

Translated from Spanish

Permanent Mission of El Salvador to the United Nations

Report of the Republic of El Salvador submitted pursuant to General Assembly resolution 75/139

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

This report is submitted pursuant to General Assembly resolution 75/139 entitled "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives".

In that resolution, States were invited to provide their views with respect to any measures needed or already taken to enhance 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. They were also urged to report to the Secretary-General, in a concise and expeditious manner and in accordance with the guidelines prepared by him, serious violations of the protection, security and safety of those missions.

As a State party to the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations, El Salvador recognizes the importance of fulfilling the commitments assumed under those instruments, which are based on the purposes and principles of the Charter of the United Nations concerning the sovereign equality of States, the maintenance of international peace and security, and the promotion of friendly relations among nations.

El Salvador considers it especially important that States take all appropriate measures to prevent attacks against the peace and dignity of diplomatic and consular staff and of the premises of diplomatic and consular missions and accredited missions to international organizations, with a view to ensuring that they are duly protected. As well as having adequate national laws to prevent, investigate and prosecute such illegal acts, States also need to implement related plans and initiatives; to that end, effective mechanisms to improve the protection, security and safety of diplomatic and consular missions and representatives have been established.

Attacks against individual freedom are defined as an offence under the criminal law of El Salvador; when such attacks are committed against persons entitled to special protection under international law, they are considered to be an aggravated offence and are punishable with a longer prison term.

As stated in previous reports, the Republic of El Salvador has set up mechanisms, involving the Directorate-General of Protocol and Honours of the Ministry of Foreign Affairs and the National Civil Police, through the Division of Protection of Dignitaries, which give it the capacity to meet the requests made by accredited missions and their representatives in El Salvador, including through ongoing measures to protect mission premises.

In addition, with regard to the measures needed to enhance the protection, security and safety of diplomatic and consular missions and representatives, the aforementioned Directorate-General of Protocol and Honours, in accordance with the Diplomatic Protocol Act, has reported to the National Civil Police all illegal acts affecting diplomatic agents, diplomatic and consular mission premises, and accredited international organizations, so that such acts can be investigated and the necessary legal action taken by the competent authorities. As a result, to date there have been no serious violations of the protection, security and safety of accredited diplomatic and consular missions or representatives in El Salvador.

With reference to the guidelines embodying relevant questions that States might wish to consider when reporting serious violations of the protection, security and safety of diplomatic and consular missions and representatives, as well as of missions and representatives with diplomatic status to international intergovernmental organizations, set out in the annex to a report of the Secretary-General (A/42/485), El Salvador reaffirms the importance of States abiding by good practices in terms of reporting under those guidelines and enforcing the applicable rules of international law in that regard.

The security and safety of diplomatic and consular missions is always under threat and subject to risks. For example, as stated in the previous report on the same issue, the Permanent Mission of the Republic of El Salvador to the United Nations in New York learned, in June 2018, that one of its diplomatic agents had been attacked in the New York City subway system, and, in August 2019, that one of its official vehicles had been vandalized.

More recently, in 2021, the facilities infrastructure of the office of the Consulate General of El Salvador in Manhattan was damaged when a user attacked its building.

El Salvador appreciates the readiness with which the local authorities responded to all those unfortunate incidents. Nonetheless, in accordance with the applicable conventions, measures to maintain and enhance the protection of missions and accredited diplomatic and consular representatives in their territory must be strengthened.

Furthermore, El Salvador recognizes the challenge currently posed by emerging risks and threats to security and safety, such as the risks generated by the coronavirus disease (COVID-19) pandemic and the fact that the technological infrastructure of diplomatic and consular mission premises is increasingly exposed to evolving cybersecurity attacks.

El Salvador recognizes the importance of continued compliance with its obligations under the two Vienna Conventions referred to in the present report, so as to enable diplomatic and consular missions and their representatives to efficiently carry out their functions in relation to the protection and defence of the nationals of their sending States. El Salvador will therefore continue to participate in discussions on the issue in the Sixth Committee and to closely follow developments in that regard.
