



Permanent Mission of Costa Rica to the United Nations – Pro Tempore Presidency

69th Sessions of the General Assembly of the United Nations

ITEM 80

Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

STATEMENT BY THE PERMANENT MISSION OF COSTA RICA TO THE UNITED NATIONS
ON BEHALF OF THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN STATES

New York, October , 2014

-Please check against delivery-

Mr. Chairman,

I have the honor to speak on behalf of the Community of Latin American and Caribbean States.

CELAC would like to thank the Secretary General for the preparation of its report A/69/185, which contains information provided by Member States in accordance with the provisions of Resolution A/67/94.

The item we are analyzing is essential for the development of peaceful and constructive relations between Member States of the international community. The protection of diplomats and the protection and inviolability of diplomatic and consular missions are one of the pillars on which international relations among States rest.

Every transgression concerning the security of diplomatic and consular representatives or missions, as well as of representatives and officials of intergovernmental organizations or of the organizations themselves, constitutes a serious incident which may endanger lives, cause damages and adversely affect the promotion of the shared interests of the international community. Consequently, under no circumstance should said transgressions go unpunished.

As stated in the preamble of the Vienna Convention on Diplomatic Relations of 1961, the recognition of the diplomatic status is an ancient tradition which compliance falls within the principles and purposes of the United Nations Charter concerning the sovereign equality of States, the maintenance of peace and security and the promotion of friendly relations among nations, recognizing, on the other hand, that the protection of diplomatic representatives and the inviolability of diplomatic and consular missions are granted privileges in order to ensure the effective performance of the functions undertaken by the representatives of States.

Moreover, since crimes against internationally protected persons create a threat to the maintenance of normal international relations which are necessary for cooperation among States, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, states that Parties must cooperate in order to prevent crimes against any representative or official of an intergovernmental organization, as well as against the respective premises.

Mr. Chairman,

CELAC strongly condemns acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives of international intergovernmental organizations and officials of such organizations, and emphasizes that such acts can never be justified.

The dramatic events that have taken place in recent years remind us that the role of representing a State implies a risk to those of us who perform it; these unfortunate tragedies that have caused loss of human lives, should prompt us to redouble our efforts to ensure that the protection and safety of diplomatic and consular representatives, as well as diplomatic and consular Missions, is a priority for all.

The Community lends its support to initiatives that aim at enhancing the protection and safety of diplomatic and consular representatives, representatives and officials of intergovernmental organizations and of the respective premises that duly takes into consideration international law, the common practice of States and the relevant domestic norms.

CELAC countries express their solidarity with the victims of all acts of violence that have affected premises protected by international law and strongly condemn such acts regardless of where they come from or who committed them.

Mr. Chairman,

The item that we are examining was introduced in this Committee's agenda in 1980. Ever since, resolutions approved under this agenda item have continuously urged States to strictly observe, implement and enforce the applicable principles and rules of international law governing diplomatic and consular relations to ensure the inviolability of diplomatic and consular agents and premises. During its consideration, we should keep in mind not only the nature of situations that have been addressed over the last 24 years, but also the new challenges faced in the implementation of these equally important aspects of diplomatic and consular immunities.

In this regard, CELAC wishes to express its concern about the impact that State surveillance and/or interception of communications, including extraterritorially, may have on the inviolability of diplomatic and consular archives, documents and communications. The Community of Latin American and Caribbean States would welcome a transparent and constructive dialogue on this issue.

Mr. Chairman,

The Community of Latin American and Caribbean States considers essential that States should observe, implement and strictly enforce the principles and rules of public international law, especially the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963, as well as all relevant UN resolutions on this subject, to which not only they should ensure the safety and security of the missions, representatives and officials of diplomatic and consular missions, shall take all necessary measures to prevent any act of violence against missions, representatives and officials, as well as to ensure that its national legislation in this field is in conformity with Public International Law, and in no way undermines the respect and protection due to such representations, officials and representatives. We urge States to take all appropriate measures at the national levels to prevent any acts of violence against diplomatic and consular missions and representatives, as well as against missions and representatives of international intergovernmental organizations and officials of such organizations.

In parallel, we urge all States to prevent abuses of diplomatic or consular privileges and immunities specially those involving the use of violence, and to cooperate with the host State in cases where such abuses have been committed.

For CELAC countries, it is imperative that all disputes concerning compliance with the international obligations in regards to protection of representations and officials and representatives, are resolved by peaceful means refraining at all times from the use or threat of use of force or any other violation of International Law against persons or premises protected by the Vienna Conventions of 1961 and 1963.

We echo the provisions contained in Resolution A/67/94 adopted by the General Assembly on December 14, 2012 particularly the recommendation contained in operative paragraph 8 by which calls upon States that have not yet done so to consider becoming parties to the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963 and to the instruments relevant to the protection, security and safety of diplomatic and consular missions and representatives.

I thank you, Mr. Chairman.