States directly concerned in connection with the proceedings brought in respect of the offence(s) committed

-

11. Measures adopted with a view to preventing a repetition of the reported violation

-

12. Other relevant information

The demonstrators succeeded in violently ejecting the Consul and Secretaries.

III

1. Time, date and location of reported violation

24 November 1987, at 11 a.m.

2. Characteristics of the reported violation

A group of 50 persons attempted to storm the Consulate, and succeeded in occupying the garden in front of the public ante-room.

3. Mission(s) or representative(s) against whom the reported violation was directed

Chilean Consulate General in Tacna, Peru.

4. Casualties sustained and damage caused by the reported violation

-

5. Name, nationality, place of habitual or permanent residence of the alleged offender(s) and other available information regarding the identity of such offender(s)

Peruvians.

6. Devices and means used for carrying out the reported violation

-

7. Accomplices of the alleged offender(s)

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8. Measures taken to apprehend and to bring the alleged offender(s) to justice

-

9. Final outcome of the proceedings against the offender(s)

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10. Assistance of other States directly concerned in connection with the proceedings brought in respect of the offence(s) committed

-

11. Measures adopted with a view to preventing a repetition of the reported violation

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12. Other relevant information

The demonstrators were striking employees of the Peruvian Ministry of Transport and were demanding to be seen by the Consul with a view to requesting him to intercede with the Peruvian political authorities.

IV

1. Time, date and location of reported violation

16 August 1987, at 4 p.m., private residence.

2. Characteristics of the reported violation

Armed robbery.

3. Mission(s) or representative(s) against whom the reported violation was directed

Private residence of the Chilean Naval Attaché in Brazil.

4. Casualties sustained and damage caused by the reported violation

Very few articles were stolen.

5. Name, nationality, place of habitual or permanent residence of the alleged offender(s) and other available information regarding the identity of such offender(s)

Two armed individuals.

6. Devices and means used for carrying out the reported violation

Pistols and knives.

7. Accomplices of the alleged offender(s)

-

8. Measures taken to apprehend and to bring the alleged offender(s) to justice

The police were notified.

9. Final outcome of the proceedings against the offender(s)

Not available.

10. Assistance of other States directly concerned in connection with the proceedings brought in respect of the offence(s) committed

11. Measures adopted with a view to preventing a repetition of the reported violation

-

12. Other relevant information

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V

1. Time, date and location of reported violation

3 November 1987.

2. Characteristics of the reported violation

Theft, on the public highway, of the official automobile of the Ambassador of Chile to El Salvador.

3. Mission(s) or representative(s) against whom the reported violation was directed

Embassy of Chile in El Salvador.

4. Casualties sustained and damage caused by the reported violation

In addition to stealing the official automobile, the robbers beat the driver.

5. Name, nationality, place of habitual or permanent residence of the alleged offender(s) and other available information regarding the identity of such offender(s)

Presumed to be guerrillas.

6. Devices and means used for carrying out the reported violation

Firearms.

7. Accomplices of the alleged offender(s)

-

8. Measures taken to apprehend and to bring the alleged offender(s) to justice

-

9. Final outcome of the proceedings against the offender(s)

Not available.

10. Assistance of other States directly concerned in connection with the proceedings brought in respect of the offence(s) committed

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11. Measures adopted with a view to preventing a repetition of the reported violation

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12. Other relevant information

The violation took place in the very centre of the capital while the Ambassador was visiting the Central Reserve Bank on business. The theft took place during a general public transport stoppage.

VI

1. Time, date and location of reported violation

29 November 1987, at 7 p.m.

2. Characteristics of the reported violation

Theft of a Minister-Counsellor's private automobile, while he was on holiday in Santiago.

3. Mission(s) or representative(s) against whom the reported violation was directed

Mr. Lionel del Solar Correa, Minister-Counsellor, Embassy of Chile in Paraguay.

4. Casualties sustained and damage caused by the reported violation

-

5. Name, nationality, place of habitual or permanent residence of the alleged offender(s) and other available information regarding the identity of such offender(s)

One individual.

6. Devices and means used for carrying out the reported violation

A revolver.

7. Accomplices of the alleged offender(s)

-

8. Measures taken to apprehend and to bring the alleged offender(s) to justice

-

9. Final outcome of the proceedings against the offender(s)

Not available.

10. Assistance of other States directly concerned in connection with the proceedings brought in respect of the offence(s) committed

-

11. Measures adopted with a view to preventing a repetition of the reported violation

-

12. Other relevant information

The individual approached the Minister's residence with the intention of inspecting the vehicle, which was for sale, and taking it to a mechanic of his acquaintance for examination.

The Minister's wife and one of his daughters accompanied the stranger to the alleged workshop; during the journey the individual produced a weapon and threatened the Minister's wife and daughter, who abandoned the vehicle.

Prior to the event, a number of telephone calls concerning the sale of the car had been received from individuals who did not identify themselves.

2. Note verbale from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

[Original: English]

[5 October 1988]

The Permanent Representative of Greece to the United Nations ... in accordance with General Assembly resolution 42/154 of 7 December 1987, paragraph 9, has the honour to report the following:

1. On 28 June 1988, at 0802 hours, in front of No. 76 Deliyanni Street (Kefalari-Kifissia, Athens) a parked automobile, loaded with explosives, blew up when the bullet-proof car, make Ford Granada 203, registration plates YAM 1727, driven by Captain William Edward Nordeen, Naval Attaché of the United States Embassy in Athens, passed by it. The driver was on his way to his office. Due to the explosion, Captain Nordeen died immediately, a passer-by was slightly injured and both the trapped and the Embassy cars were destroyed. A number of windows in the vicinity were also smashed.

2. The perpetrators probably detonated the explosives by a remote control device.
3. The trapped car was stolen and carried counterfeit plates.
4. The perpetrators were at least two and left the site at once on a stolen motorcycle, with registration plates No. YAM 217, after having committed their act.
5. The responsibility of the criminal attack has been assumed by the "Revolutionary Organisation 17 November".
6. The perpetrators have not yet been identified by the investigating authorities.
7. Greek Police Authorities have strengthened measures of prevention of attacks on similar targets.

3. Note verbale from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

[Original: French]

[5 October 1988]

1. The Permanent Representative of Lebanon to the United Nations ... with reference to letter LA/COD/4 of 1 July 1988 concerning General Assembly resolution 42/154 entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives", has the honour to inform the Secretary-General that the Lebanese authorities, pursuant to paragraph 9 of the resolution, have taken important steps during this year to put an end to the state of insecurity which has been affecting diplomatic and consular missions and their personnel.
2. However, two incidents took place last February:
 - (a) On 21 February 1988 the residence of the Ambassador of Côte d'Ivoire was damaged by two hand-grenades;
 - (b) On 22 February 1988 the Chancellery of the Moroccan Mission was looted.
3. As a result of these two incidents, the security services have taken action to strengthen the existing measures in order to prevent similar incidents in the future.

4. Note verbale from the Permanent Representative of New Zealand to the United Nations addressed to the Secretary-General

[Original: English]

[30 September 1988]

1. The Permanent Representative of New Zealand to the United Nations ... has the honour to refer to ... note LA/COD/4 of 31 March 1988 concerning General Assembly resolution 42/154 of 7 December 1987.

2. The Permanent Representative of New Zealand wishes to advise the Secretary-General that New Zealand has no violations of the kind referred to in paragraph 9 (a) of the resolution to report for the 12 months preceding the date of this note.

B. Views received from States pursuant to paragraph 11 of General Assembly resolution 42/154

Ukrainian Soviet Socialist Republic

[Original: Russian]

[11 October 1988]

1. The Ukrainian SSR has repeatedly stated its conviction that strict and thorough compliance by all States with the generally accepted rules and principles of diplomatic and consular law is a reliable and effective guarantee of the maintenance of normal inter-State relations, including relations within international organizations. Under contemporary international law, the fundamental responsibility for ensuring normal working conditions for embassies and consulates rests primarily with the receiving State; this implies the adoption of timely measures to curtail hostile acts against missions and to punish the perpetrators of such acts. Unfortunately, it must be said that some States disregard their obligations in this respect. For example, acts designed to complicate the normal functioning of the Mission of the Ukrainian SSR to the United Nations in New York are still being committed. There are other instances of flagrant violation of the diplomatic status of personnel which indicate that the question of the adoption of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives is still an urgent one. We feel that this question should remain within the purview of the General Assembly.

2. Since this question is part of the larger problem of improving diplomatic and consular relations as a whole, we think that efforts should be focused on: (1) the strengthening of existing international treaties in this field, in particular the 1961 Vienna Convention on Diplomatic Relations; (2) the encouragement of the entry into force of existing agreements, such as the 1975 Vienna Convention on the Representation of States in Their Relations With International Organizations of a Universal Character; (3) the further codification and progressive development of the rules of diplomatic law.