

**41/78. Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives**

*The General Assembly,*

*Having considered the report of the Secretary-General,<sup>25</sup>*

*Emphasizing the important role of diplomatic and consular missions and representatives, as well as of missions and representatives to international intergovernmental organizations and officials of such organizations, in the maintenance of international peace and the promotion of friendly relations among States and also the need for enhancing global understanding thereof,*

*Convinced that respect for the principles and rules of international law governing diplomatic and consular relations, in particular those aimed at ensuring the inviolability of diplomatic and consular missions and representatives, is a basic prerequisite for the normal conduct of relations among States and for the fulfilment of the purposes and principles of the Charter of the United Nations,*

*Deeply concerned at the continued large number of failures to respect the inviolability of diplomatic and consular missions and representatives, and at the serious threat presented by such violations to the maintenance of normal and peaceful international relations, which are necessary for co-operation among States,*

*Alarmed by the increase of acts of violence against diplomatic and consular representatives, as well as against representatives to international intergovernmental organizations and officials of such organizations, which endanger or take innocent lives and seriously impede the normal work of such representatives and officials,*

*Expressing its sympathy for the victims of illegal acts against diplomatic and consular representatives and missions, as well as against representatives and missions to international intergovernmental organizations and officials of such organizations,*

*Emphasizing the duty of States to take all appropriate steps, as required by international law*

(a) To protect the premises of diplomatic and consular missions, as well as of missions to international intergovernmental organizations,

(b) To prevent any attacks on diplomatic and consular representatives, as well as on representatives to international intergovernmental organizations and officials of such organizations,

(c) To apprehend the offenders and to bring them to justice,

*Noting that, in spite of the call by the General Assembly at its previous sessions, not all States have yet become parties to the relevant conventions concerning the inviolability of diplomatic and consular missions and representatives,*

*Having considered the survey,<sup>26</sup> prepared by the Secretary-General, of the operation of the reporting procedures provided for in paragraph 9 of General Assembly resolution 40/73 of 11 December 1985,*

*Noting the suggestions made in the survey for strengthening those procedures.*

*Convinced that the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in later Assembly resolutions, as well as in the survey of the Secretary-General, are im-*

*portant steps in the efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives.*

*Desiring to maintain and further strengthen those reporting procedures,*

1. *Takes note* of the report of the Secretary-General;

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, and emphasizes that such acts can never be justified;

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. *Calls upon* States to take all necessary measures at the national and international levels to prevent any 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, and, in accordance with national law and international treaties, to prosecute or extradite those who perpetrate such acts;

6. *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;

7. *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;

8. *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;

9. *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, as well as missions and representatives with diplomatic status to international intergovernmental organizations;

(b) The States in which the violation took place—and, to the extent possible, the State 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 out-

<sup>25</sup> A/41/547 and Add.1-4

<sup>26</sup> A/41/547, annex.

come of the proceedings against the offender, and on measures adopted with a view to preventing a repetition of such violations;

10. *Requests* the Secretary-General:

(a) To circulate to all States, upon receipt, the reports received by him pursuant to paragraph 9 above, unless the reporting State requests otherwise;

(b) To draw the attention, when appropriate, of the States directly concerned to the reporting procedures provided for in paragraph 9 above, when a serious violation has been reported pursuant to paragraph 9 (a) above;

(c) To address reminders to States where such violations have occurred and have been reported, if no follow-up report has been made pursuant to paragraph 9 (b) above by such States within a reasonable period of time;

(d) To send, in due time before the issuance of his yearly report on the present item, a circular note to all States requesting them to indicate whether they have any such violations, as referred to in paragraph 9 (a) above, to report for the preceding twelve months;

11. *Requests* the Secretary-General to prepare guidelines embodying the relevant questions that States may wish to consider when reporting; the guidelines shall be circulated to all States with a view to strengthening the reporting procedures provided for in paragraph 9 above;

12. *Also 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;

13. *Further requests* the Secretary-General to submit to the General Assembly at its forty-second session a report containing:

(a) Information on the state of ratification of, and accessions to, the instruments referred to in paragraph 7 above;

(b) The reports received and views expressed pursuant to paragraphs 9 and 12 above;

14. *Invites* the Secretary-General to submit to the General Assembly at its forty-second session any views he may wish to express on the matters referred to in paragraphs 11 and 13 above;

15. *Decides* to include in the provisional agenda of its forty-second 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".

95th plenary meeting  
3 December 1986

#### 41/79. Twenty-fifth anniversary of the Vienna Convention on Diplomatic Relations

*The General Assembly,*

*Convinced* that the development of diplomatic relations in accordance with norms of international law and the purposes and principles of the Charter of the United Nations is an important factor in building confidence, developing co-operation among States and strengthening international peace and security,

*Convinced* that the Vienna Convention on Diplomatic Relations of 1961<sup>27</sup> has been widely recognized as the most authoritative and universal of the international treaties codifying the norms of international law governing diplomatic relations,

*Confirming* the importance it attaches to the strict compliance by States with their obligations under the Convention,

*Concerned*, at the same time, at still persistent cases of non-compliance with obligations under the Convention,

*Expressing particular concern* at the terrorist acts committed against diplomatic missions and representatives and at infringements of their inviolability,

*Recalling* that, in accordance with the Convention, without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State,

1. *Reaffirms its conviction* that the Vienna Convention on Diplomatic Relations has played, for over twenty-five years, and will continue to play an essential role in promoting co-operation and understanding among States, in creating normal conditions for the activities of diplomatic missions and representatives and in the progressive development of international law in this field;

2. *Notes with satisfaction* that at present one hundred and forty-nine States are parties to the Convention;

3. *Recommends* to States that have not yet become parties to the Convention to consider doing so at an early date;

4. *Stresses* the importance of the process of codification and progressive development of international law in the field of diplomatic relations;

5. *Calls upon* all States to observe strictly the provisions of the Convention in order to create an appropriate atmosphere essential for the normal discharge by diplomatic missions of their functions;

6. *Urges* all States to take effective action at national and international levels to suppress terrorist and other acts of violence against diplomatic missions and representatives, to prosecute without delay the perpetrators of such acts and, in accordance with the Convention, to avoid abuses of diplomatic privileges and immunities.

95th plenary meeting  
3 December 1986

#### 41/80. Report of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries

*The General Assembly,*

*Bearing in mind* the need for strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, enshrined in the Charter of the United Nations and developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,<sup>28</sup>

*Recalling* its resolutions, particularly resolutions 2395 (XXIII) of 29 November 1968, 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970 and 3103 (XXVIII) of 12 December 1973, and its resolution 1514 (XV) of 14 December 1960, as well as Security Council resolutions 405 (1977) of 14 April 1977, 419 (1977) of 24 November

<sup>27</sup> United Nations, *Treaty Series*, vol. 500, No. 7310, p. 95.

<sup>28</sup> Resolution 2625 (XXV), annex.