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Report of the Committee on Relations with the Host Country

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Report of the Committee on Relations with the Host Country



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Note

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Chapter I

Introduction

1. The Committee on Relations with the Host Country was established pursuant to General Assembly resolution [2819 \(XXVI\)](#). The Assembly, by its resolution [74/195](#), decided to include in the provisional agenda of its seventy-fifth session the item entitled “Report of the Committee on Relations with the Host Country”. The present report is submitted pursuant to resolution [74/195](#).
2. The report consists of four chapters. The recommendations and conclusions of the Committee are contained in chapter IV.

Chapter II

Membership, composition, terms of reference and organization of the work of the Committee

3. The Committee is composed of 19 members, as follows:

Bulgaria	Iraq
Canada	Libya
China	Malaysia
Costa Rica	Mali
Côte d'Ivoire	Russian Federation
Cuba	Senegal
Cyprus	Spain
France	United Kingdom of Great Britain and Northern Ireland
Honduras	
Hungary	United States of America

4. The Bureau of the Committee consists of the Chair, the three Vice-Chairs, the Rapporteur and a representative of the host country who attends Bureau meetings *ex officio*. During the reporting period, the Bureau was composed as follows:

Chair:

Andreas **Mavroyiannis** (Cyprus)

Vice-Chairs:

Krassimira **Beshkova** – Yavor **Ivanov** (Bulgaria)

Catherine **Boucher** – Béatrice **Maillé** (Canada)

Gadji **Rabe** (Côte d'Ivoire)

Rapporteur:

Rodrigo A. **Carazo** (Costa Rica)

5. The terms of reference of the Committee were determined by the General Assembly in its resolution [2819 \(XXVI\)](#). In May 1992, the Committee adopted, and in March 1994 slightly modified, a detailed list of topics for its consideration, which is set out in the annex to the present report. No documents were issued by the Committee during the reporting period.

6. During the reporting period, the Committee held the following meetings: the 297th meeting, on 17 January 2020; the 298th meeting, on 25 February 2020; and the 299th meeting, on 9 October 2020. During the reporting period, the Committee also held online informal meetings on 5 June 2020, 22 June 2020, 13 August 2020 and 17 September 2020.

7. At the informal meeting held on 13 August 2020, the Committee was informed of the departure of Vice-Chairs Catherine Boucher (Canada) and Krassimira Beshkova (Bulgaria). At its 299th meeting, on 9 October 2020, the Committee elected by acclamation Béatrice Maillé (Canada) and Yavor Ivanov (Bulgaria) as Vice-Chairs.

Chapter III

Topics dealt with by the Committee

A. Consideration of and recommendations on issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations: entry visas issued by the host country

8. At the 297th meeting, the representative of the Islamic Republic of Iran said that he wished to inform the Committee about the denial of visas to his country's Minister for Foreign Affairs and accompanying delegation to take part in the ministerial meeting of the Security Council on 9 January 2020. He stated that the visa applications had been submitted in due time, on 20 December 2019, immediately following the receipt of the official invitation. He concluded that the denial of visas was a continuation of the host country's persistent violation of its international legal obligations as set forth in the Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations. In particular, by denying visas the host country impeded transit of the representatives of the Islamic Republic of Iran to the United Nations in violation of section 11 of the Headquarters Agreement. He recalled that the host country was under an obligation not only to refrain from impairing the normal functioning of the representatives of Member States and their transit to the United Nations but also to grant visas as promptly as possible, as stipulated in section 13 of the Headquarters Agreement. He noted that no grounds for visa denial existed under the Headquarters Agreement and referred to the statement of the then Legal Counsel to the Committee in 1988, set out in document [A/C.6/43/7](#), according to which, *inter alia*, "the Headquarters Agreement makes it clear that there is an unrestricted right of the persons mentioned in section 11 to enter the United States for the purpose of proceeding to the Headquarters district". He added that, under section 12 of the Headquarters Agreement, issues related to the entry of Member States' representatives into the United States were to be dealt with irrespective of their bilateral relations with the host country.

9. The representative of the Islamic Republic of Iran noted that it was unfortunate that the host country had turned the Headquarters of the United Nations into an instrument of its foreign policy. He asserted that denying a visa for a minister of a founding State Member of the United Nations was in defiance of all host country obligations and solely for political considerations. He expressed profound regret that the host country continued to disrespect not only the United Nations and Member States but also multilateral diplomacy, while seeking to undermine international law, as well as multilateralism, when they were needed the most. He expressed deep concern over the host country's repeated failure to abide by its legal obligations. He asserted that most of the recommendations and conclusions contained in General Assembly resolution [74/195](#) were yet to be implemented. He noted that, under the present circumstances, available legal remedies needed to be employed to address those issues. He asserted that it was his Government's firm belief that the Secretary-General had already received a mandate from the General Assembly to trigger section 21 of the Headquarters Agreement. He therefore invited the Secretary-General to intervene under section 21 to reach a settlement of the issues which had already put the credibility of the United Nations system in question. He asked whether eight months of living under restrictions was not a sufficient period of time to be considered as reasonable and finite and, if not, asked what was to be considered reasonable and finite.

10. The representative of Cuba stated that the host country had also recently expelled members of her Mission without justification. She noted that, by not issuing or by delaying visas, the host country had affected the participation of representatives of Cuba and other Member States in various United Nations meetings. She asserted that such issues could not continue to occur. She called for the resolution of differences in the interpretation and application of the Headquarters Agreement, the Vienna Convention on Diplomatic Relations and the Convention on the Privileges and Immunities of the United Nations through the existing legal mechanisms, including section 21 of the Headquarters Agreement. She recalled the provisions of General Assembly resolution 74/195 and reiterated the position of her government that the recommendations and conclusions of the Committee should be implemented in a transparent way, without discrimination or selectivity and with full respect for the sovereignty of States and the Organization.

11. The representative of the Russian Federation noted that the host country, through its policy of selectively issuing visas, was in effect able to control the participants from his country and other Member States. He asserted that, as a result, the work of the First and Sixth Committees had almost been derailed. He asserted that there had been no change to that unacceptable visa policy. He noted that the number of staff members of the Mission of the Russian Federation and their families continuing to wait for months for their visas to be extended was increasing, despite their adhering to the established rules and submitting documents to the host country Mission months in advance. He asserted that the practice of visa discrimination against citizens of the Russian Federation who were selected for positions at the United Nations Secretariat had increased at a frightening pace. He considered that behaviour to be a blatant intervention by the host country in the process of the appointment by the Secretary-General of staff to serve in the Secretariat.

12. The representative of the host country stated that, each year, the host country worked hard to review and process tens of thousands of visa applications for individuals who had been assigned or invited to New York for United Nations meetings. He stated that visas were adjudicated in accordance with the host country's applicable laws and procedures. He noted that the safety and security of the host country's citizens was paramount and proper review of all visa applications was required.

13. With respect to the issue raised by the representative of the Islamic Republic of Iran concerning the Minister for Foreign Affairs of the Islamic Republic of Iran, the representative of the host country stated that visa records were confidential and he was not therefore in a position to discuss the details of individual cases. He assured the Committee that his Mission was in close communication with the Mission of the Islamic Republic of Iran on visa and other matters and had tried to resolve issues as quickly as possible. He stated that his Mission had consistently encouraged the Mission of the Islamic Republic of Iran to ensure that visa application packages were submitted sufficiently in advance of planned travel to ensure adequate time for processing by the host country authorities.

14. With respect to the comments of the Russian Federation, the representative of the host country stated that more than 160 visas had been issued for the Russian delegation to the seventy-fourth session of the General Assembly. He noted that those applications had been adjudicated in accordance with the laws of the host country and subject to proper review. He also noted that his Mission was in close communication with the Russian Federation on all the outstanding matters.

15. The representative of the Islamic Republic of Iran stated that the issues would not be resolved by neglecting existing problems. He recalled that the visa application of his country's Minister for Foreign Affairs had been submitted immediately, on the

same day that his country was invited to participate in the meeting of the Security Council on 9 January. He noted that, although his Mission had been in regular contact with the host country Mission, the response regarding the visit of the Minister for Foreign Affairs had been brought to the attention of the Secretariat, not his Mission.

16. At the 298th meeting, the representative of the Russian Federation stated that the host country had committed serious violations of its obligation to provide visas to delegates of Member States. He informed the Committee that 18 representatives of the Russian Federation had not received visas to attend the seventy-fourth session of the General Assembly and that visas had also not been granted to the Russian representatives to attend other United Nations events in 2020, including the meetings of the Open-ended Working Group on Developments in the Field of Information and Telecommunications in the Context of International Security and the organizational meeting of the Disarmament Commission. That meeting had had to be postponed owing to the non-issuance of a visa to Konstantin Vorontsov, Counsellor, Department of the Non-proliferation and Arms Control at the Ministry of Foreign Affairs of the Russian Federation. He noted that Mr. Vorontsov had not been granted a visa to participate in the previous session of the Disarmament Commission. He stated that the host country was also not granting visas to representatives assigned to work in the Permanent Mission of the Russian Federation and not extending the visas held by personnel who were already working in the Mission. He also stated that visas for citizens of the Russian Federation who had been selected to work in the United Nations Secretariat had not been granted. He observed that that practice was also being applied to other Member States and that the right of a number of Member States to fully participate in the work of the United Nations was being impaired. He asserted that that reflected a systemic host country policy of violating its obligations under the Charter of the United Nations and the Headquarters Agreement, in particular with respect to granting access to the United Nations Headquarters district.

17. The representative of the Russian Federation recalled the statements made by the Legal Counsel to the Committee at its 295th and 297th meetings (see [A/AC.154/415](#) and [A/74/26](#)). He also recalled paragraph 15 of General Assembly resolution [74/195](#) and informed the Committee of three letters that his Mission had sent to the Secretary-General since the beginning of the seventy-fourth session of the Assembly regarding the non-issuance of visas by the host country and the replies received from the Secretary-General. He observed that those visa issues had persisted for a considerable amount of time without resolution and that there therefore existed a dispute between the United Nations and the host country.

18. The representative of Cuba noted the repeated failure by the host country to comply with its obligations under the Headquarters Agreement. He urged the Committee and the Organization to find a legal solution to the violations by the host country of the Charter of the United Nations, the Vienna Convention on Diplomatic Relations, the Convention on the Privileges and Immunities of the United Nations, the Headquarters Agreement and the recommendations and conclusions of the Committee. He asserted that the Secretary-General, pursuant to General Assembly resolution [74/195](#) and the Headquarters Agreement, had a broad and clear mandate to invoke section 21 of the Headquarters Agreement. He called upon the Secretary-General to make use of the powers conferred upon him to guarantee strict compliance with the principle of the sovereign equality of Member States and ensure the participation of all Member States in the work of the Organization on an equal footing. He stated that there was no legal basis for the restrictions and prohibitions imposed by the host country on access to the United Nations and the participation of the representatives of official delegations of Member States in the meetings of the Organization.

19. The representative of Cuba stated that the host country could not be allowed to utilize its status as host country to selectively and arbitrarily apply the Headquarters Agreement to further its own political agenda and to prevent certain States from fully enjoying their role and their functions as members of the United Nations. He asserted that the host country was undermining multilateralism with arbitrary, selective and discriminatory policies, thereby deliberately hindering the full and effective functioning of the United Nations. He stated that the host country was failing to live up to the requirements and standards for being a host country. He also stated that the failure to issue visas affected the participation of Member States in the work of the Organization. He recalled the expulsion by the host country of two members of his Mission in September 2019 and the travel restrictions imposed on members of his Mission and their families, limiting them to the island of Manhattan, which hampered the ability of his Mission to fully discharge its functions and had a direct and adverse impact on the quality of life of those members and their families. He informed the Committee that the diplomatic mail of his Mission had been interfered with.

20. The representative of Cuba welcomed the presence of the Legal Counsel and requested an account of the tangible outcomes of the negotiations between the Secretariat and the host country on the outstanding issues. He noted that the reasonable and finite period of time as specified in General Assembly resolution [74/195](#) could not be extended in such a way that the following session of the General Assembly would begin with no resolution of the outstanding issues. He requested the Legal Counsel to provide an estimated time frame for the implementation of the mandate of the Secretary-General in relation to section 21 of the Headquarters Agreement. He stated that the recommendations and conclusions of the Committee should be complied with transparently and with respect for all Member States without discrimination or selectivity.

21. The representative of the Islamic Republic of Iran stated that the Committee had proven to be completely ineffective in addressing any problems in a practical and sufficient way. He recalled that the Committee had been informed about issues faced by his country, including the denial of 56 visas to the delegation accompanying the President of his country to the General Assembly, the violation of the rights of his country by restricting the movements of representatives, despite their being accredited to the United Nations, the suffering of the families of the members of his Mission and the violation of their human rights, the denial of a visa to his Minister for Foreign Affairs, secondary screening procedures at airports, the separation of household members and the denial of visas for their children, the denial of such services as access to universities or participation in activities related to the United Nations, the missing of formal and informal ceremonies owing to movement restrictions and the inability to participate in training courses, as well as the pressing issue of the enforced displacement of diplomats living in Westchester County and the denial of the right to choose one's place of residence. He asserted that the restrictions imposed on his country's representatives to the United Nations were illegal and insulting and clearly showed that the Headquarters of the United Nations had been abused by the host country as political leverage against certain countries. He noted that, under the Charter of the United Nations and other sources of diplomatic law, the United Nations and accredited representatives of Member States enjoyed privileges and immunities in order to exercise their functions normally.

22. The representative of the Islamic Republic of Iran stated that the preferential treatment of diplomats was a norm of customary international law. He stated that it was unfortunate that members of his Mission were granted only single-entry visas and could therefore not return to their country when needed. He noted that the legal framework of the United Nations was sufficiently firm and clear and left no space for

any arbitrary interpretation and that where there were differences of interpretation, there were methods in the framework to solve them.

23. The representative of the Islamic Republic of Iran stated that there was a serious crisis within the Organization and that the smooth functioning of the Secretariat and some committees had been disturbed. He expressed concern that the host country had denied visas to representatives of the Russian Federation. He asserted that an organization that could not ensure the presence of the Minister for Foreign Affairs of a founding member or ensure participation on an equal footing by Member States in its meetings should not be called the United Nations. He stated that the United Nations could not continue with that trend and in that direction.

24. The representative of the Islamic Republic of Iran informed the Committee that his country's Minister for Foreign Affairs had intended to participate in a meeting concerning the Treaty on the Non-Proliferation of Nuclear Weapons but had not been granted a visa by the host country. He noted that one of his colleagues had had to wait for nine months before receiving a visa so that he could go home to see his sick mother and then return to the Mission. He stated that his Government wished to voice a strong protest and deep concern over the host country's repeated failure to abide by its legal obligations. He then stated that the Islamic Republic of Iran strongly believed that there existed a legal dispute between the United Nations and the host country and that the Secretary-General had already received a mandate from the General Assembly to trigger section 21 of the Headquarters Agreement. He invited the Secretary-General to intervene under that section and reach a settlement of the dispute that had already put the credibility of the entire United Nations system into question.

25. The representative of China stated that visa issues were longstanding, had not been effectively resolved and had been a focus of controversy in the previous meetings of the Committee. He stated that the Secretariat and Member States needed to pay close attention to visa issues. He expressed hope that the host country would uphold the Headquarters Agreement, the Convention on Privileges and Immunities of the United Nations and other international legal instruments and perform its host country obligations in a constructive and responsible manner to ensure the normal functioning of all permanent missions.

26. The representative of Belarus stated that his country believed that, regardless of the circumstances in the host country, there should be no obstacles to the full representation of Member States in the Organization. He noted that the unimpeded participation of all Member States, without exception, in official meetings was a fundamental basis of the work of the Organization. He asserted that the obligations of the host country were unambiguously outlined in sections 11 and 13 of the Headquarters Agreement. He also asserted that the issuance of visas was not a bilateral matter but rather one of the integrity of the Organization and its survival. He stated that Belarus hoped that the host country would honour its commitments.

27. The representative of Malaysia stated that a rules-based system required that all countries be treated equally, as enshrined in the Charter of the United Nations. She asserted that it was in the interest of the United Nations and all Member States to uphold privileges and immunities and maintain appropriate conditions for the work of delegations and missions accredited to the United Nations. She noted with serious concern that measures imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities remained in effect. She noted the positions of the affected States, of the Secretary-General and of the host country. She stressed the importance of the continued active engagement of the Secretary-General. She underscored that issues must be resolved in accordance with international law, including the Charter of the United Nations and the Headquarters Agreement. She noted the paramount importance of Member States staying

committed to the collective effort to fulfil the purposes of the Organization and to addressing all issues in a spirit of cooperation and in accordance with international law.

28. The representative of Nicaragua expressed regret that various delegations continued to experience problems with visas required for their participation in United Nations meetings and other restrictions. She expressed solidarity with those Member States affected by such arbitrary measures. She noted that failure to comply with the terms of the Headquarters Agreement, such as failure to issue visas, made full and effective representation of all members of the United Nations difficult. She stated that Nicaragua was a firm believer in equality under the law and the sovereign equality of all Member States.

29. The representative of the host country stated that, each year, the host country worked hard to review and process tens of thousands of visa applications for individuals who had been assigned or invited to New York for United Nations meetings. He also stated that applicants often applied for visas at the last moment. He underscored the importance of submitting visa applications as far in advance as possible. With regard to the visa issue raised by the representative of the Russian Federation, he noted that his Mission cooperated with the Mission of the Russian Federation regarding various administrative host country matters, including driving licences, diplomatic credentials and car registrations, on an almost daily basis. He asserted that the host country continued to fulfil its host country obligations by issuing visas to Secretariat officials and members of permanent missions. As an example, he stated that the host country had issued 21 visas the previous week to representatives of the Russian Federation and their family members. He recalled that more than 100 visas had been issued to diplomats of the Russian Federation in the previous fall. Concerning the Upper Brookville issue, he noted that the host country considered it to be a bilateral matter and was in contact with the Permanent Mission of the Russian Federation. He noted that there was no entitlement to or protection for the recreational property used by a Mission under either the Vienna Convention on Diplomatic Relations or the Headquarters Agreement.

30. With regard to the issue of visas raised by the representative of the Islamic Republic of Iran, the representative of the host country noted the confidential nature of visa applications and recalled that his Mission had notified the Mission of the Islamic Republic of Iran that its members should submit visa application packages well enough in advance of upcoming travel to ensure adequate time for processing.

31. The representative of the Russian Federation stated that, while the Permanent Mission of the Russian Federation had good working relations with the Mission of the host country, no progress had been made, and the host country was continuing to implement a very restrictive policy and refusing to grant visas to representatives of the Russian Federation for various United Nations meetings. He asked the Legal Counsel whether the non-issuance of visas, on multiple occasions, constituted a clear and gross violation of the provisions of the Headquarters Agreement. He stated that there was no change in the position of the host country, which was not promising to grant visas. He asked the Legal Counsel to confirm that the issue would be dealt with within a reasonable and finite period of time, failing which the procedure envisaged under section 21 of the Headquarters Agreement would be invoked. He concluded that his Mission would be very interested to discuss the modalities of that procedure.

32. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel recalled his statements during the previous two meetings of the Committee and shared his personal frustration and grave concern over the situation. He informed the Committee that both he and the Secretary-General continued to engage with the host country authorities on those issues. He stated that he had recently met with the

Legal Adviser of the Mission of the host country to request the host country to expeditiously resolve visa issues that had been brought to his attention by the Permanent Mission of the Russian Federation. He asserted that, while not all issues had been resolved, he was hopeful of making progress, keeping in mind the urgent requirements of the affected Member States and expectations of the General Assembly. He stated that he had taken careful note of the statements made in the Committee, in particular with respect to section 21 of the Headquarters Agreement, which he would convey to the Secretary-General.

33. The representative of the Russian Federation thanked the Legal Counsel and the Secretary-General for their efforts. He reiterated his question regarding the violation of the Headquarters Agreement.

34. The representative of Cuba thanked the Legal Counsel for the information that he had provided and asked him to convey to the Secretary-General a question regarding the mandate provided to him under General Assembly resolution [74/195](#) concerning section 21 of the Headquarters Agreement and when the Secretary-General intended to implement that mandate.

35. The representative of the Russian Federation requested a clearer position from the Secretariat on the issues raised by his delegation. He noted that there had been no change in the position of the host country during the course of the present meeting. He reiterated that there was a dispute between the United Nations and the host country, and that the reasonable and finite period of time to resolve the issues before the Committee had elapsed. He therefore called upon the Secretary-General and the Legal Counsel to make use of the legal mechanism provided for under section 21 of the Headquarters Agreement.

36. At the online informal meeting held on 13 August 2020, the representative of the Russian Federation recalled that members of the delegation of the Russian Federation to the seventy-fourth session of the General Assembly had failed to obtain their visas and expressed serious concern about the continuing legal measures against the diplomatic property of the Russian Federation and the 25-mile travel restriction on personnel and the staff of the Secretariat who were Russian citizens. He asserted that a dispute existed between the United Nations and the host country and that all avenues of negotiations had been exhausted.

37. The representative of the host country stated that, owing to the limited travel taking place because of the pandemic, he was not aware of any existing visa-related issues. He stated that the host country had processed the visa requests made by Member States, which included, among others, four visas for Russian Federation diplomats attending the meeting of the General Assembly at its seventy-fourth session concerning the Kimberley Process in March 2020 and a visa for another Russian Federation diplomat attending the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in April 2020. He stated that the host country had lifted the suspension on processing routine visas, and that host country embassies and consulates had continued to process mission-critical cases, which included visas for United Nations travel. He also stated that holders of G visas were not subject to the travel restrictions imposed owing to coronavirus disease (COVID-19).

38. At the online informal meeting held on 17 September 2020, the representative of the Islamic Republic of Iran asserted that the host country's inhumane policy of issuing short-term single-entry visas to Iranian diplomats continued to effectively deprive them of the ability to travel outside the host country, in particular to their home country. He expressed regret that the host country had ignored the calls of the General Assembly and refused to honour its commitment to revisit its inhumane policies. He further expressed his firm belief that the host country's policy regarding

visas was in grave breach of its obligations vis-à-vis the United Nations and violated the human rights of the members of the affected missions.

39. The representative of the Russian Federation stated that, during the seventy-fourth session of the General Assembly, 18 delegates of the Russian Federation had not received visas. She acknowledged that the host country was facing certain capacity limitations due to the pandemic, which was understandable. She expressed the expectation, however, that, in contrast with the previous session, all representatives of the Russian Federation would receive their visas in time to fully participate in the seventy-fifth session of the Assembly.

40. The representative of the Syrian Arab Republic recalled issues with visa renewal that members of his Mission had faced in the preceding three months. He stated that the host country's policy of issuing only single-entry visas valid for only six months to members of his Mission meant that every three months they had to apply for new visas, which were often delayed. In that regard, he noted that, for Syrian diplomats, having a valid visa was a prerequisite to having an operational bank account. He informed the Committee that his bank had informed him that it had exercised considerable patience but was ultimately required to close his account when he was unable to demonstrate to the bank that he possessed a valid visa, as he was still waiting for the host country to issue it.

41. The representative of the host country recalled that five visas had been issued to the representatives of the Russian Federation for their participation in the United Nations meetings in March and April 2020. He noted that the COVID-19 pandemic had caused some delays in visa processing and asked delegations to be mindful of the ongoing challenges of working under the current unique conditions. In respect of the visa and banking issue raised by the representative of the Syrian Arab Republic, he stated that his Mission was working very hard to renew the visas concerned and noted that more visas had been renewed than had not. He assured the representative of the Syrian Arab Republic that he expected that some visas would be issued to members of the Mission of the Syrian Arab Republic as early as the following week. He further stated that his Mission had been issuing letters to diplomats to provide to their banks, indicating that the expiration of their visas was not indicative of a change in their lawful status in the United States. He noted that such letters had served to enable banks to keep the accounts open and that he would issue such a letter for the representative of the Syrian Arab Republic.

42. The representative of the Syrian Arab Republic thanked the representative of the host country for the assistance that he had offered and said that he only wished that it had been available before his account had been closed. He stated that the aim of the Syrian Arab Republic was not to confront the host country but to find a final resolution to the issues before the Committee. He continued to believe that there existed a legal dispute between the United Nations and the host country on the implementation and interpretation of the provisions of the Headquarters Agreement and that a reasonable and finite period of time had elapsed for finding a solution through discussions. He recalled that the Secretary-General had a mandate and a duty to trigger the procedures under section 21 of the Headquarters Agreement and called upon the Secretary-General to do so.

B. Consideration of and recommendations on issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations: travel restrictions

43. At the 297th meeting, the representative of the Islamic Republic of Iran stated that, since July 2019, representatives of his Government travelling to the United Nations and members of his Mission had been facing unlawful, arbitrary and inhumane movement restrictions and difficulties with the issuance of visas. He asserted that that impeded their ability to carry out their United Nations functions and restricted their access to services and choice of residence, negatively affecting their lives and the lives of their families. He recalled his own experience, whereby, owing to the travel restrictions, he had been unable to participate in the ceremonies held by two missions for their national days. He added that some members of his country's delegation had been waiting for more than four months to obtain visas which, when issued, were only single-entry visas, and for a short duration. He stated that those measures clearly disrupted the functioning of his Mission. He asserted that the host country, instead of providing the assistance and privileges required for the proper functioning of the United Nations and its Member States, imposed restrictions, thereby affecting the basic rights of staff and their families.

44. The representative of the Islamic Republic of Iran referred to General Assembly resolution [74/195](#), in which the Assembly urged the host country to remove all remaining travel restrictions, as well as review its differing processes for granting visas, with particular attention to single-entry visas. He noted that it was a matter of grave concern and expressed his regret that, irrespective of the effort made by the United Nations, as well as Member States, and the explicit request of the General Assembly to remove all restrictions, the host country had not shown a single positive sign to indicate its seriousness in implementing a resolution. He asserted that there was a negative trend in visa-related issues. He stated that the host country continued with the same discriminatory and punitive measures against certain countries, including travel restrictions applied against the Missions of Cuba and the Islamic Republic of Iran. He concluded that practical solutions were required to stop such illegal practices.

45. The representative of Cuba noted repeated non-compliance by the host country with the provisions of the Headquarters Agreement. She stated that the host country continued to use its position as a host country to promote its political agenda and prevent certain States from carrying out their functions fully as members of the United Nations. She asserted that the host country's attitude undermined multilateralism and the full and effective operation of the United Nations. She added that, for over 30 years, the host country had ignored the Committee's recommendations to lift the 25-mile-radius travel restriction imposed on several missions. She noted that the number of missions subjected to the restrictions had only increased. She stated that her Mission was subject to a geographical area of movement that had been even further reduced, hindering the performance of official functions by Mission personnel and worsening their living conditions and those of their families.

46. The representative of the Russian Federation noted that there had been no progress in resolving the problem of the application of a 25-mile-radius travel restriction to the members of the Permanent Mission.

47. The representative of China requested the host country to pay due attention to the requests of the delegations of the Islamic Republic of Iran, the Russian Federation and Cuba, discard political prejudice and respect its obligations as a host country with a view to guaranteeing the normal functioning of permanent missions. He called on

all parties to enhance communication and to implement relevant resolutions of the General Assembly and resolve all outstanding issues in accordance with the dispute resolution procedures set out in the Headquarters Agreement.

48. The representative of the host country noted that travel restrictions did not impede travel to or from the United Nations Headquarters district and were thus fully consistent with the host country's obligations under the Headquarters Agreement. He added that the Headquarters Agreement did not include the unrestricted right to reside or travel anywhere in the host country, in particular when such travel could pose a hazard to the host country's security interests. He stated that the recently imposed travel restrictions had been adopted after consideration and review at the highest levels of his Government, taking into account the host country's obligations under the Headquarters Agreement and the national security interests of the United States. He noted that the host country was working to find practical solutions with regard to those travel restrictions. As an example, he noted that, within the previous few weeks, the host country had been able to approve all of the requests for waivers for Cuban diplomats who intended to travel outside of the restricted area.

49. The representative of the Islamic Republic of Iran acknowledged the host country's engagement in the work of the Committee but asserted that the degree of the engagement was not satisfactory to his delegation. He was confused by the statement made by the representative of the host country regarding the rationale for travel restrictions. He requested the representative of the host country to explain what security threats the host country was concerned about. He expressed his sincere hope that the host country representative would provide a specific, detailed response to the questions that his and other delegations had posed.

50. The representative of Cuba stated that no provisions of international law defining obligations of the host country differentiated between different types of travel. She asserted that the Vienna Convention on Diplomatic Relations clearly stipulated the freedom of movement of accredited diplomats and the Headquarters Agreement established that the host country should facilitate access to the United Nations. She concluded that neither instrument provided for the right to restrict the movements of any diplomat. While she wished to thank the host country Mission for granting the waivers that had been requested by her Mission for medical reasons and to participate in diplomatic activities that were outside of the area to which members of her Mission were restricted, those requests had been made under a condition of force majeure. Her Government continued to insist on the freedom of movement of the members of its Mission.

51. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel recalled his previous statement to the Committee, on 15 October 2019, in which he had provided a detailed explanation of the action that he and the Secretary-General had taken to convey their serious concerns to senior representatives of the host country regarding the increasing number of issues that were being raised with respect to the issuance of visas and the imposition of travel restrictions by the host country, which had affected a number of permanent missions and staff of the Secretariat. He had also reiterated to the host country representatives the long-standing legal position of the United Nations on those issues. He expressed his personal frustration with the lack of significant progress so far in resolving those issues.

52. The Legal Counsel assured the Committee that he and the Secretary-General continued to engage with the host country authorities on those issues. The Secretary-General expressed his serious concerns to the Secretary of State of the United States regarding the non-issuance of a visa to the Minister for Foreign Affairs of the Islamic Republic of Iran to attend the ministerial-level meeting of the Security Council on

9 January 2020. The Legal Counsel had written to the Permanent Representative of the host country and met with representatives of the host country Mission to convey the serious concerns and legal position of the United Nations regarding that development, as well as the ongoing issues concerning visas affecting both Secretariat and Mission personnel and travel restrictions, in particular those imposed on personnel from the Islamic Republic of Iran. He reported that he had met with the Permanent Representative of the Islamic Republic of Iran to discuss the developments.

53. The representative of the Bolivarian Republic of Venezuela expressed his Government's deepest regret at the lack of measures taken by the host country to improve the situation, including the increase in unilateral discriminatory measures lacking any legal justification and in violation of all relevant instruments, including the Headquarters Agreement. He expressed full support for other Member States which had faced problems with the issuance of visas and travel restrictions, as part of an illegal and discriminatory policy that also affected his delegation. He noted the decision of the host country to deny the issuance of a visa to the Minister for Foreign Affairs of the Islamic Republic of Iran, which he described as alarming and concerning. He stated that such actions indicated complete disdain for international law, the United Nations and everything that it represented. He expressed the hope that the situation would be quickly rectified and would not recur. He asserted that the Government of the United States could not use its position as Government of the host country to take decisions that were calculated to diminish States' capacity to exercise their rights within the Organization.

54. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel recalled the position taken by the Committee and the positions taken by the Sixth Committee and the General Assembly at the conclusion of their respective programmes of work in 2019, that if the issues were not resolved in a reasonable and finite period of time, serious consideration should be given to taking steps under section 21 of the Headquarters Agreement. He concluded by saying that he, in coordination with the Chair, intended to request the host country authorities to engage with them with a view towards obtaining a tangible improvement to the situation.

55. The Chair noted that it was his intention to continue to pursue, on an appropriate level, a dialogue between the host country, the Secretariat and affected Member States to find a way forward in line with the expectations of the General Assembly.

56. At the online informal meeting held on 5 June 2020, the Chef de Cabinet of the Secretary-General stated that the Secretary-General had been fully briefed on the issues before the Committee. She informed the Committee that the Secretary-General had raised with the Secretary of State of the United States and the Permanent Representative of the host country his serious concerns regarding the challenges and restrictions faced by the representatives of some Member States which had impaired their Governments' ability to be fully represented and to participate in the work of the United Nations at its Headquarters. She stated that the Secretary-General had requested the Legal Counsel and the Under-Secretary-General for Political and Peacebuilding Affairs to engage with representatives of the host country with a view towards finding solutions in line with the Headquarters Agreement.

57. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel informed the Committee that he had held an online meeting with the Legal Adviser of the Department of State of the host country to resume discussion of the outstanding issues and encourage a more immediate solution to the challenges faced by members of the Permanent Mission of the Islamic Republic of Iran and their families who resided outside of the zones, in Manhattan and Queens, defined by the host country and were required to relocate to one of those zones by 15 August 2020.

He noted that he had emphasized the importance of finding an immediate practical solution in the light of the measures introduced in New York in March as part of the efforts to stop the spread of COVID-19.

58. The representative of the Islamic Republic of Iran stated that the online informal meeting on 5 June 2020 had been the third emergency meeting of the Committee since 15 October 2019, signifying the urgency and the seriousness of the problem and the difficulties that a number of Member States were facing, in particular with regard to matters related to visas, travel and movement restrictions and banking services. He asserted that the root cause of all those difficulties was the “addiction” of the host country to unilateral tendencies. He noted that by having the privilege of hosting the United Nations in its territory, the host country was supposed to enable the Organization to fully and efficiently discharge its responsibilities. He added that the host country was supposed to act as a hospitable host for its guests, to, at least, maintain the appropriate conditions for normal activities required for delegations and missions accredited to the United Nations. He stated that the host country was supposed to ensure participation of all delegations in all United Nations meetings by issuing visas promptly, free from political considerations. He noted that, although those requirements, at first glance, seemed to be more ethical in nature, they were also crystallized in the binding instruments that formed a robust body of law which created obligations and commitments for the host country. He stated that neither the moral nor the binding nature of those obligations prevented the host country from resisting the temptation to weaponize the Headquarters of the United Nations. He concluded that the host country, from the beginning, had seen its hosting duties as an asset and attempted to utilize its position as an instrument of foreign policy.

59. The representative of the Islamic Republic of Iran noted that the situation that his Mission was facing was the consequence of unilateralism and arbitrary measures taken by the host country. He stated that the General Assembly and the Secretariat were together calling upon the host country to respect its hosting duties and remove undue illegal restrictions. He remarked that the host country, however, had not shown even an ounce of positivity or cooperation to resolve the issue and continued with the same discriminatory and punitive measures against his Mission, as well as some other countries’ missions.

60. The representative of the Islamic Republic of Iran stated that the host country had for a long time subjected certain missions and staff members of the Secretariat to illegal restrictions on the basis of nationality. He asserted that the host country was the only country that disregarded the special international character of the Secretariat enshrined under article 100 of the Charter. He stated that no other country had ever subjected staff members of the Secretariat of certain nationalities to such disruptive restrictions. He noted that the host country had increased the travel restrictions in respect of his Mission to an extreme level and created conditions with serious humanitarian consequences, mainly with the aim of ending the existence of his Mission. He asserted that the restrictions imposed by the host country affected the basic human rights of Mission staff and their families, as well as the normal functioning of his Mission. He stated that those restrictions had forced members of his Mission to withdraw their children from schools, which had had psychological effects, caused the loss of access to family physicians and required them to break their residential leases and thereby incur a financial penalty. He noted that relocation during the COVID-19 pandemic would unnecessarily expose members of his Mission and their families to the virus and jeopardize their health. He stressed that the continued failure of the host country to abide by its obligations and the subjecting of representatives of Member States and Secretariat personnel to such strict restrictions constituted a wrongful act for which the host country had yet to explain the rationale. He added that imposing restrictions and sanctions on the Minister for Foreign Affairs,

separating members of diplomatic households and imposing unlawful trade-offs for the issuance of their visas, issuing single-entry visas to decapacitate diplomats and subjecting diplomats to enforced movement amid the pandemic could not be a sign of strength.

61. The representative of the Islamic Republic of Iran went on to state that his Mission had requested the third emergency meeting of the Committee to seek out its rights under the Headquarters Agreement and to follow up on the promise made by the Secretary-General in a meeting with the Permanent Representative of his Mission on 10 March 2020 regarding the triggering of section 21. He asked the Secretariat to clarify the threshold for the invocation of section 21 of the Headquarters Agreement. He stated that arbitrary measures by the host country had affected the Permanent Missions of Cuba, the Democratic People's Republic of Korea, the Russian Federation, the Syrian Arab Republic and the Bolivarian Republic of Venezuela. He noted that failing to effectively tackle those serious challenges to the normal work of the United Nations would further aggravate the problems. He asserted that such discriminatory practices had no place in the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations or the Vienna Convention on Diplomatic Relations, which together formed the basis of the privileges and immunities of the United Nations.

62. The representative of the Islamic Republic of Iran recalled that the General Assembly, in resolution [74/195](#), had entrusted the Secretary-General with a mandate to act if the issues were not resolved in a reasonable and finite period of time. He stated that triggering section 21 of the Headquarters Agreement was not an option or a possibility but an imperative. He noted that, despite playing an active role in the consensus decision to adopt General Assembly resolution [74/195](#), the host country had sent his Mission a note in which it insisted on the enforced relocation of Mission personnel to within the travel restriction zones by the deadline set by the host country. He concluded by saying that the threshold for tolerance and action had long passed and that it was high time to utilize the available legal remedies not only to correct that violation of international law but also to defend the rights of the United Nations and affected Member States. He then called upon the host country to report on the steps that it had taken to implement General Assembly resolution [74/195](#).

63. The representative of the Islamic Republic of Iran expressed support for other permanent missions that had brought issues before the Committee: for the Permanent Mission of Cuba regarding the safety and security concerns following the violent incident against that country's Embassy in Washington, D.C.; for the Permanent Mission of the Russian Federation in respect of the seizure of diplomatic property; for the Permanent Mission of the Syrian Arab Republic with regard to problems associated with the issuance of single-entry visas to diplomats; and for the Permanent Missions of the Democratic People's Republic of Korea and Venezuela (Bolivarian Republic of) regarding banking problems experienced by those Missions. He reiterated his call upon the host country to honour its obligations under international law, revoke restrictions and refrain from any acts or measures that could undermine the safety and dignity of the diplomatic community or injure the integrity of the United Nations.

64. The representative of Cuba recalled challenges faced by missions in view of restrictions imposed by the host country and the COVID-19 pandemic. She asserted that the restrictions on the movements of diplomats and their families violated their freedom of movement and transit through the territory of the receiving State under the Vienna Convention on Diplomatic Relations and the Headquarters Agreement.

65. The representative of Iraq stated that, in the difficult times of the COVID-19 pandemic, the international community needed to unite and work together to

overcome the crisis. He urged all parties concerned to resolve and settle disputes amicably and thanked the host country for facilitating the work of the missions, in particular during the COVID-19 pandemic.

66. The representative of the Russian Federation stated that many of the issues discussed by the Committee had been exacerbated by the COVID-19 pandemic and the related restrictive measures. He noted that his country was appalled by the ultimatum posed by the host country to the Permanent Mission of the Islamic Republic of Iran to move its staff members, notwithstanding the pandemic, by 15 August 2020 to reside in a zone designated by the host country. He noted that the request not only violated the Headquarters Agreement and the Vienna Convention on Diplomatic Relations but was also in disregard of the recommendations and conclusions of the Committee and General Assembly resolution 74/195, as well as running counter to morals. He strongly called upon the host country to revoke the demand and respect its international obligations.

67. The representative of the Syrian Arab Republic expressed support for the earlier statements of the delegations of Cuba, Iran (Islamic Republic of) and the Russian Federation. He asserted that the circumstances associated with the COVID-19 pandemic should not prevent the Secretary-General from initiating the legal and practical measures required to implement section 21 of the Headquarters Agreement. He informed the Committee that his Mission had sent a letter to the Mission of the host country on 27 March 2020 including a direct request for the waiver of travel and movement restrictions imposed on Mission personnel and their families and had not received a response. He expressed appreciation for the efforts exerted by members of the host country Mission to address the concerns and issues referred to them by his Mission and thanked them in particular for their rapid response to three requests for the waiver of movement restrictions that had been made in the light of the COVID-19 situation. He asserted that the root cause of the problem lay in the politicized decisions made by the host country Government in Washington, D.C., which he said were aimed at punishing some permanent missions and officials of the United Nations of specific nationalities. The representative stated that his Mission was not seeking confrontation, but rather justice and equal representation in accordance with sections 11, 12, 13, 27 and 28 of the Headquarters Agreement. He stated that recourse to section 21 of the Headquarters Agreement could be avoided if the host country declared that it would unconditionally revoke all restrictive and punitive measures imposed on the representatives of the Cuba, the Democratic People's Republic of Korea, Iran (Islamic Republic of), the Russian Federation, the Syrian Arab Republic and Venezuela (Bolivarian Republic of) and any other Member State.

68. The representative of the Bolivarian Republic of Venezuela expressed serious concerns about systematic violations of the Headquarters Agreement and ever-increasing abuses by the Government of the United States of its position as a host country. He expressed support for the Mission of the Islamic Republic of Iran, noting that the restrictions imposed on it were a clear violation of the Headquarters Agreement. He noted that such actions during a pandemic were criminal and inhumane, endangering the well-being of Iranian diplomats while negating their human right to health and life, as well as in violation of the Vienna Convention on Diplomatic Relations.

69. The representative of Belarus voiced his delegation's solidarity with the delegation of the Islamic Republic of Iran and other delegations. He commended the steps already taken by the Secretary-General, the Legal Counsel and other high-level United Nations officials and called for a more proactive stance from the Secretariat. He condemned the new measures regarding relocation of certain personnel of the Mission of the Islamic Republic of Iran instituted by the host country, which he characterized as unimplementable.

70. The representative of China expressed hope that the host country would abide by the Charter of the United Nations, the Headquarters Agreement and all relevant international legal instruments, without any political bias. He called upon the host country to faithfully fulfil its obligations to enable all permanent missions to properly discharge their functions and guarantee the effective operation of the Organization. He called on all parties to improve communication and steadily proceed with all efforts to properly resolve all outstanding issues in accordance with the dispute resolution procedures set out in the Headquarters Agreement.

71. The representative of France stated that her Mission appreciated the difficult situation in which the Mission of the Islamic Republic of Iran found itself. She voiced support for the continued efforts of the Secretary-General, the Chef de Cabinet and the Legal Counsel to find effective solutions to the issues between the host country and some Member States in line with the Headquarters Agreement in a reasonable time, as well as the efforts of the Chair. She took note of the difficulties faced by some United Nations personnel. She called on the host country to take into account the difficult situation caused by the COVID-19 pandemic, in particular with regard to the deadline of 15 August 2020. She expressed full confidence in the Secretary-General and his team.

72. The representative of Spain said that she also wished to express her Mission's understanding of the special situation facing members of the Mission of the Islamic Republic of Iran in the context of the COVID-19 pandemic and the implementation of travel restrictions. She thanked the representatives of the Secretary-General, the host country and the Chair for their ongoing efforts to find a solution to the situation regarding travel restrictions. She expressed the view that there was still room for substantial interaction between the host country authorities and the Secretariat.

73. The representative of the United Kingdom of Great Britain and Northern Ireland expressed her Mission's hope that the host country would continue to consider how solutions could be found within a reasonable time. She had great sympathy for members of the Mission of the Islamic Republic of Iran and other missions and their families who were finding it difficult to comply with demands imposed by the host country in relation to their movements and accommodation, especially in the extraordinary times of the COVID-19 pandemic. She strongly encouraged the host country to show understanding to the Permanent Mission of the Islamic Republic of Iran and its request to give the Mission time beyond 15 August to move its staff into the area in which the host country required them to live and review the without delay restrictions imposed. She stated that she was confident that the Secretary-General and the Legal Counsel were in the best position to decide how best to make use of the provisions of section 21 of the Headquarters Agreement.

74. The representative of Malaysia noted that review of the restrictions imposed was of exceptional urgency, without prejudice to the ongoing discussions on the implementation of the Headquarters Agreement. She voiced full support for the engagement of the Secretary-General, the Legal Counsel and other United Nations officials with the host country officials to find an effective solution to the issues under discussion. She stated that it was in the interest of the United Nations and all Member States to observe all privileges and immunities and maintain appropriate conditions for the normal work of delegations and missions accredited to the United Nations. She noted, with sympathy and serious concern, measures imposed on the personnel of certain missions, as well as staff members of the United Nations, and appealed to the host country to reconsider its position and to conform to the letter and spirit of the Charter of the United Nations in furtherance of friendly relations, the equality of States and human rights.

75. The representative of the host country stated that the imposition of travel restrictions did not impede travel to or from the Headquarters district and was thus fully consistent with the Headquarters Agreement. He stated that the Headquarters Agreement did not include the unrestricted right to travel and reside anywhere in the host country and that the host country imposed such travel controls when travel could pose a hazard to the security interests of the United States. He stated that his Mission had sent a note to the Permanent Mission of the Islamic Republic of Iran regarding the movement of some members of the Mission into Manhattan and parts of Queens and that the host country was monitoring the situation in New York City, noting that, by its estimates, the situation would improve before August. He added that, if necessary, timely waiver requests would be considered on a case-by-case basis. He informed the Committee that the host country had approved multiple travel restriction waivers for the personnel of the Permanent Mission of the Islamic Republic of Iran to travel via different airports and to leave the New York metropolitan area. He added that the host country had also approved several waiver requests regarding diplomats of the Syrian Arab Republic and their dependants to facilitate travel for health-related reasons.

76. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel recalled that it was not the first time in the history of the Organization that the host country had invoked security reasons for imposing travel restrictions and that the Secretariat had not been informed of such reasons. He recalled previous discussions with the host country whereby a workable *modus vivendi* around those issues had been found. He noted that, while there existed no unlimited right of travel within the territory of the host country, the application of the Headquarters Agreement had to allow for the full and unimpeded exercise by the missions of Member States of their diplomatic functions.

77. The representative of the Islamic Republic of Iran noted the importance of resolving the situation and suggested that the Committee meet again in two weeks' time to reassess the situation and find a solution to the issue of travel restrictions, especially in view of the COVID-19 situation.

78. The Chair made two proposals for resolving the issues related to travel restrictions: first, to postpone the relocation deadline for one year; and, second, to apply the measures only to new staff of the Permanent Mission of the Islamic Republic of Iran, without prejudice to the respective positions of principle of that country and of the host country and, pending definitive settlement of the issues, to work on a provisional solution to the extraordinary situation under the circumstances of the COVID-19 pandemic.

79. At the online informal meeting held on 22 June 2020, the representative of the Islamic Republic of Iran stated that the host country continued to disregard its international obligations. He asserted that the ever-increasing number of unresolved cases before the Committee indicated the reluctance of the host country to address the issues. He noted that this trend might ultimately affect the whole system of international diplomacy and multilateral law-making processes. He stated that the host country owed an explanation to his Mission, the Committee and the diplomatic community as a whole for the reasons behind its cruel restrictions which affected Iranian diplomats and their families. He urged the host country to explain why and how one should bear the pain of losing close relatives without being able to return back home owing to the oppressive and arbitrary policy of issuing single-entry visas. He stated that the host country claimed such activities were not necessarily guaranteed under the Headquarters Agreement. He asserted that such activities were not recreational and were basic human needs and basic human rights. He recalled the pause in evictions and foreclosures in New York City in effect until the end of August 2020 and urged the host country to explain to the Committee its illegal ultimatum for

the enforced movement or enforced displacement of the Iranian diplomats from their current places of residence during the pandemic. He stated that such measures could seriously endanger their lives. He asserted that, contrary to the claim of the host country that the reason for the imposition of restrictions on his Mission was that travel could pose a hazard to the security interests of the United States, the statement by the Secretary of State at the time of imposition of those restrictions had left no doubt that the only reason behind the restrictions was the state of bilateral relations between the two countries. He noted that the Iranian diplomats accredited to the United Nations, as well as Iranian representatives traveling to the United States to attend United Nations meetings, not only were fully committed to their professional ethics but also observed the rules and regulations of the host country.

80. The representative of the Islamic Republic of Iran recalled statements of the Legal Counsel and the Chef de Cabinet made at the previous meeting of the Committee. He stated that, taking into account the urgency and deterioration of the situation, triggering section 21 of the Headquarters Agreement was to be seen not as an option or possibility but as an imperative to preserve the principles and values of the United Nations. He stated that the interpretation of the Headquarters Agreement provided by the host country at the previous meeting of the Committee was fully inconsistent with the object and purpose, and section 27 of, the Headquarters Agreement. He noted that one of his colleagues at the Mission had been waiting for a visa for one year. He added that such examples were the reason why his Mission had been persistently drawing the attention of the Committee to the inhumane effects of single-entry visas. He stated that the Headquarters Agreement did not fully reflect the present realities, including the problems faced by a number of countries, and called for appropriate measures to amend the Headquarters Agreement to ensure the efficiency and smooth functioning of the Organization.

81. The representative of Iraq expressed concern over the growing differences between the host country and some Member States.

82. The representative of Cuba recalled two suggestions regarding travel restrictions made by the Chair during the previous meeting of the Committee. He stated that measures put in place with respect to members of the Mission of the Islamic Republic of Iran were an example of the abuse of power exercised by the United States as a host country. He asserted that there was increasing evidence that violation of the Headquarters Agreement was just a different form of pressure exerted by the host country based on its bilateral relations with certain Member States. He stated that the host country was in violation of section 27 of the Headquarters Agreement and was ignoring the recommendations of the Committee and the General Assembly. He called on the Secretariat to fulfil its mandate pursuant to the Headquarters Agreement and General Assembly resolution [74/195](#) and to trigger section 21 without further delay. He called upon the Secretary-General to ensure the non-discriminatory and equal participation of all Member States in the work of the United Nations.

83. The representative of Nicaragua stated that there should always be dialogue and respect within the framework of international law so as to contribute to the proper conduct of the diplomatic relations of States accredited to the United Nations. She noted that, in view of the urgency of the situation for several Member States, it was time to apply section 21 of the Headquarters Agreement.

84. The representative of Canada recalled two suggestions regarding travel restrictions made by the Chair during the previous meeting of the Committee. She expressed hope that it would be possible to find a solution that took into account the human aspect of the situation, including in the context of the pandemic.

85. The representative of Senegal stated that only strict reliance on international law, in particular, the Vienna Convention on Diplomatic Relations and the Convention

on the Privileges and Immunities of the United Nations, could guarantee the effective execution by the permanent missions of their duties.

86. The representative of the host country informed the Committee that, having taken into account the discussions on the matter at previous meetings of the Committee and the current situation regarding the COVID-19 pandemic, the Department of State had decided to extend the deadline for staff of the Mission of the Islamic Republic of Iran to comply with the new travel restrictions to 15 November 2020, which constituted a 90-day extension.

87. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel assured the Committee that resolution of the issues before it remained a priority for him and his Office and a serious concern for the Secretary-General. He welcomed the practical solution found by the host country to the immediate challenge faced by members of the Permanent Mission of the Islamic Republic of Iran and their families who were residing outside of the zones defined by the host country in Manhattan and Queens and were required to relocate to one of those zones by 15 August 2020. He noted that this solution did not adequately address concerns regarding travel restrictions as a matter of principle but provided more time for a solution to be found. He stated that he was planning to hold further meetings, either in person in Washington, D.C., or virtually, with representatives of the host country, including the Legal Adviser of the Department of State, as well as other host country officials, to find an urgent and pragmatic solution to the travel restrictions imposed on representatives of the Islamic Republic of Iran and to find solutions to issues before the Committee and the Secretariat in line with the requirements of the Headquarters Agreement and the expectation of the General Assembly as reflected in its resolution [74/195](#).

88. The representative of the Islamic Republic of Iran noted that a proposition to extend the relocation requirement by three months was unacceptable. He noted that such a proposition was not going to solve the problem faced by his Mission. He called for further discussions in the Committee, noting that the issue was of a continuous nature and the restrictions should not have been applied in the first place.

89. The representative of Bulgaria expressed appreciation for the efforts, from all sides, to resolve the situation and welcomed the information provided by the host country on immediate practical measures, taking note of the host country's reaction to the feedback received during the previous meeting of the Committee.

90. The representative of Malaysia welcomed the updates shared by the host country, noting that more had to be done. She recalled the recommendations and conclusions of the Committee contained in its previous report ([A/74/26](#)) and noted the update provided by the Legal Counsel on the efforts of the Secretariat. She asked the Secretariat to continue providing updates on the outcomes of consultations and to provide a timeline of what constituted a reasonable and finite period of time.

91. The representative of the Syrian Arab Republic recalled that the issues before the Committee had been pending for many years. He noted that all of the issues were of a bilateral nature and stemmed from differences in interpretation of the Headquarters Agreement. He called for the Secretary-General to immediately inform the Committee of the actions he was intending to take to implement section 21 of the Headquarters Agreement. He asked the Secretary-General to formally request delegations affected by the restrictive and punitive measures imposed by the Government of the host country to prepare files to be submitted to an arbitration panel. He suggested that the Secretary-General send a formal letter to the Secretary of State of the United States, informing him that, based on the request of a number of Member States and as a result of the stalemate in resolving outstanding problems, the Secretary-General was granting the host country two weeks as a finite period of time

to lift all punitive and discriminatory measures imposed on a number of permanent missions to the United Nations and on staff members of the Secretariat holding the nationalities of those countries before resorting to section 21 of the Headquarters Agreement.

92. The representative of Cuba expressed support for the position communicated by the representative of the Syrian Arab Republic and took note of the response provided by the host country. He noted that the extension was a temporary measure and was not a solution to the problem faced by the Iranian diplomats.

93. The representative of the Bolivarian Republic of Venezuela noted that postponement of the arbitrary relocation measure was not a solution. He stated that the human dignity of all individuals, including Iranian diplomats, must not be subject to such restrictions by the host country.

94. The Chair welcomed the pragmatic solution found by the host country in the light of the measures taken by the New York authorities to halt the spread of the COVID-19 pandemic to deal with the immediate concerns regarding the travel restrictions on representatives of the Islamic Republic of Iran. He noted that this facilitated the continuation of discussions on the matters before the Committee. He took note of the fact that discussions were also continuing between the Secretariat and the host country with a view towards finding solutions in line with the Headquarters Agreement and other applicable legal instruments. He further noted the increasing concerns raised by representatives regarding the time that had elapsed since those issues were raised in the Committee and the expectation of the General Assembly in that regard.

95. The representative of the host country stated that the host country was taking its responsibilities extremely seriously and that the extension of the date to 15 November was an example of that attitude.

96. At the online informal meeting on 13 August 2020, the Assistant Secretary-General for Legal Affairs updated the Committee on the discussions held between the Legal Counsel and the host country to obtain acceptable solutions in line with the Headquarters Agreement. In particular, he noted that he and the Legal Counsel had held an online meeting with the Legal Adviser of the Department of State and the Deputy Assistant Secretary of State for International Organization Affairs. He stated that, while the priority was to find an urgent and pragmatic solution to the travel restrictions imposed on the representatives of the Islamic Republic of Iran and a banking solution for the Permanent Mission of the Bolivarian Republic of Venezuela, other issues had also been reiterated with a view to finding solutions in line with the Headquarters Agreement and the expectation of the General Assembly as reflected in its resolution [74/195](#). He further noted that several online meetings had also been held with the Mission of the host country to further develop possible solutions, in particular with respect to travel restrictions and banking. He stated that a solution to the banking issue faced by the Bolivarian Republic of Venezuela had been found and would be announced by the representative of the host country.

97. The representative of the host country stated that, as part of the ongoing discussions with the Office of Legal Affairs, his Mission prioritized working with the Department of State and other federal agencies to resolve the issue of banking access for the Mission of the Bolivarian Republic of Venezuela. He noted that his Government had taken action to help ensure that there would not be any sanctions-related impediments to the United Nations Federal Credit Union maintaining the accounts of the Permanent Mission of the Bolivarian Republic of Venezuela, thus enabling the Mission to utilize a bank account to pay its dues to the United Nations and other expenses of the Mission. He further stated that the Mission would be

contacted shortly by the United Nations Federal Credit Union to get the account established.

98. The Chair welcomed the 90-day extension with regard to the travel restrictions and noted that such an extension allowed the Committee more time to find an acceptable solution. He also expressed appreciation for the engagement by the host country in resolving the banking issue faced by the Bolivarian Republic of Venezuela. He expressed hope that the Bolivarian Republic of Venezuela would be able to restore its voting rights in the General Assembly as soon as possible.

99. The representative of the Islamic Republic of Iran expressed his serious concern regarding the unprecedented restrictions faced by his Mission, despite the efforts of the Chair and United Nations officials to engage with the host country at the highest level. He noted that the issues faced by his Mission stemmed from the maximum-pressure policy of the host country with regard to the Islamic Republic of Iran. He stated that the basic purpose of the Headquarters Agreement was to provide for the smooth functioning of the United Nations and that the interpretation provided by the host country was inconsistent with the object and purpose of the Headquarters Agreement and led to absurd conclusions. He further stated that the host country's narrow interpretation contravened section 27 of the Headquarters Agreement. He noted that the nationality-based discrimination by the host country was aimed at inflicting suffering, pain and psychological pressure on Iranian diplomats and their families, and the staff of the Secretariat or other G-visa holders of Iranian nationality. He further stated that subjecting Iranian diplomats to forced relocation during the pandemic contravened their fundamental human rights, particularly the right to health, and the privileges under the Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations. He stated that, after more than a year of confinement of the Iranian diplomats and their families within a three-mile radius and nearly a year of futile engagement with the host country, a reasonable and finite period of time had elapsed. He further stated that, given the failure of all efforts to solve the pending issues before the Committee, including travel restrictions, visa issues, banking issues and the seizure of diplomatic property, triggering section 21 of the Headquarters Agreement was imperative. He noted that, owing to the delay in triggering section 21, the Iranian diplomats were suffering and facing difficulties. He added that the unwarranted reluctance to resort to section 21 resulted in the continuation of violation of the rights of the representatives of the Islamic Republic of Iran. He urged the Secretary-General to consider, keeping in mind the values and principles of the United Nations, whether, as a result of the breach of obligations and the overall lawlessness exhibited by the host country, humanitarian consequences had reached such a level that silence could not be justified. He noted that such lawlessness had led to systematic discrimination by the host country and that taking practical steps against it was imperative. He recalled that the language of section 21 was binding and that triggering the legal remedies under section 21 would not only solve the issues faced by the Islamic Republic of Iran, Cuba, the Russian Federation and the Bolivarian Republic of Venezuela but also defend the interest of the entire international community.

100. The representative of Cuba noted that, apart from travel restrictions and banking issues, other issues faced by certain Member States included the delay or denial of visas and the seizure of property. She stated that there was no justification for the host country granting waivers on travel restrictions, for such restrictions should not have existed in the first place. She further stated that the Committee had exceeded the reasonable time frame set out in General Assembly resolution [74/195](#) and could not afford to start another session without having taken the necessary steps to commence arbitration. She expressed serious concern about the host country's selective and arbitrary application of the Headquarters Agreement. She called on the Secretary-

General to assert his authority to ensure respect for the sovereign equality of States and to guarantee the full and equal participation, without discrimination, of all Member States in the work of the Organization.

101. The representative of the Russian Federation stated that several attempts had been made to resolve the issues before the Committee, including the Secretary-General himself raising those issues with the host country at the highest level; the Committee had held five meetings on the non-implementation of the Headquarters Agreement in 2020; and six letters had been sent to the Secretary-General, highlighting the key obligations under the Headquarters Agreement and related norms of international law. He further noted that, in discussions with the Secretary-General, the affected Member States had been assured by the Secretary-General that he would invoke section 21 of the Headquarters Agreement if the host country failed to resolve the issues.

102. The representative of the host country recalled that a 90-day extension had been announced allowing the personnel of the Permanent Mission of the Islamic Republic of Iran to relocate to the new travel zone by 15 November 2020. He noted that, with the significant decline in the prevalence of COVID-19 in New York City and with New York State entering phase 4 of the “New York Forward” policy, there were no significant restrictions on real estate transactions or relocation services; hence, the personnel of the Mission of the Islamic Republic of Iran should be able to relocate within the new travel zone by the deadline. He reiterated that such travel restrictions were consistent with the Headquarters Agreement because they did not impede travel to or from the Headquarters district. He noted that his Mission had regularly approved travel waiver requests, including requests by the Missions of the Islamic Republic of Iran and Cuba for travel outside the restricted zones for medical and humanitarian purposes. He encouraged the Permanent Mission of the Islamic Republic of Iran to inform his Mission of any specific issues they anticipated or encountered.

103. The representative of Malaysia aligned herself with the recommendations of the Committee urging the host country to remove restrictions inconsistent with the privileges and immunities enjoyed by permanent missions to the United Nations under international law.

104. The representative of Nicaragua referred to the principle of the sovereign equality of the States Members of the United Nations and called for the full and effective participation of the Member States during the seventy-fifth session of the General Assembly. She further noted that the plight of the affected Member States had worsened because of the pandemic and that resort to section 21 of the Headquarters Agreement was essential.

105. The representative of the Syrian Arab Republic noted that the issues before the Committee included not only the imposition of movement and travel restrictions but also banking issues, illegal seizure of the property of the Russian Federation and the discriminatory and selective granting of visas to some missions. He stated that those issues were rooted in the unilateral interpretation and implementation of the Headquarters Agreement by the host country. He referred to the Advisory Opinion of the International Court of Justice rendered on 26 April 1988 concerning the Applicability of the Obligation to Arbitrate under Section 21 of the United Nations Headquarters Agreement of 26 June 1947. He noted that, in previous instances, the Secretary-General had indicated his general support for resorting to section 21 of the Headquarters Agreement in the event of an impasse. He also noted that the Secretary-General had previously emphasized that the national legislation of the host country did not govern the status of missions accredited to the United Nations and that such status was determined by the Headquarters Agreement.

106. The Chair noted the serious concern of affected Member States about the time that had elapsed since the General Assembly adopted its resolution in which it called for the Committee to resolve standing issues in a reasonable and finite period of time. He recalled that, while the Committee might express its views to the General Assembly, it was not within the Committee's mandate to decide on steps to be taken under section 21 of the Headquarters Agreement. He further noted that it was for the Secretary-General, taking into account the recommendation of the Committee and the General Assembly, to invoke measures under section 21.

107. The Assistant-Secretary-General for Legal Affairs assured the Committee that he had taken due note of the statements made and would brief the Secretary-General on the concerns identified.

108. At the online informal meeting held on 17 September 2020, the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel stated that it was very clear there were serious issues before the Committee. He noted that he and the Secretary-General, the Chef de Cabinet and the Under-Secretary-General for Political and Peacebuilding Affairs had consulted with the affected Member States and engaged with senior representatives of the host country to resolve outstanding issues and were continuing to do so. He recalled that discussions with the host country had led to the authorization for the United Nations Federal Credit Union to provide banking services to the Permanent Mission of the Bolivarian Republic of Venezuela. He stated that he was continuing to press for an urgent solution with respect to the travel restrictions imposed on representatives of the Permanent Mission of the Islamic Republic of Iran and their families, in addition to the other issues that had been raised. In that regard, he recalled his statement at the online informal meeting of the Committee held on 5 June 2020 on the need for an urgent solution to that issue in the light of the pandemic. He noted that the pandemic continued to affect everybody and would pose an increased risk for Iranian diplomats and their families if they had to relocate under the current circumstances. He welcomed the postponement of the deadline for relocation to 15 November 2020 and noted the need for additional steps. He informed the Committee that he had requested another meeting with senior representatives of the host country at the United States Department of State to continue pressing the position on travel restrictions and other important issues and to emphasize that solutions should be found in a reasonable and finite period of time. He reiterated his personal frustration with the situation and stated that he was well aware of the frustration faced by the affected Member States. He stated that he remained committed to continuing his discussions with the host country, as more work remained to be done, and that the process remained the best option for finding acceptable solutions. He therefore believed that he had not reached the point at which further steps, in line with the provisions of the Headquarters Agreement, should be considered. He assured the Committee that he would inform the Secretary-General of the discussions at the meeting and would keep the Committee informed of all developments.

109. The Permanent Representative of the United States addressed the Committee on the issue of travel restrictions concerning members of the Permanent Mission of the Islamic Republic of Iran and their families. She stated that the host country wished to work with the Mission of the Islamic Republic of Iran to address the difficulties being faced by members of the Mission, in particular the families, in relocating to the designated zones. She acknowledged in particular the difficulty of securing relocation services and changing schools. She stated that she had discussed the issue directly with the Permanent Representative of the Islamic Republic of Iran. She informed the Committee that the host country had decided to alleviate those difficulties by postponing the requirement for all members of the Mission and their families to relocate until 15 December 2020 and that those members and their families that were

due to leave the Mission by the end of the year would not have to relocate prior to their departure from the country. She stated that she intended to continue her discussion concerning host country issues as they became relevant with the Permanent Representative of the Islamic Republic of Iran.

110. The Chair noted from the statement of the Legal Counsel that the discussions remained productive and that the format of those discussions remained the best option for finding acceptable solutions. He recalled that the Permanent Missions of Cuba, Iran (Islamic Republic of), the Russian Federation, the Syrian Arab Republic and Venezuela (Bolivarian Republic of) had consistently called for application of the procedures under section 21 of the Headquarters Agreement. In that regard, he observed that, even though a significant period of time had elapsed and important issues remained unresolved, diplomatic efforts needed to continue and might require more time than some representatives believed to be reasonable for finding acceptable solutions. He noted the importance of continuing the engagement of the Secretariat and the host country in a process that they considered to be constructive, could yield results and should continue, as more work remained to be done.

111. The representative of the Islamic Republic of Iran stated that the discussion that the Permanent Representative of the United States had mentioned with the Permanent Representative of his Mission had not resulted in an agreement about the one-month delay in the movement of Iranian diplomats living outside the travel zone. He expressed his Mission's strong view that the host country remained in grave violation of the Headquarters Agreement and other international commitments of the host country, which had affected the physical and mental well-being of Iranian diplomats in the Mission and their families. He further stated that 450 days had passed since the imposition of confining restrictions by the United States and that the host country had not reversed those punitive measures. He expressed serious concern that, despite all efforts of the Chair and the officials of the United Nations to engage with host country officials at the highest level, the host country had failed to comply with its international legal obligations under the Vienna Convention on Diplomatic Relations, the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations and other applicable international legal instruments.

112. The representative of the Islamic Republic of Iran stated that the illegal and confining restrictions had greatly impeded the independent exercise of functions of Iranian representatives. He asserted that the humanitarian consequences of such unlawful conduct by the host country had reached a level at which silence could no longer be justified. He stated that, owing to the illegal policies of the host country, Iranian diplomats were systematically and categorically deprived of their freedom of movement within New York City and travel to their home country. He further stated that the ability of Iranian diplomats to carry out their functions in a proper and efficient manner had been seriously affected and their access to necessary services and institutions, including educational and medical institutions, had been restricted. He registered his delegation's strongest objection to the ultimatum of the host country regarding the forced relocation of Iranian diplomats, which not only flagrantly violated the host country's obligations but also endangered the safety of Iranian diplomats, in contradiction with the local COVID-19-related protocol to halt residential evictions. He asserted that it was within their legal rights and a humane and moral imperative for Iranian diplomats to remain in their current places of residence until the end of their tenure. He noted that the Secretary-General had not only the discretion but also the responsibility to trigger the dispute settlement mechanism under the Headquarters Agreement with a view towards the removal of all illegal restrictions. He asserted that the responsibility to trigger the dispute settlement mechanism had been confirmed by General Assembly resolution [74/195](#) and recalled the binding language of section 21 of the Headquarters Agreement. He

stated that any delay in triggering the mechanism under section 21 would be in contravention of General Assembly resolution 74/195 and the Headquarters Agreement. He further stated that the mechanism stipulated under section 21 was purely a legal one and should not be taken hostage by the political and financial considerations of the host country.

113. The representative of the Russian Federation characterized the situation that the Committee had been dealing with in 2020 as dire, with the host country not implementing the Headquarters Agreement. She stated that the expiration of one year since the adoption of General Assembly resolution 74/195, which prescribed the resolution of a number of persistent problems in a reasonable and finite period time, had exceeded the limits of a reasonable period to find a solution and that in the meantime no progress had been achieved. She noted that the Russian Federation had also consistently raised the issue of travel restrictions for a number of years and that representatives of the Russian Federation also continued to be subject to those restrictions.

114. The representative of the Russian Federation stated that a delay of the imposition of the illegal relocation measure in respect of the members of the Permanent Mission of the Islamic Republic of Iran and their families was not reflective of any progress. She called for the Legal Counsel to update the Committee on what had been achieved to resolve the outstanding issues. She noted that, given the futile dialogues between the United Nations officials and the host country, resort to arbitration under section 21 was imperative. She stated that the Legal Counsel was the legal guardian of the United Nations, which was comprised of not only the Secretariat but also representatives of Member States, who had the right to attend meetings and express their position without fear or intimidation. She stressed that if the parties just continued to repeat their positions or promise to change the situation but nothing happened, then negotiations must be considered deadlocked. She further stated that, in the light of the special mandate placed upon the Legal Counsel by General Assembly resolution 74/195 and the continuing violation of the Headquarters Agreement by the host country, the Legal Counsel was required to declare that the host country's violations of its obligations could not be resolved by any other means than arbitration. She stated that the restrictions imposed as a result of the pandemic should be reasonable and not prohibitive for the participation of Member States in the work of the United Nations. She urged the host country to work with the New York State authorities to arrange for the acceptance of negative COVID-19 test results in lieu of the 14-day mandatory quarantine period applicable to representatives travelling to New York, which would reduce the quarantine period to four or five days. She again recalled General Assembly resolution 74/195 and urged the Secretary-General to invoke the procedure under section 21 of the Headquarters Agreement.

115. The representative of the Syrian Arab Republic recalled that his Mission was subject to a 25-mile travel restriction. He noted that the Committee was dealing with cumulative and growing problems without reaching solutions. He called upon the Legal Counsel to give his view on that legal dilemma. He stated that one year was too long to be considered a reasonable and finite period of time. He further noted the absence of a serious response from the host country. He recognized the remarkable work of the host country Mission and noted that his country was not looking for confrontation but for a solution. He recalled the Advisory Opinion of the International Court of Justice rendered on 26 April 1988 concerning the Applicability of the Obligation to Arbitrate under Section 21 of the United Nations Headquarters Agreement. In that regard, he pointed to the correspondence by the Secretary-General at that time supporting and advocating resort to arbitration based on section 21 of the Headquarters Agreement. He noted that it was important to discuss all outstanding

issues in a frank and transparent manner and admit that a reasonable and finite period of time had already elapsed and that a practical solution was needed. He stated that there were two options to find a solution: first, to resort to arbitration; and, second, for the Government of the United States to announce an immediate and unconditional end to all the punitive measures. He stated that, unlike the situation of other missions accredited to the United Nations in New York, the plight of missions of the affected States violated the dignity of representatives and hampered their ability to work in a healthy atmosphere.

116. The representative of Cuba stated that it was regrettable that the issues before the Committee had persisted and were hampering the start of the work of certain committees of the General Assembly, owing mainly to the inability of all delegations to perform their duties on an equal footing. He noted that it was also regrettable that the Secretariat did not perceive the expiration of one year as a reasonable and finite period of time to resort to the arbitration of a dispute between the United Nations and the Government of the United States concerning the interpretation and application of the Headquarters Agreement, in accordance with section 21 of the Headquarters Agreement. He asserted that the Government of the host country, by selectively and arbitrarily applying the Headquarters Agreement, was increasingly taking advantage of its status as the host country and putting pressure on certain States, in flagrant violation of the principle of sovereign equality enshrined in the Charter of the United Nations. He further asserted that the host country was committing flagrant violations by arbitrarily imposing movement restrictions on diplomats of several countries and their families, delaying and denying visas to access the Headquarters of the Organization and participate in its work, expelling diplomats accredited to the United Nations, seizing property and preventing a Member State mission from having access to banking services for its normal operations and meeting its financial commitments, causing the loss of the right to vote. He recalled that the travel restrictions affected a number of Member State missions and that in the past some children of affected diplomats had been required to move from their schools outside of Manhattan to the schools within the limits of Manhattan within 24 hours.

117. The representative of Cuba stated that the Secretariat must act with determination. He asserted that the lack of concrete action had caused the host country to act with impunity. He stated that it was time for the Secretary-General to exercise his prerogative to invoke section 21 of the Headquarters Agreement and ensure that the principle of the sovereign equality of States was respected and the full and equal participation without discrimination of all Member States in the work of the United Nations was guaranteed. He questioned the effectiveness of the steps taken so far and called for the appointment of arbitrators by the parties.

118. The representative of Nicaragua recalled the position of her country that a failure to comply with the Headquarters Agreement violated the right of Member States to participate in the work of the Organization on the basis of equality and non-discrimination. She expressed her delegation's support for full respect of the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention on Diplomatic Relations and the Headquarters Agreement. She reaffirmed the need to respect diplomatic immunity, both of the premises and of the diplomatic agents of Member States. She expressed support for the adoption of all relevant measures aimed at maintaining safety and security. She noted that a permanent solution was crucial to ensure that the functioning of the missions was not in jeopardy during the seventy-fifth session of the General Assembly. She supported the approach that there should always be a dialogue and respect within the framework of international law so as to contribute to the proper conduct of diplomatic relations of countries accredited to the United Nations. She stated that, taking into account the urgency of the situation, in which some Member States were subjected to illegal

measures during the alarming worsening of the pandemic, it was time to apply section 21 of the Headquarters Agreement.

119. The representative of the United Kingdom noted the strength of feelings around the issues raised before the Committee, and the statements of the representative of the host country and the Legal Counsel. He recalled that it was the decision of the Secretary-General to trigger section 21 of the Headquarters Agreement and asserted that there was room for further discussion. He stated that he valued the guidance of the Legal Counsel that triggering section 21 would be premature at the current juncture.

120. The representative of the Bolivarian Republic of Venezuela stated that the travel restriction was in clear violation of the Headquarters Agreement and characterized it as an inhumane action during the pandemic. He asserted that by imposing such a restriction on Iranian diplomats, the host country was endangering their welfare and violating their human rights, such as the right to health and the right to life. With respect to the security incidents described by the representative of the Russian Federation, he noted that those incidents were incompatible with the rule of international law, specifically the principle of inviolability of diplomatic premises. With respect to the visa issues raised by the representative of the Syrian Arab Republic, he noted that it was an obligation of the host country to issue and renew the visas of diplomats accredited to the United Nations.

121. The representative of France stated that the Headquarters Agreement must be fully implemented. She voiced understanding of the difficulties that had been highlighted by some delegations. She thanked the host country for its efforts to make the life of delegations easier. She called for engagement and the utmost effort to bring existing differences to a successful conclusion. She invited the members of the Committee to stay within the Committee's framework and mandate and encouraged the host country to continue its efforts to find a solution to the difficult situation.

122. The representative of Spain noted the ongoing exchanges and dialogue between the host country authorities and the Missions of Iran (Islamic Republic of) and Venezuela (Bolivarian Republic of), as well as the Secretariat, especially the Office of Legal Affairs. He reiterated his country's position that the Committee had a role to play in solving problems. He concurred with the Legal Counsel that the decision to trigger section 21 of the Headquarters Agreement was in the hands of the Secretary-General. He further agreed with the view that the dialogue led by the Legal Counsel should continue and that all efforts should be made to resolve the situation. He encouraged the host country to continue its efforts to move matters in the right direction and noted that there was room for improvement in that respect.

123. The representative of Bulgaria said that he recognized the difficulties and expressed sympathy for the situation faced by Iranian diplomats and their families. In that regard, he noted that the issue required a timely solution. He further noted that the issue of ensuring the participation of delegates from all Member States in United Nations meetings and forums was vital to safeguarding the status of the Organization as universal and based on the sovereign equality of Member States, while respecting the rights of the host country to sovereign discretion in providing visas for each individual. He noted the progress made by all parties, including the Chair, the representatives of the Secretariat and the host country in resolving outstanding issues, including the provision of a financial channel for payments by the Bolivarian Republic of Venezuela of contributions for the budget of the Organization. He voiced support for the continuing determination of the Chair to facilitate the dialogue between the parties concerned, with a view to finding lasting solutions to the issues before the Committee. He noted the assessment that the potential triggering of section 21 of the Headquarters Agreement at the current time would not ensure that urgent

solutions were found. He recalled that the decision on the matter rested with the Secretary-General and expressed confidence in the assessment of the Secretary-General. He stated that a cautious approach to considering the exhaustion of all options was needed.

124. The representative of Canada noted the positive developments in the resolution of some issues before the Committee. She stated that there was a long way to go before a more permanent resolution of some of the issues was found. She noted the usefulness of hearing from representatives of affected Member States about their concerns and the impact that the existing situation was having on them and their families. She further noted the continuing discussions between the Legal Counsel and the host country and thanked the Chair for his efforts to work with the host country and affected Member States. She took note of the view expressed by the Legal Counsel that the ongoing discussions remained the best way of resolving the situation. She acknowledged the role of the Secretary-General in making a decision regarding the way forward. She expressed readiness to support continued efforts to reach an agreement.

125. The representative of the Bolivarian Republic of Venezuela stated that the problems raised before the Committee had not been resolved within the expected time. He called for the activation of the provision envisaged in section 21 of the Headquarters Agreement and noted that in his view it was the only option left to ensure that the integrity of the Headquarters Agreement, both in spirit and letter, was preserved.

126. The representative of Cuba stated that it was in the hands of the Secretary-General to move forward on all issues discussed in the Committee. She noted that the expiration of one year was more than enough time to consider that the desired outcomes had not been reached, as affected Member States continued to face problems.

127. The Chair recalled that the Committee was a platform for raising issues and for discussions. He noted the participation of the Legal Counsel in the meeting and expressed confidence that he would convey the positions of Member States to the Secretary-General. He further noted that the Committee was not an executive body but a forum to express positions and to make recommendations.

128. The representative of the host country noted that the host country had taken steps to address concerns raised in the Committee and that it would continue to engage with the Legal Counsel on the full range of issues. He recalled the extension of the deadline for relocation of the personnel of the Mission of the Islamic Republic of Iran within the new travel zone. He further recalled that timely waiver requests would be considered on a case-by-case basis and encouraged the Mission of the Islamic Republic of Iran to submit such waiver requests if there were extenuating circumstances. He recalled that his Mission had regularly approved travel restriction waiver requests, including numerous requests from the Missions of the Islamic Republic of Iran, the Syrian Arab Republic and Cuba.

129. The representative of the Russian Federation stated that Member States that had not been subjected to the discriminatory policies of the host country could not properly appreciate the plight of the affected States. She urged the Legal Counsel as the representative of the Secretary-General to brief the Committee on not only the actions taken by the Secretariat but also any results that they had achieved. With regard to the relocation measures imposed on Iranian diplomats, she stated that the Committee now had until 15 December 2020 to decide upon the legality of the host country's actions. She stated that, in the view of the Russian Federation and other Member States, such measures were illegal and questioned why it was necessary to wait any further to agree on that. She therefore urged the Secretary-General to proceed

with arbitration, which should provide a legal answer to the question of the legality of travel restrictions before 15 December 2020.

C. Other matters

130. At the 297th meeting, the representative of the Russian Federation stated that the illegal situation with respect to the seizure of the property in Upper Brookville was continuing. He noted that the host country had recognized the diplomatic privileges and immunities of that property for a long time. He also recalled paragraph 15 of General Assembly resolution 74/195 and noted that the host country had been given a reasonable and finite period of time to correct the situation and start complying with its obligations in order to avoid triggering the procedure under section 21 of the Headquarters Agreement. He noted the work of the Office of Legal Affairs and requested that detailed information be provided at the next meeting of the Committee by the Secretariat concerning progress in the implementation of the Assembly resolution, the steps taken and the results achieved to protect the interests of the Member States and the United Nations.

131. The representative of the Bolivarian Republic of Venezuela stated that the host country was in violation of section 27 of the Headquarters Agreement. He noted that in recent months his Mission had held a number of bilateral meetings with the Secretary-General and that his Government had reiterated its political determination and financial capacity to fulfil, in a timely manner, its financial commitments to the United Nations. He stated that, despite his country's repeated efforts to transfer funds to the United Nations to meet its financial obligations, it had been prevented from doing so by the illegal economic, trade and financial embargo imposed by the host country. As a result, based on Article 19 of the Charter of the United Nations, his country had lost its right to vote in the General Assembly and thus was prevented from fully exercising its functions as a State Member of the United Nations.

132. The representative of the Bolivarian Republic of Venezuela said that he also wished to raise a series of restrictive measures, including delay or denial of visas, restrictions on movement, seizure and theft of sovereign resources, imposition of embargoes and other impediments within the host country financial system – all geared towards creating obstacles to limit his country's capacity to fully exercise its rights and privileges, including its right to participate with a voice and a vote at the General Assembly. He asserted that such restrictions impeded the adequate exercise of his country's responsibilities and official tasks. He called on all States Members of the United Nations, the Committee and the Secretariat to work together on the development of specific and concrete proposals that would make it possible to guarantee the enforcement of and effective compliance with the Headquarters Agreement. He further urged the host country to identify the actions that would make it possible to make progress in three specific areas: first, the adoption of measures necessary to unfreeze the sovereign resources of the Bolivarian Republic of Venezuela in international financial entities with a view to their use for honouring his country's financial commitments to the United Nations; second, the creation of a financial route to provide for the safe and secure transfer of necessary funds to bank accounts of the United Nations; and third, to ensure unlimited respect of the letter and spirit of the Headquarters Agreement, including its section 27, and the provisions of the Vienna Convention on Diplomatic Relations. He expressed hope that the Committee, together with the Secretariat, would be able to support all necessary action so that his country's suggestions became a reality with a view to having a real impact on the rights and privileges of all Member States based on the principle of the sovereign equality of States. He encouraged the Secretary-General, through the Legal Counsel, to actively participate in the efforts of the Committee. He further stressed the shared

responsibility of Member States to continue working together to avoid continued and systemic violations of the Headquarters Agreement. He asserted that it was the only way to guarantee that all Member States would be able to fully and effectively perform functions in the Organization.

133. The representative of the host country stated that, with regard to the banking issue raised by the representative of the Bolivarian Republic of Venezuela, over the past decade there had been instances in which private banks had decided to no longer provide banking services to certain Missions and their personnel. His Mission had worked hard to find creative solutions to restore banking services to the affected Missions. One solution that had been implemented was to authorize the United Nations Federal Credit Union to provide such services. He stated the host country would work towards finding a solution for the Permanent Mission of the Bolivarian Republic of Venezuela and that he would be in direct contact with the Mission regarding the matter.

134. The Chair recalled that the Committee, in paragraph 165 (m) of its previous report, had stressed the need for permanent missions and the United Nations to benefit from appropriate banking services in the host country. He noted that the banking issue was serious, in particular because it affected the right of a Member State to vote in the General Assembly. He appealed to the host country to continue doing its utmost to address the matter and welcomed the statement by the representative of the host country that he would do so.

135. The representative of Cuba noted the financial obstacles that made it impossible for the Bolivarian Republic of Venezuela to pay its dues to the United Nations and exercise its rights under the Charter of the United Nations. She pointed out the involuntary nature of the lack of payment and noted the unfairness of the situation.

136. The representative of the Islamic Republic of Iran recalled the mandate of the Secretary-General to take steps under section 21 of the Headquarters Agreement if the issues remained unresolved within a reasonable and finite period of time. He asserted that the Committee had been completely ineffective in addressing the problems in a practical way and that it was therefore necessary to mobilize efforts towards the implementation of General Assembly resolution [74/195](#).

137. The representative of the Syrian Arab Republic thanked the Legal Counsel for his involvement in the issues raised in the Committee and noted a new spirit and methodology in dealing with host country matters. He also noted, however, that the issues that his country was dealing with were not related to the performance of the Mission of the host country, but rather to the policies and politicized decisions of the host country's Government, which were in breach of the Headquarters Agreement. He reported that the Permanent Representatives of China, Cuba, Iran (Islamic Republic of), the Russian Federation and Venezuela (Bolivarian Republic of), and the Permanent Representative of his country, had sent a request to the Chair of the Committee to invite the Secretary-General to attend the meeting that day to report on his meetings with the representatives of the host country in order to implement the provisions of General Assembly resolution [74/195](#) and the recommendations and conclusions of the Committee contained in its previous report. He recalled paragraph 15 of resolution [74/195](#), in which the Assembly called for the personal and more effective involvement of the Secretary-General in the work of the Committee. He noted the lack of progress, which in his view reflected a lack of seriousness in addressing the problems. He asserted that, on the contrary, the host country continued pursuing discriminatory and punitive measures against representatives of some Member States. As an example, he recalled a refusal by the host country to grant visas to official representatives of Member States to take part in official meetings, in particular in the Security Council. He requested the Legal Counsel to report to the

Secretary-General that the affected Member States demanded that he immediately begin implementation of section 21 of the Headquarters Agreement and refer the issues to the International Court of Justice. He urged the proper implementation of the Headquarters Agreement and all relevant legal documents with regard to diplomatic privileges and immunities with a view towards providing justice and equality in line with sections 11, 12, 13, 27 and 28 of the Headquarters Agreement. He noted that the essence of the problem was not the granting of a reasonable amount of time to implement the Headquarters Agreement, but rather that the Government of the host country did not have the political determination to implement or respect the Headquarters Agreement in a spirit of goodwill and cooperation. He stated that the Government of the host country had taken unilateral measures in order to serve its own policies, based on sanctions and restrictive measures imposed on the Governments with which it did not agree. He further stated that the Secretariat minimized the seriousness of the issues. He asserted that the Government of the host country interpreted that approach as a "green light" and went even further in its erroneous implementation and interpretation of the Headquarters Agreement. He called upon the Legal Counsel to immediately begin procedures pursuant to section 21 and called upon the Chair to hold an urgent meeting of the Committee, with the personal participation of the Secretary-General, to update the Committee on the steps taken.

138. The Chair explained that the Secretary-General was an institution of the United Nations and was represented at the meeting by the Legal Counsel. He noted that the Committee also constantly benefited from the presence of a senior representative of the Office of Legal Affairs, the Assistant Secretary-General for Legal Affairs. He further noted that the Secretary-General had had several meetings with the Secretary of State of the United States and the United States Mission to the United Nations.

139. At the 298th meeting, the representative of the Russian Federation stated that he wished to recall the illegal seizure of the property in Upper Brookville by the authorities of the host country and that members of his Mission and Russian citizens working in the Secretariat were still restricted in their residence and movements to the notorious 25-mile-radius zone.

140. The representative of the Bolivarian Republic of Venezuela expressed full support for the issues raised by other delegations, in particular regarding the issuance of visas, and noted the absence of corrective measures being taken by the host country. He further expressed concern regarding the expansion of discriminatory and unjustified measures that were politically motivated, lacked any legal basis and violated all relevant legal instruments, including the Headquarters Agreement. He stated that the host country continued to brazenly violate its obligations. He asserted that repeated failure to comply with the Headquarters Agreement showed contempt for the United Nations and what the Organization represented. He urged the host country to take steps to resolve the situation and ensure that it never occurred again.

141. The representative of the Bolivarian Republic of Venezuela stated that the transfer of funds owed by his Government to the United Nations had been impossible to complete owing to the illegal, cruel and inhuman trade, financial and economic blockade that the host country had de facto imposed on his country. He asserted that, as a result of that blockade, the right of the Bolivarian Republic of Venezuela to vote in the General Assembly had been suspended, barring his delegation from fully and effectively exercising its functions in the United Nations. He called for measures to address violations of the Headquarters Agreement by the host country, including failure to issue visas, travel restrictions, the imposition of a blockade and the seizure and robbery of assets. He noted that such measures had hindered his Government's ability to exercise its diplomatic and official responsibilities. He called upon the host country to: first, adopt the measures necessary to unfreeze the sovereign resources of

the Bolivarian Republic of Venezuela in international financial institutions and the host country so that his Government could meet its financial obligations to the United Nations; second, to create a financial channel to allow the secure transfer of necessary funds to bank accounts of the United Nations and his Mission; third, to respect the spirit and letter of the Headquarters Agreement between the United Nations and the host country, including section 21, and the provisions of the Vienna Convention on Diplomatic Relations. He urged the Secretary-General, through the Legal Counsel, to actively participate in the work of the Committee in order to ensure that the full range of interests of Member States could be fully represented. He concluded that, should the issues raised by his delegation remain unresolved, action under section 21 should be undertaken.

142. The representative of the Russian Federation stated that the Permanent Mission of the Bolivarian Republic of Venezuela was facing a unique situation. Owing to unilateral aggressive sanctions and blocked accounts, the Mission of the Bolivarian Republic of Venezuela had not been able to pay its assessed contributions to the United Nations regular budget. He concluded that it was a paradoxical situation when the host country de facto deprived a sovereign State of the right to vote. He asserted that the authorities of the host country did not have the right to put in place an obstacle to the full participation of a Member State in the work of the Organization, regardless of the character of the relations. He encouraged the authorities of the host country to end the policy of illegal unilateral sanctions and allow the Bolivarian Republic of Venezuela to fully carry out its commitments to the United Nations.

143. The representative of Cuba expressed support for the concerns and questions raised by the representative of the Bolivarian Republic of Venezuela. He referred to the difficult financial situation of the United Nations and noted the actions of the host country which made it impossible for the Bolivarian Republic of Venezuela to pay its contributions to the regular budget of the Organization. He noted that this step had led to the impossibility of the Bolivarian Republic of Venezuela fully enjoying its rights as a Member State.

144. The representative of the Islamic Republic of Iran thanked the Legal Counsel and the Secretary-General for their efforts to resolve the issues raised by his delegation. He noted the host country's indifference and posed the question of whether the United Nations was also indifferent. He asked about the practical steps that the Organization would now take. He stated that his Government believed it was the duty of the Secretary-General to trigger section 21 of the Headquarters Agreement and that it would accept any decision of the arbitration tribunal or the International Court of Justice.

145. The representative of the Syrian Arab Republic expressed support for the positions expressed by the representatives of the Russian Federation and Venezuela (Bolivarian Republic of). He stated that his country did not expect the host country to respond or positively react to General Assembly resolution [74/195](#) or the recommendations and conclusions contained in the previous report of the Committee. He stated that his Mission's understanding was that the host country was planning to impose further punitive and restrictive measures. He requested the Secretary-General to exercise the powers vested in him by paragraph 15 of General Assembly resolution [74/195](#). He stated that, in his Government's view, no further action was required under that resolution for the Secretary-General to invoke section 21 of the Headquarters Agreement.

146. The representative of the Syrian Arab Republic recalled that his Mission, during the 288th meeting of the Committee, had requested the Secretary-General to be actively and directly engaged in the resolution of issues emanating from the violations by the host country of its obligations under the Headquarters Agreement. He noted

that, at that meeting, his delegation had called for the application of sections 21 and 22 of the Headquarters Agreement. He believed that the Government of the host country did not have the political will to resolve the issues and that it had unilaterally taken a decision to interpret the text of the Headquarters Agreement in a manner that would serve its own interests. He stated that the Secretary-General did not appear to be seriously engaged in the resolution of issues raised before the Committee. He added that the Secretary-General had not taken a clear and practical position, which had emboldened the host country to arbitrarily interpret and apply provisions of the Headquarters Agreement. He stated that serving as the host for the United Nations was a voluntary initiative and must be based on the principle of neutrality, justice and equality. He regretted that the actions of the host country ran contrary to those principles. He therefore wished to place on the official record his Government's request to the Secretary-General to invoke section 21 of the Headquarters Agreement and proceed to arbitration or resort to the International Court of Justice.

147. The Chair stated that the Committee was very familiar with the issues that had been extensively discussed during the previous meetings of the Committee and comprehensively addressed in the previous report of the Committee.

148. At the online informal meeting on 5 June 2020, the representative of the Russian Federation stated that he wished to recall that the host country authorities had illegally seized the diplomatic property of the Russian Federation in Upper Brookville and had continued to deny access to these premises by representatives of the Russian Federation for almost four years. He noted that the host country had continuously recognized the diplomatic status, privileges and immunities of the property. He stated that no observations or complaints regarding the use of the property had ever been received from the host country. He asserted that the measures implemented in respect of the property of the Russian Federation were in clear violation of the obligation of the host country under the Headquarters Agreement and the Vienna Convention on Diplomatic Relations. He informed the Committee that the host country had openly refused to discuss and address the issue.

149. The representative of the Russian Federation informed the Committee that a note verbale had been sent to the host country Mission requesting the return of property in Upper Brookville for use by the personnel of his Mission as part of the efforts to diminish the risk associated with the spread of COVID-19. He further noted that the host country had not responded to the note verbale and did not appear to have any intention of resolving the issue. He also informed the Committee that the Permanent Representative of the Russian Federation had sent a letter to the Secretary-General requesting him to engage in the matter and facilitate the return of the property. He recalled a meeting of the Permanent Representatives of Cuba, Iran (Islamic Republic of), the Russian Federation and the Syrian Arab Republic with the Secretary-General in the presence of the Chair that had taken place on 10 March 2020 regarding the crisis in the implementation of the host country's obligations under the Headquarters Agreement in the light of other applicable norms of international law, in particular the Vienna Convention on Diplomatic Relations. He requested the Secretary-General and the Legal Counsel to update the Committee on the steps taken to resolve the serious issues before the Committee. He asserted that General Assembly resolution [74/195](#) mandated the Secretary-General to initiate procedures under section 21 of the Headquarters Agreement.

150. The representative of the Office of the Permanent Observer of the African Union to the United Nations brought to the Committee's attention an issue regarding property owned by the African Union. On 24 May 2020, the Office had been informed by a neighbour that an unknown individual had damaged the main door of the property and illegally occupied the building. She noted that the building had been vacant for a few years. She stated that the Office had responded immediately by sending a staff

member to verify and assess the situation. It was found that the building was inaccessible to the Office because the locks had been replaced and the occupant was unavailable. When reached via the intercom, the intruder responded and indicated that he had signed a lease with the landlord. The matter was reported to the police. When they arrived at the scene, the police informed the Office that they were unable to take any action owing to the civil nature of the matter. She informed the Committee that the occupant had refused to vacate the property and had presented a fake lease signed by a certain individual on behalf of the African Union. The office had also received information that, following the incident, several other individuals had occupied the building and a vacancy announcement had been published on one of the websites used for that purpose. She stated that the Office had formally notified the New York City police and the Director of the Office of Foreign Missions of the United States Department of State of the incident. She hoped that the Committee would be able to guide the Office on how best to handle the matter.

151. The representative of the Bolivarian Republic of Venezuela, in the context of issues raised by representatives of the Russian Federation and the African Union regarding certain property, recalled that diplomatic property was inviolable. He recalled that his Mission's diplomatic premises in Washington, D.C., as well as the headquarters of the Consulate General in New York, had been illegally occupied by unknown individuals for over a year, and noted the absence of official statements from the Government of the host country.

152. The representative of Cuba noted that respect for diplomatic property and associated immunities, as well as the elimination of the imposition of discriminatory and selective measures on the diplomats and diplomatic property of certain missions, were of vital importance for the effective performance of the function of those missions.

153. The representative of the host country stated that, with respect to the property in Upper Brookville, there was no entitlement to or protection for recreational property under either the Vienna Convention on Diplomatic Relations or the Headquarters Agreement. He also stated that nothing in the Headquarters Agreement prohibited actions of the United States regarding that property and that his Government viewed the issue as a bilateral matter. With respect to the matter raised by the representative of the Office of the Permanent Observer of the African Union, he stated that he would soon be providing guidance to the Office on how best to move forward in resolving the situation with its property.

154. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel recalled, with regard to the issue of the property in Upper Brookville mentioned by the representative of the Russian Federation, the position taken by the Committee, as set out in paragraph 165 (e) of its previous report. He noted that, first and foremost, it was for the Committee to determine whether the issue concerning the property in Upper Brookville fell under its jurisdiction. In that regard, he also noted that his Office had not been served with information allowing it to determine the legal status of that property. Regarding the question of what constituted a reasonable and finite period of time, he noted that the determination lay with the Secretary-General. He assured the Committee that he would continue to pursue discussions with the host country with a view towards finding a mutually agreeable solution that would allow the United Nations to preserve the integrity of the Headquarters Agreement and protect the adequate exercise of the diplomatic functions of all missions in New York.

155. The Chair stated that the question of whether the issue of the property in Upper Brookville fell within the purview of the Committee remained unclear. He reiterated that he remained willing and available to work with all Missions in the resolution of pending issues with the host country.

156. The representative of the Bolivarian Republic of Venezuela referred to section 27 of the Headquarters Agreement and noted the importance of enabling the United Nations to fully and efficiently fulfil its purpose. He recalled that his country had lost its right to vote in the General Assembly pursuant to Article 19 of the Charter of the United Nations owing to arrears in the payment of contributions. He noted that the situation was beyond his country's control and was the result of unilateral and coercive measures imposed by the host country. He asserted that his country had the political willingness and financial capacity to fulfil its international obligations and pay its dues in a timely manner. He stated that the actions of the host country were in violation of the Headquarters Agreement and were an abuse of its role as the host country. He stated that the issue had been brought to the attention of the Secretary-General, the President of the General Assembly, the Committee on Contributions and the present Committee. He noted that his Mission had also bilaterally engaged with the host country. He called for the establishment of a financial route enabling the safe transfer of funds to the accounts of the United Nations, as well as facilitating the opening of a bank account for the regular expenses of his Mission. He further called on the host country to fully comply with and strictly abide by the provisions of the Headquarters Agreement and the Vienna Convention on Diplomatic Relations. He noted that measures implemented by the host country, in violation of its responsibilities under the Headquarters Agreement, were affecting only a few Member States, which, he asserted, demonstrated disregard by the host country for the principle of the sovereign equality of States.

157. The representative of the Bolivarian Republic of Venezuela expressed appreciation for the personal engagement of the Secretary-General in the issues before the Committee and took note of the statements made by the Chef de Cabinet and the Legal Counsel. He noted that all issues discussed during the present meeting were not new and were still lacking practical solutions. He stated that activation of section 21 of the Headquarters Agreement appeared to be the only way to ensure the integrity of the Agreement and resolve outstanding issues.

158. The representative of Cuba stated that illegal unilateral coercive sanctions of the host country had no basis in international law and were contrary to the principles and purpose of the Charter. She asserted that the host country had no willingness to resolve the issue faced by the Bolivarian Republic of Venezuela.

159. The representative of the Syrian Arab Republic recalled that there were several delegations that were suffering from banking restrictions and concluded that the restrictions therefore appeared to be of a bilateral nature. He recognized the efforts of the staff of the United Nations Federal Credit Union to help his Mission benefit from banking services. He also described the procedure whereby, owing to the absence of a renewed visa, he had to be physically present in the bank from time to time to prove his presence in the United States. He recalled that visas issued to members of his Mission were valid for only six months and only for a single entry. In that regard, he noted that the visa renewal process took at least three months. He called upon the Secretary-General, the Chef de Cabinet and the Legal Counsel to continue engaging with the host country on the issues before the Committee, as those issues badly affected the reputation and the effectiveness of the United Nations system and its legal instruments.

160. The representative of the host country stated that, with regard to the banking situation described by the representative of the Bolivarian Republic of Venezuela, owing to existing sanctions, the Treasury Department needed to issue a specific licence. He recalled similar situations in connection with other Member States for which it had been possible to open a bank account and assured the Committee that his Mission would continue to work on resolving the issue.

161. The representative of Cuba informed the Committee of an attack on its Embassy in Washington, D.C., that had happened on 30 April 2020. She noted that a Cuban-born citizen had fired 32 shots from a semi-automatic assault rifle at the Embassy building where 10 Cuban officials were present. She asserted that the attack was a direct result of the aggressive and hateful policies and speech of the Government of the United States against Cuba. She stated that the host country was keeping silent with respect to the incident, asserting that such behaviour could encourage people to commit violent terrorist actions not only against Cuba but also against the diplomatic missions of other countries. She recalled attacks against Cuban officials and diplomatic missions in the United States that had taken place in 1976, 1978, 1979 and 1980 and cautioned against staying silent in response to such acts of violence.

162. The representative of Nicaragua stated that her Mission unequivocally condemned any violations of diplomatic immunity, both of premises and of diplomatic agents, and favoured the adoption of all relevant measures aimed at preventing such acts from occurring in the future. She condemned terrorism in all its forms and manifestations, including against any embassy in the world. She noted that respect for diplomatic property was of vital importance to the effective performance of the functions of missions and diplomatic agents.

163. The representative of the Russian Federation expressed serious concern regarding the security situation related to the diplomatic presence of Cuba in the territory of the United States. He called on the host country to take all necessary measures to protect the diplomatic missions and personnel of Cuba, as well as other permanent missions to the United Nations.

164. The representative of the Bolivarian Republic of Venezuela stressed his Mission's outrage at the silence of the host country officials following the terrorist attack perpetrated against the Embassy of Cuba in Washington, D.C. He called upon the host country authorities to hold the perpetrators, organizers and financiers of the attack accountable and urged the authorities of the host country to address the situation and prevent similar incidents from happening in the future, in line with its relevant international obligations.

165. The representative of the host country stated that, with respect to the incident mentioned by the representative of Cuba, the Department of State had condemned the shooting at the Embassy of Cuba and that the suspect had been detained immediately. He assured the Committee that the host country took its responsibilities under the Vienna Convention on Diplomatic Relations very seriously and that a full and complete investigation of the shooting was under way.

166. At the online informal meeting on 22 June 2020, the representative of the Bolivarian Republic of Venezuela stated that the banking issues faced by his Mission had not been resolved, even though they had been raised before the Committee and his country had had bilateral engagements with the host country on the matter. He recalled that, as a result of sanctions imposed by the United States, his country's rights and privileges as a State Member of the Organization were limited. He recalled that, at the previous meeting, the representative of the host country had stated that the host country would continue working on the issue and noted that the Permanent Mission of the Bolivarian Republic of Venezuela had not been approached with respect to the issue since then. He asserted that this was a deliberate attempt of the Government of the host country to prevent the Bolivarian Republic of Venezuela from fully and efficiently discharging its responsibilities at the Organization. He noted that as a result his country had been unable to participate in the elections of non-permanent members of the Security Council, members of the Economic and Social Council and the President of the General Assembly held a week earlier. He asserted that many issues before the Committee had not been resolved and called for concrete actions and

tangible results. He stated that section 21 of the Headquarters Agreement was the only way forward to ensure the integrity of the Headquarters Agreement and respect for the principles and purposes of the Organization.

167. The representative of Cuba stated that the sanctions of the host country in respect of the Bolivarian Republic of Venezuela that were affecting its voting rights in the Organization were an example of the United States deliberately using its position as the host country to favour its political interests. He noted the liquidity crisis faced by the United Nations and the negative effects of late payment of contributions to the Organization.

168. The representative of the Islamic Republic of Iran stated that the Bolivarian Republic of Venezuela should have a right to vote and that the issue should not be ignored.

169. The Chair noted that the banking issues faced by the Bolivarian Republic of Venezuela were of a serious nature and that it was not legally, ethically or morally acceptable that a Member State was prevented from exercising its rights owing to its practical inability to transfer its contributions, despite a willingness to do so.

170. The representative of the Bolivarian Republic of Venezuela stated that his country had made several attempts to transfer funds to United Nations bank accounts in the United States and other countries and that those funds had either been wired back or confiscated.

171. The representative of the Russian Federation stated that the situation with respect to the property in Upper Brookville had not changed. He characterized the measures implemented by the host country with regard to Iranian diplomats as postponed inhumanity. He then recalled issues faced by the Permanent Mission of Cuba and representatives of the Syrian Arab Republic. He asserted that such treatment of certain Member States by the host country could not be considered as being a good faith interpretation of the Headquarters Agreement since it was not applied to other Member States. He stated that neither the Charter of the United Nations nor the Headquarters Agreement allowed for such treatment. He concluded that there was a continuous material breach of key obligations under the Charter and the Headquarters Agreement in the light of other applicable norms of international law.

172. The representative of the Russian Federation stated that, by joining consensus on General Assembly resolution [74/195](#), the United States had committed itself to properly implementing that resolution. He asserted that the host country had not taken any steps to resolve the issues addressed in the resolution and that it had no intention to do so. He stated that there existed a dispute between the United Nations and the United States concerning the implementation and application of the provisions of the Headquarters Agreement, which required urgent arbitration procedures. He informed the Committee that the Permanent Representatives of Cuba, Iran (Islamic Republic of), the Russian Federation, the Syrian Arab Republic and Venezuela (Bolivarian Republic of) had sent a joint letter to the Secretary-General to register their serious disappointment with the situation and emphasize that any delay in triggering section 21 of the Headquarters Agreement would be in contradiction of General Assembly resolution [74/195](#).

173. The representative of Indonesia stated that it was of utmost importance to ensure the implementation of the Headquarters Agreement, the Vienna Convention on Diplomatic Relations and relevant recommendations of the Committee. He added that solving a number of problems, including travel and movement restrictions, protection of diplomatic property and personnel, and banking issues, through negotiations and appropriate action was of paramount importance. He encouraged the host country,

affected Member States and the Secretary-General to continue making efforts to find solutions.

174. The Chair informed the Committee that he and the Legal Counsel would inform the Secretary-General of the discussions held in the Committee.

175. At the online informal meeting on 13 August 2020, the representative of the Bolivarian Republic of Venezuela stated that the alleged approval for setting up a bank account for the Mission of the Bolivarian Republic of Venezuela did not resolve the banking issue before the Committee, which primarily concerned the lack of a financial route for the safe transfer of resources for the exclusive purpose of paying the assessments to the United Nations. He stated that the Bolivarian Republic of Venezuela, for reasons beyond its control, was unable to transfer funds to United Nations bank accounts, which, in turn, limited its ability to fully exercise its rights and privileges at the United Nations, amounting to a flagrant violation of the Headquarters Agreement. He recalled that, as a result, his country remained without a vote in the General Assembly. He noted that the banking issue prevented his Mission from fully and freely discharging its responsibilities. He further noted that, to ensure the integrity of the Headquarters Agreement and to put an end to the coercion by the host country, it was necessary to resort to and have a concrete timeline for triggering section 21 of the Headquarters Agreement.

176. The representative of the host country stated that he was under the impression that the opening of an account would facilitate the payment of United Nations dues by the Bolivarian Republic of Venezuela.

177. The representative of the Bolivarian Republic of Venezuela stated that, despite the fact that some progress might have been happening in solving the banking issue, his country would need a written assurance from the relevant authorities of the host country that the resources of the Bolivarian Republic of Venezuela transferred to United Nations bank accounts would not be confiscated and that transactions involving such resources would not be cancelled owing to the application of unilateral coercive measures illegally imposed by the host country.

178. The Chair noted that the host country Mission had requested a special exception and a permit from the Office of Foreign Assets Control for the United Nations Federal Credit Union to provide banking services to the Bolivarian Republic of Venezuela. He stated that it was his understanding that, with that approval, the Bolivarian Republic of Venezuela should soon be able to pay its assessed contributions to the United Nations budget.

179. The representative of the host country explained that the primary purpose behind the setting up of the bank account was to facilitate the payment of the assessed contributions by creating an avenue to transfer funds from the Bolivarian Republic of Venezuela to the United Nations, in addition to enabling the Permanent Mission of the Bolivarian Republic of Venezuela to better conduct its operations.

180. At the online informal meeting held on 17 September 2020, the representative of the Russian Federation recalled that the Permanent Mission of the Russian Federation had been consistently raising before the Committee the issue of the Mission's property in Upper Brookville which had been illegally seized by the host country and stated that there had been no progress in resolving that issue with the host country.

181. The representative of the Russian Federation also informed the Committee that, on 10 August 2020, an unidentified male had pelted vehicles parked within the premises of the Consulate General of the Russian Federation in New York with stones, seriously damaging one of the vehicles. She noted that the police had been called immediately and that they had arrived only after 30 minutes. She further noted that

the unidentified male had been seen the following day near the premises of the Permanent Mission of the Russian Federation, where he was harassing individuals leaving the building and approaching diplomatic vehicles with stones in his hands. She stated that a similar incident had occurred on 13 August 2020 next to the premises of the Consulate General, resulting in damage to a vehicle. She stated that the Russian Federation expected the host country to investigate the incidents and prevent any reoccurrence.

182. The representative of the Syrian Arab Republic expressed concern regarding the security incidents faced by the Permanent Mission of the Russian Federation and the Consulate General of the Russian Federation in New York.

183. The representative of Cuba expressed concern in connection with the security issue raised by the Russian Federation. He recalled that his Mission had consistently maintained that the protection and security of diplomatic and consular premises was an essential duty of the host country. In that regard, he recalled article 22 of the Vienna Convention on Diplomatic Relations. He expressed support for the adoption of all relevant measures aimed at preventing such incidents in the future.

184. The representative of the Bolivarian Republic of Venezuela stated that more than one month had passed since the most recent informal meeting of the Committee. He recalled that the representative of the host country and the Secretariat had announced that the banking issue faced by his Mission had been resolved. He further recalled that his Mission had been requested to wait a few days to receive all corresponding documentation on the practical arrangements. He informed the Committee that his Mission had received a copy of the corresponding documentation, namely a licence issued by the Office of Foreign Assets Control, on 1 September 2020 from the United Nations Federal Credit Union. He noted that it had been impossible to get a copy from the host country despite an express request for it. He further noted that, upon receipt of a copy of the licence, his Mission had attempted to utilize it to transfer money in order to pay amounts due to the Organization. He informed the Committee that there had been no positive indication that the licence was working. He recalled that this was the third licence that had been issued since August 2019 and that two previous licences had proven to be useless. He stated that his country's right to vote in the General Assembly remained suspended as a result. He conveyed his Mission's intention to continue making efforts to honour his Government's financial commitments to the United Nations.

185. The representative of the host country informed the Committee that he had engaged with the United Nations Federal Credit Union the day before and been told that the licence was in place and that it remained for the Mission of the Bolivarian Republic of Venezuela to utilize the banking services of the United Nations Federal Credit Union. With respect to the incidents described by the representative of the Russian Federation, he noted that his Mission was working with the Office of the Mayor of New York City and the New York City Police Department to look into the incidents, hold the perpetrator accountable and prevent similar incidents from happening. He noted that the person concerned was a homeless person who was vandalizing some consulates and missions. With respect to the suggestion of the Russian Federation to decrease the duration of the quarantine period, he referred to the New York State directives on the matter and noted that there were no exceptions to the quarantine requirement and no alternative means of satisfying it. He voiced the host country's expectation that all missions would abide by the quarantine requirement as well as other measures implemented by federal, state and local authorities to maintain public health. He recalled that the Headquarters Agreement allowed for the reasonable application of quarantine and public health regulations by the host country.

186. The representative of the Russian Federation noted that the host country had not responded to the request of the Mission of the Russian Federation to return its property in Upper Brookville. She asserted that affected States were dependent on the timely resolution of the issues raised, which were having an impact on the work of the Missions. She further noted that the Bolivarian Republic of Venezuela remained without the ability to transfer money and without the right to vote in the General Assembly. She therefore again urged the Legal Counsel to present a plan to the Committee should further discussions fail to yield results.

187. The representative of the Bolivarian Republic of Venezuela stated that, despite being issued a licence by the Office of Foreign Assets Control, the Bolivarian Republic of Venezuela had not found a safe way to transfer the money owed to the Organization and the problem remained unresolved.

188. The Chair appealed to the host country and the representative of the Bolivarian Republic of Venezuela to further discuss the matter and find a secure way to transfer money so that the Bolivarian Republic of Venezuela could recover its voting rights in the General Assembly.

189. The representative of Malaysia welcomed the delay of the relocation deadline announced by the host country. She expressed her sympathy with the frustration and disappointment voiced by the affected States and noted that more could be done. She further noted that Malaysia supported the continuing efforts of the Chair, the United Nations and the host country to find a reasonable solution.

190. The Chair noted the importance of all matters discussed in the Committee. He further noted that, although the protection of consular property and staff was beyond the mandate of the Committee, it had a spillover effect and affected the overall security of Russian diplomats in the Mission. He further noted his intention to continue consulting with the affected Member States, the host country and the Secretariat. He stated that he was hopeful that solutions to the banking issues faced by the Bolivarian Republic of Venezuela and other Member States could be found swiftly.

191. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel stated that, having listened to the statements made in the Committee, he wished to make a few observations. He shared the frustration of the affected States that the process of finding solutions to the issues before the Committee was taking too long and empathized with the individuals who had been more affected by some of those issues. He was concerned by the number of issues the Committee had to deal with, which appeared to be greater than in the past, including in 1988 when the Advisory Opinion of the International Court of Justice concerning the Applicability of the Obligation to Arbitrate under Section 21 of the United Nations Headquarters Agreement had been sought. He informed the Committee that he had made four main points in his discussions with the host country authorities: first, that the Headquarters Agreement could not be applied in a discriminatory manner; second, that considerations of a bilateral diplomatic nature should not and could not interfere with the application of the Headquarters Agreement; third, that the Headquarters Agreement should be applied in a way so as not to impede the effective exercise of diplomatic activity; and fourth, that inevitable differences in the interpretation and application of the Headquarters Agreement were to be addressed in a reasonable and finite period of time. He further noted that there was no legal definition of what constituted a reasonable and finite period of time. He stated that his assessment of the exhaustion of such a period was based not on time but on the exhaustion of all informal contacts and all dialogue. He informed the Committee that, should he reach the conclusion that no tangible results could be achieved through the informal discussions, he would be prepared to recommend to the Secretary-General the

triggering of section 21 of the Headquarters Agreement. In that regard, he appealed to the authorities of the host country to try to resolve as many issues as possible. The measure of progress achieved in dealing with all of the issues under discussion would be a factor in an assessment of whether all possible means had been exhausted.

192. The representative of Costa Rica expressed his support for the affected States. He recalled his own experience in which his bank account had been closed and that he had been required to seek the assistance of the host country to have the issue resolved.

193. The representative of the Russian Federation thanked the Legal Counsel for providing substantive information about his discussions with the host country authorities. She appealed to the Legal Counsel to provide further information to the Committee on those discussions to make them more transparent. She also suggested that the Legal Counsel reflect the four points that he had mentioned, in particular on the non-discriminatory application of the Headquarters Agreement, in an official written communication to the host country and not just raise them in his discussions.

Chapter IV

Recommendations and conclusions

194. At its 299th meeting, on 9 October 2020, the Committee approved the following recommendations and conclusions:

(a) The Committee reaffirms the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, the provisions of the 1961 Vienna Convention on Diplomatic Relations and the 1946 Convention on the Privileges and Immunities of the United Nations;

(b) Considering that the maintenance of appropriate conditions for the delegations and missions accredited to the United Nations is in the interest of the United Nations and all Member States, the Committee notes that there are issues raised in the report that remain unresolved and expects that all issues raised at its meetings, including those referred to below, will be duly settled expeditiously in a spirit of cooperation and in accordance with international law;

(c) The Committee notes that the observance of privileges and immunities is an issue of great importance. The Committee underlines in this regard that, in the context of the functioning of delegations and missions to the United Nations, the implementation of the instruments listed in paragraph 194 (a) cannot be subject to any restrictions arising from the bilateral relations of the host country. In this regard, the Committee takes seriously the increasing number of concerns raised by permanent missions regarding the normal performance of their functions and expresses its readiness to effectively address them. The Committee emphasizes the need to solve, through negotiations, problems that might arise in that regard for the normal functioning of the delegations and the missions accredited to the United Nations. The Committee urges the host country to continue to take appropriate action, such as the training of police, security, customs and border control officers, with a view to maintaining respect for diplomatic privileges and immunities. If violations occur, the Committee urges the host country to ensure that such cases are properly investigated and remedied, in accordance with applicable law;

(d) Considering that the security of the missions accredited to the United Nations and the safety of their personnel are indispensable for their effective functioning, the Committee acknowledges the efforts made by the host country to that end and anticipates that the host country will continue to take all measures necessary to prevent any interference with the functioning of the missions;

(e) The Committee recalls the privileges and immunities applicable to the premises of the permanent missions to the United Nations enjoyed under international law, in particular the instruments listed in paragraph 194 (a) of the present report, and the obligations of the host country to observe such privileges and immunities. The Committee takes note of the alleged ongoing violations thereof by the host country and of the repeated concerns expressed thereon. The Committee urges the host country to remove without delay any restrictions applied to the premises of a Permanent Mission inconsistent with those privileges and immunities, and in that regard ensure respect for such privileges and immunities. The Committee expresses concern regarding the lack of resolution of these matters, remains seized of these matters and anticipates that they shall be duly addressed in a spirit of cooperation and in accordance with international law;

(f) The Committee recalls that, prior to the institution by the host country of any proceedings that require any person referred to in article IV, section 11, of the Headquarters Agreement, including representatives of a Member State, to leave the host country, article IV, section 13(b)(1), of the Headquarters Agreement *inter alia* requires the host country to consult with the Member State, the Secretary-General or other principal executive officer, as appropriate. The Committee considers that, given the seriousness of any such measure being exercised by the host country, the consultation should be meaningful;

(g) The Committee notes that permanent missions continue to implement the Diplomatic Parking Programme and shall remain seized of the matter, with a view to continuously ensuring the proper implementation of the programme in a manner that is fair, non-discriminatory, effective and therefore consistent with international law;

(h) The Committee requests that the host country continue to bring to the attention of New York City officials reports about other problems experienced by permanent missions or their staff in order to improve the conditions for their functioning and to promote compliance with international norms concerning diplomatic privileges and immunities, and continue to consult the Committee on those important issues;

(i) The Committee recalls that, in accordance with paragraph 7 of General Assembly resolution [2819 \(XXVI\)](#), the Committee shall consider and advise the host country on issues arising in connection with the implementation of the Headquarters Agreement;

(j) The Committee emphasizes the importance of the full participation of all delegations in the work of the United Nations and expresses serious concern regarding the non-issuance of entry visas to certain representatives of certain Member States, in particular to delegates participating in the work of the Main Committees at the seventy-fourth session of the General Assembly, and regarding the denial of a visa to a Foreign Minister of a Member State. The Committee takes note of the statements of the United Nations Legal Counsel at its 297th and 298th meetings, reiterating his statement at the emergency, 295th, meeting of the Committee, set out in document [A/AC.154/415](#), where he confirmed that the legal position regarding the host country's obligations with respect to the issuance of visas to persons covered by the Headquarters Agreement remains unchanged from that which was provided by the then Legal Counsel to the Committee in 1988, set out in document [A/C.6/43/7](#), according to which, *inter alia*, "the Headquarters Agreement makes it clear that there is an unrestricted right of the persons mentioned in section 11 to enter the United States for the purpose of proceeding to the Headquarters district". In this regard, the Committee anticipates that the host country will ensure the issuance of entry visas to all representatives of Member States and members of the Secretariat pursuant to article IV, section 11, of the Headquarters Agreement to enable persons recruited to serve in the Secretariat or assigned as members of permanent missions to take up their assignment as promptly as possible and to enable representatives of Member States to travel, in a timely manner, to New York on official United Nations business, including to attend official United Nations meetings, and notes that a number of delegations have requested shortening the time frame applied by the host country for the issuance of entry visas to representatives of Member States, since the present time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings; the Committee also anticipates that the host country will continue to enhance efforts to facilitate the participation, including visa issuance, of representatives of Member States in other United Nations meetings, as

appropriate. The Committee also remains seized of an increasing number of entry visa-related issues raised at its meetings and stresses that these issues should be resolved in a spirit of cooperation and in accordance with international law, including the Headquarters Agreement. The Committee also calls upon the host country to review its differing processes of granting visas, including single-entry visas, with a view to ensuring that delegations are able to participate fully in the work of the United Nations;

(k) Concerning travel regulations issued by the host country with regard to personnel of certain missions and staff members of the Secretariat of certain nationalities, the Committee is concerned about the more stringent travel restrictions that continue to affect two Missions and the statements of affected delegations that travel restrictions impede their ability to carry out their functions and have a negative impact on their staff and families. The Committee is concerned that the requirement for staff of one mission to relocate has not been lifted, while noting the steps taken by the host country to temporarily defer the relocation of affected staff due to the pandemic. The Committee strongly urges the host country to remove all remaining travel restrictions and, in that regard, notes the positions of the affected Member States, as reflected in the report of the Secretary-General, of the host country and of the Legal Counsel, as set out in document [A/AC.154/415](#), according to which, *inter alia*, “there is no room for the application of measures based on reciprocity in the treatment accorded to permanent missions accredited to the United Nations in New York”;

(l) The Committee stresses the importance of permanent missions, their personnel and Secretariat personnel meeting their financial obligations;

(m) The Committee stresses the need for the permanent missions and the United Nations to benefit from appropriate banking services and anticipates that the host country will continue to assist the permanent missions accredited to the United Nations and their staff in obtaining such services. In this regard, the Committee notes the assurances given by the representative of the host country at its online informal meetings on 13 August 2020 and 17 September 2020 that impediments to the banking operations of one mission have been lifted and stresses the importance of effectively enabling the affected mission to expeditiously transfer funds to its bank account;

(n) The Committee welcomes the participation, in its work, of States Members of the United Nations that are not members of the Committee. The Committee also welcomes the contribution of the Secretariat to its work and emphasizes its importance. The Committee is convinced that its important work has been strengthened by the cooperation of all concerned;

(o) The Committee wishes to reiterate its appreciation to the representative of the United States Mission to the United Nations in charge of host country affairs, to the Host Country Affairs Section of the United States Mission and to the Office of Foreign Missions, as well as to local entities, in particular the Mayor’s Office for International Affairs, for their participation in its meetings. The Committee takes note of the challenging circumstances over recent months caused by the COVID-19 pandemic and appreciates the efforts of the United States Mission to the United Nations to respond to requests from the diplomatic community;

(p) The Committee welcomes the active engagement of the Legal Counsel and the Secretary-General with the authorities of the host country at various levels in order to resolve the issues raised above and continues to encourage the Secretary-General to more actively engage in accordance with General Assembly resolution [2819 \(XXVI\)](#) of 15 December 1971 in the work of the Committee with

a view to ensuring the representation of the interests concerned, and in this regard takes note of the statements of the United Nations Legal Counsel at the emergency, 295th, meeting of the Committee, as set out in document [A/AC.154/415](#) and at its online informal meeting on 17 September 2020. Recalling that serious consideration should be given to taking steps under section 21 of the Headquarters Agreement if the issues raised above were not resolved in a reasonable and finite period of time, the Committee recommends to the Secretary-General to now consider and take any appropriate steps under section 21 of the Headquarters Agreement;

(q) The Committee appreciates the efforts of the Chair towards addressing issues raised within the Committee and in this regard encourages Member States to avail themselves of his assistance as they deem necessary.

Annex

List of topics for consideration by the Committee

1. Question of the security of missions and the safety of their personnel.
2. Consideration of and recommendations on issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, including:
 - (a) Entry visas issued by the host country;
 - (b) Acceleration of immigration and customs procedures;
 - (c) Exemption from taxes.
3. Responsibilities of permanent missions to the United Nations and their personnel, in particular the problem of claims of financial indebtedness and procedures to be followed with a view to resolving the issues relating thereto.
4. Housing for diplomatic personnel and for Secretariat staff.
5. Question of privileges and immunities:
 - (a) Comparative study of privileges and immunities;
 - (b) Convention on the Privileges and Immunities of the United Nations and other relevant instruments.
6. Host country activities: activities to assist members of the United Nations community.
7. Transportation: use of motor vehicles, parking and related matters.
8. Insurance, education and health.
9. Public relations of the United Nations community in the host city and the question of encouraging the mass media to publicize the functions and status of permanent missions to the United Nations.
10. Consideration and adoption of the report of the Committee to the General Assembly.

