



**PERMANENT MISSION OF AUSTRIA TO THE UNITED NATIONS
MISSION PERMANENTE DE L'AUTRICHE AUPRES DES NATIONS UNIES**

No. 66.340/9/09

The Permanent Mission of Austria to the United Nations presents its compliments to the Secretary-General of the United Nations and with reference to the Secretary-General's request in Note LA/COD/4 of 10 July 2009 has the honour to inform the Secretary-General on the following:

Concerning the reported incident at the Embassy of Slovenia Austrian police has taken up investigations and the Vienna office of the public prosecutor has initiated proceedings against anonymous offenders for burglary ("Einbruchsdiebstahl" according to Section 129 of the Austrian Penal Code) under reference number 10 UT 789/08f.

The facts of the case have been established as follows: On 14 June 2008 unknown offenders broke into a building in 1010 Vienna, Nibelungengasse 3, which accommodates apart from private business offices also the Embassy and Consulate of the Republic of Slovenia as well as the Embassy of Montenegro. Both private and diplomatic offices were broken into. The offenders also attempted to crack the safe of the Consulate and attacked an employee of the Slovenian Embassy.

Video surveillance showed two offenders. However, investigators – despite using state-of-the-art technology to analyse the offenders' traces at the site of the crime – have not been able to identify the offenders. Since it has not been possible to identify suspects who might have committed the burglary, the proceedings have been discontinued according to Section 197 of the Austrian Code on Criminal Procedure. This provision obliges the public prosecutor to discontinue proceedings if the alleged offenders remain unknown; proceedings must be resumed if the suspected persons have been identified.

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The Permanent Mission of Austria to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 14 September 2009



To the
Secretary-General of the United Nations
Office of Legal Affairs
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New York

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