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NOTE VERBALE

The Permanent Mission of Austria to the United Nations presents its compliments to the Secretary-General of the United Nations and in reference to General Assembly resolution 75/139 of 15 December 2020 entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives" and to the letter of the Legal Counsel on behalf of the Secretary-General of the UN dated 11 January 2022 has the honor to report the following:

1. In 2021, in connection with several demonstrations planned in the vicinity of foreign embassies in Vienna, Austria's security authorities carefully balanced the constitutional right of assembly with the duty of Austria as a host state to protect the mission premises under Article 22 of the Vienna Convention on Diplomatic Relations (VCDR). In some instances, this balancing has resulted in the prohibition or relocation of demonstrations when they e.g. risked to impede the unhindered access to the embassy or to seriously affect its working conditions. Similar considerations were applied to demonstrations in the vicinity of international negotiations between special missions in accordance with Article 25 (2) of the Convention on Special Missions.
2. In March 2022, in view of the increasing risks to the safety and security of the Austrian Embassy and its staff in Kyiv resulting from the military aggression of the Russian Federation against Ukraine and attacks against the capital, the Austrian Government decided to relocate its Embassy staff. Thus, on 29 March 2022, pursuant to Article 12 VCDR, Austria notified Ukraine as the host state of its intention and requested permission to establish a second office forming part of the Austrian Embassy in the Ukrainian city of

Uzhhorod. In addition, on 5 April 2022, Austria also formally notified the Russian Federation of the addresses and GPS coordinates of all its diplomatic and consular premises in Ukraine enjoying inviolability according to the Vienna Conventions on Diplomatic and Consular Relations. Austria expressed its expectation that the armed forces of the Russian Federation would comply with all rules of international law applicable during armed conflict, respect the inviolability of these specially protected civilian objects of a neutral country and take all necessary measures to protect the premises from any attack or damage.

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

New York, 29 April 2022