



10 December 2008

THE PERMANENT REPRESENTATIVE
OF AUSTRALIA
TO THE UNITED NATIONS

HE Mr Ban Ki-moon
Secretary-General
United Nations
United Nations Headquarters
NEW YORK

Your Excellency

I have the honour to convey to you Australia's response in accordance with General Assembly resolution 61/31 "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives", to incidents which occurred involving Iranian diplomats and diplomatic premises in Canberra between 2007 to 2008.

The Australian Government takes seriously its obligations under the Vienna Conventions on Diplomatic and Consular Relations for the protection of all diplomatic and consular missions and their staff.

The Permanent Mission of the Islamic Republic of Iran to the United Nations has drawn attention to four separate incidents involving different staff members of the Embassy of the Islamic Republic of Iran in Canberra or their families over the period July 2007 to January 2008.

Three of these unfortunate incidents involved house breaking or vandalism which investigating local authorities were satisfied were random opportunistic occurrences. There was insufficient evidence available at the scene of each instance to enable police to identify any possible offenders.

The fourth instance was determined by investigating police to be an incident involving an elderly man of possibly unsound mind with no obvious intent to kidnap the child. It was not an "attempted kidnapping".

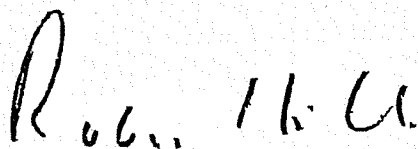
In each case, police officers attended promptly when called by Embassy officials and undertook appropriate investigations.

When an incident occurs involving diplomatic staff or accredited dependents, it is normal procedure for police to require a formal witness statement. This necessitates a request for a specific waiver of immunity under article 32 of the Vienna Convention on Diplomatic Relations, and is done to facilitate the gathering of evidence and the possible apprehension and prosecution of an offender. The cooperation of diplomatic missions is often indispensable to a successful judicial process.

The Australian Government takes the view that unless there is an identified specific threat, permanent or static guards at diplomatic premises are neither necessary nor an appropriate means of providing protective security for diplomatic premises in Australia.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely



Robert Hill