

12. *Expresses its appreciation* for the important role played by the International Trade Law Branch of the Office of Legal Affairs of the Secretariat, as the substantive secretariat of the Commission, in assisting in the structuring and implementation of the work programme of the Commission, and invites the Secretary-General to consider taking whatever measures may be necessary, within existing resources, to provide the Commission with adequate substantive secretariat support.

94th plenary meeting
7 December 1987

42/153. Draft Convention on International Bills of Exchange and International Promissory Notes

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with the object of promoting the progressive harmonization and unification of the law of international trade,

Reaffirming its conviction that divergencies arising from the laws of different States in matters relating to international trade constitute one of the obstacles to the development of world trade,

Being aware that the Commission, at its fourth session in 1971, decided to proceed with work directed towards the preparation of uniform rules applicable to a special negotiable instrument for optional use in international transactions in order to overcome the divergencies arising out of the existence of two main systems of law governing negotiable instruments,²⁵

Recalling that, in its resolution 41/77 of 3 December 1986, it requested the Commission to complete, at its twentieth session, the work on the draft Convention on International Bills of Exchange and International Promissory Notes²⁶ and decided to consider the draft Convention during its forty-second session with a view to its adoption or other appropriate action,

Taking note of the draft Convention adopted by the Commission at its twentieth session,²²

Recognizing that Governments should be given sufficient time to study the draft Convention,

1. *Expresses its appreciation* for the work achieved by the United Nations Commission on International Trade Law in the preparation of the draft Convention on International Bills of Exchange and International Promissory Notes;

2. *Requests* the Secretary-General to draw the attention of all States to the draft Convention, to ask them to submit the observations and proposals they wish to make on the draft Convention before 30 April 1988 and to circulate these observations and proposals to all Member States before 30 June 1988;

3. *Decides* to consider, at its forty-third session, the draft Convention on International Bills of Exchange and International Promissory Notes, with a view to its adoption at that session, and to create to this end, in the framework of the Sixth Committee, a working group that will meet for a maximum period of two weeks at the beginning

of the session, in order to consider the observations and proposals made by States.

94th plenary meeting
7 December 1987

42/154. 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,²⁷

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,

Concerned at the continued failure 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,

Also concerned at the abuse of diplomatic or consular privileges and immunities, particularly if acts of violence are involved,

Alarmed by the 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 such illegal acts,

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,

Welcoming the measures already taken by States in conformity with their international obligations to enhance the

²⁵ See *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 17 (A/8417)*, chap. III, sect. A.

²⁶ *Ibid.*, *Forty-first Session, Supplement No. 17 (A/41/17)*, annex I.

²⁷ A/42/485 and Add.1-5 and Add.5/Corr.1.

protection, security and safety of diplomatic and consular missions and representatives,

Convinced that the reporting procedures established under General Assembly resolution 35/168 of 15 December 1980 and further elaborated in later Assembly resolutions are important steps in the efforts to enhance the protection, security and safety of diplomatic and consular missions and representatives,

Welcoming the guidelines²⁸ prepared by the Secretary-General embodying the relevant questions that States may wish to consider when reporting,

Desiring to maintain and further strengthen the 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, and re-

quests the Secretary-General to offer, when he deems it appropriate, his good offices to the States directly concerned;

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 State in which the violation took place—and, to the extent possible, the State where the alleged offender is present—to report to the Secretary-General 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 to report on measures adopted with a view to preventing a repetition of such violations;

(c) The States so reporting to consider using or taking into account the guidelines prepared by the Secretary-General;

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 subparagraph 9 (a) above;

(c) To address reminders to States where such violations have occurred if reports pursuant to subparagraph 9 (a) above or follow-up reports pursuant to subparagraph 9 (b) above have not been made 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 subparagraph 9 (a) above, to report for the preceding twelve months;

11. *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;

12. *Further requests* the Secretary-General to submit to the General Assembly at its forty-third 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 11 above;

13. *Invites* the Secretary-General to submit to the General Assembly at its forty-third session any views he may wish to express on the matters referred to in paragraph 12 above;

14. *Decides* to include in the provisional agenda of its forty-third 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".

94th plenary meeting
7 December 1987

²⁸ A/42/485, annex.