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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

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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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 [77/114](#), decided to include in the provisional agenda of its seventy-eighth session the item entitled “Report of the Committee on Relations with the Host Country”. The present report is submitted pursuant to resolution [77/114](#).
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	United States of America
Hungary	

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 **Hadjichrysanthou** (Cyprus)

Vice-Chairs:

Tzvety **Romanska** – Krassimira **Beshkova** (Bulgaria)

Beatrice **Maille** (Canada)

Gadji **Rabe** (Côte d'Ivoire)

Rapporteur:

Gustavo Adolfo **Ramírez Baca** (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 annex I to the present report. During the reporting period, the Committee issued six documents, which are listed in annex II.

6. During the reporting period, the Committee held four meetings: the 308th meeting, on 22 March 2023; the 309th meeting, on 26 June 2023; the 310th meeting, on 14 September 2023; and the 311th meeting, on 20 October 2023.

7. At its 310th meeting, the Committee was informed of the departure of the Vice-Chair, Tzvety Romanska (Bulgaria), and elected by acclamation Krassimira Beshkova (Bulgaria) as Vice-Chair.

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 308th meeting, the representative of the Russian Federation said that the situation with visas for the Russian delegates continued to deteriorate. He informed the Committee that 37 members of the Permanent Mission and 49 members of their families were awaiting visa renewals. He also noted that the average processing time continued to grow and amounted to nearly five months. He emphasized that, as a result, members of the Mission were deprived of the opportunity to travel to their homeland, even for serious humanitarian reasons. He also stated that the host country was not issuing visas to close family members of the Mission's personnel. He also stated that the discrimination against nationals of the Russian Federation who had passed the competitive selection process for positions in the Secretariat or were already working in the Secretariat persisted. He noted that there were particularly prolonged cases in which Secretariat officials had been unable to secure visas for years. He expressed hope that the Secretary-General would do more to protect the personnel of the Organization.

9. The representative of the Russian Federation stated that visa issues for the capital-based delegates also remained. He informed the Committee that the delegation of the Russian Federation had been either completely absent from or underrepresented at the Working Group on Contingent-Owned Equipment, the fifty-seventh session of the Commission on the Limits of the Continental Shelf, the cyberstability conference of the United Nations Institute for Disarmament Research, the fourth session of the open-ended working group on security of and in the use of information and communications technologies 2021–2025, and Working Group II of the United Nations Commission on International Trade Law (UNCITRAL). He drew the attention of the Committee to the denial of a visa to the Deputy Minister of Labour and Social Protection of the Russian Federation, who had planned to participate in the work of the Commission for Social Development at its sixty-first session. He also recalled the significant delay in the issuance of a visa to the Minister for Foreign Affairs of the Russian Federation for the high-level week of the seventy-seventh session of the General Assembly.

10. The representative of the Bolivarian Republic of Venezuela stated that the Minister of People's Power for Women and Gender Equality of his country could not participate at the sixty-seventh session of the Commission on the Status of Women owing to the non-issuance of a visa. He noted that the application had been submitted in full and on time, complying with the relevant requirements of the host country. He stated that there existed a situation of selectivity in the treatment of certain members of the Organization.

11. The representative of the host country stated that the United States was honoured to serve as the host country of the United Nations and remained fully committed to its obligations under the Headquarters Agreement. He stated that the United States Mission welcomed host country-related questions and concerns and encouraged all permanent missions to bring such questions and concerns to the Host Country Affairs Section. He said that the earlier an issue or a potential issue was brought to its attention, the sooner it would be possible for the host country to assist

in resolving it. He stated that, if an issue raised could not be resolved through direct communication channels, it could be discussed in the Committee. He said that raising issues concerning visas or any other host country-related issues in other committees of the Organization and meetings and events held at Headquarters was counterproductive and distracted from the essential business of the Organization.

12. With regard to the comment of the representative of the Russian Federation, the representative of the host country stated that the United States remained in line with its obligations as the host country. He stated that visa issues for the Russian delegates were a direct result of the continued misuse by the Russian Federation of diplomatic visas as a cover for espionage. He said that the Russian Federation had attempted to flood the United States visa system with far more visa applications than any other country, including other Security Council members. He noted the decision of the Russian Federation to again include, as part of its delegations, individuals who had previously been denied visas for specific reasons communicated to the Russian Federation. He further noted the decision of the Russian authorities to severely limit staffing of the Embassy of the United States in Moscow. He said that cases in which issuance of a visa had been delayed or a visa had not been issued were due to the actions and decisions of the Russian Federation.

13. The representative of the host country stated that the United States was not the only country hosting an international organization that experienced problems with the representatives of the Russian Federation. He noted that, the previous month, Austria had expelled two diplomats assigned to the Permanent Mission of the Russian Federation to the United Nations in Vienna owing to the commission of acts incompatible with the applicable headquarters agreement. He further noted that the Kingdom of the Netherlands had expelled 17 Russian intelligence officers, 3 of whom had been accredited as diplomats to the Organisation for the Prohibition of Chemical Weapons in The Hague.

14. The representative of the host country stated that the United States continued to issue the vast majority of visas for the Russian delegates for work related to the Organization. He informed the Committee that the host country had issued visas to almost all of the nearly 200 applicants in time for the seventy-seventh session of the General Assembly and had facilitated a charter flight for the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov. He further informed the Committee that the host country had renewed the majority of visas for which the Russian delegates had applied in 2022 and was working through the remaining applications, including those for the staff of the Organization of Russian nationality. He said that, in 2023, the host country had issued the vast majority of visas linked to United Nations meetings. In particular, he noted that the host country had issued all visas for the United Nations Conference on the Midterm Comprehensive Review of the Implementation of the Objectives of the International Decade for Action, “Water for Sustainable Development”, 2018–2028, with the exception of one application that had been received a couple of days prior to the Conference, all visas for the Working Group on Contingent-Owned Equipment, the Executive Board of the United Nations Children’s Fund, the open-ended working group on conventional ammunition, the Special Committee on Peacekeeping Operations, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, the Statistical Commission and the intergovernmental conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. With regard to visas for the open-ended working group on security of and in the use of information and communications technologies, he noted that all applicants had been issued visas, with the exception of two who had previously been denied visas and had been notified accordingly. Concerning visas for the Commission for Social

Development, he noted that, four days before the opening of the meeting, the Russian Federation had claimed that the host country had refused to issue entry visas to two individuals. He said that the host country had been prepared to issue visas to those individuals a couple of days after the meeting had started and had notified the Ministry of Foreign Affairs of the Russian Federation accordingly; however, the visas had not been picked up and the applications had been withdrawn. He stated that the host country had reached out to the Permanent Mission with regard to some of the meetings several weeks in advance, urging that applications be submitted in a timely manner and flagging possible issues. He called on the Russian Federation to stop misusing diplomatic visas as a cover for unauthorized activities and to apply for visas on time.

15. The representative of the Russian Federation noted the statement of the representative of the host country about the alleged progress in the issuance of visas. He stated that it was the right of a sending Member State to decide on the composition of its delegation and that the host country was acting contrary to its obligations in that regard. He also referred to the comment of the representative of the host country with regard to the alleged misuse of visas and questioned whether it concerned delegates at the ministerial level or professors who had not received their visas. In connection with the comment of the representative of the host country with regard to the size of the Russian delegations, he remarked that the United States always had the largest delegations. He noted that the size of a delegation that the Russian Federation decided to send was reflective of its commitment to contribute to the work of the Organization. He questioned whether there was a need to change the hosting State of the Organization.

16. The representative of France reiterated the position of her delegation favouring respect for international law, specifically the Vienna Convention on Diplomatic Relations, as well as the legal framework that governed the relations between the United Nations and the host country. She said that all delegations should enjoy the same rights without any distinction and that bilateral relations should have no impact on the implementation of the Headquarters Agreement. She noted that France also encountered visa issues, which were always diligently resolved through dialogue. She noted the support of the Committee for the efforts of the host country to find solutions and welcomed the continued efforts of the Secretary-General and the Office of Legal Affairs to find adequate solutions to issues raised by the affected delegations. She observed that dialogue remained a key method of finding a way forward.

17. The representative of Austria stated that, with regard to the statement by the representative of the host country referring to the expulsion by Austria of diplomats assigned to the Permanent Mission of the Russian Federation to the United Nations in Vienna, he wished to assure delegations that his Government had met all of the requirements and procedures under the Agreement between the Republic of Austria and United Nations regarding the Seat of the United Nations in Vienna, including consultation with the State concerned, when it expelled two Russian diplomats accredited to the United Nations from Austria in February 2023. He recalled that all persons enjoying privileges and immunities under that Agreement were to respect the laws and regulations of Austria and that the unlawful activities constituted an abuse of the rights of residence. He assured delegations that the Government of Austria acted and would continue to act in full accordance with its international obligations, including under the Agreement.

18. The Assistant Secretary-General for Legal Affairs stated that the Secretariat had sought an explanation from the Permanent Mission of Austria to the United Nations on the steps taken under the Agreement between Austria and the United Nations with respect to the expulsion of two diplomats of the Permanent Mission of the Russian Federation to the United Nations in Vienna. He noted that it was the understanding of the Secretariat that the Government of Austria had engaged in consultations with the Russian Federation as contemplated under section 29 of the Agreement.

19. The representative of the Islamic Republic of Iran expressed his sympathy to the delegations of the Russian Federation and the Bolivarian Republic of Venezuela in relation to visa restrictions and denials of entry visas. He requested the host country to provide the necessary conditions for the equal participation of all delegations in all activities of the United Nations as soon as possible and without discrimination. He stated that the single-entry visas and the processing times continued to present significant obstacles affecting the work of delegations, especially in emergency situations. He expressed concern over the issue with collecting visas for his delegation in Vienna. He noted that his country had expressed that concern to the host country. He also noted that there was no bilateral diplomatic relationship between the United States and his country and that there was no United States Embassy in the Islamic Republic of Iran. He further noted that, according to the arrangement between the two countries, the Iranian diplomats were to collect their visas in Vienna. He said that the application process was lengthy and that the process between interviews and visa issuance in Vienna for Iranian representatives travelling to the United Nations was extremely time-consuming and costly, resulting in the loss of several days on the part of his country's representatives participating in meetings. He asked the host country to take that into consideration and to find a solution in order to allow delegates to participate in United Nations meetings held in New York.

20. At the 309th meeting, the representative of the Bolivarian Republic of Venezuela stated that, since the previous meeting of the Committee, his country had faced visa issues in connection with the participation of his delegation in the session of Working Group III of UNCITRAL, the meetings of the Permanent Forum on Indigenous Issues, the Permanent Forum on People of African Descent, the intersessional meeting of the open-ended working group on security of and in the use of information and communications technologies and the fifteenth session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities. He stated that, in total, his delegation had requested the issuance of nine visas, of which only three had been granted. He noted that all the requests had been made sufficiently in advance. He requested clarification from the representative of the host country about six other applications. He noted that, of those, one had been rejected without explanation and five remained pending without a response. He concluded that, under the circumstances that he had just described, the only way forward was to make use of the provisions of section 21 of the Headquarters Agreement.

21. The representative of the Russian Federation stated that 36 staff members of her Mission and 59 members of their families were waiting for their visas and that the visas of some of them had already expired. She stated that 15 of those individuals had been waiting for more than a year. She noted that, as a result, staff members of the Mission and their family members were unable to leave the host country, even for urgent humanitarian reasons, and were unable to invite their close relatives to New York City. She stated that the situation with visas for new staff appointed to the Mission had worsened and that almost 50 individuals had been waiting for entry visas to the United States, more than half of them for more than three months. She stated that issues with visas for Russian nationals who had passed the competitive selection process for positions in the Secretariat or were already working in the Secretariat persisted as well. By way of example, she mentioned that Oleg Shamanov and Andrey Kovalenko had been waiting for years for their visas.

22. The representative of the Russian Federation stated that, since the previous meeting of the Committee, there had been further problems with the issuance of visas to Russian delegates. She stated that the head of the Russian delegation to the Permanent Forum on Indigenous Issues, Igor Barinov, had received his visa after the start of the meeting of the Forum and had been able to arrive only for the second week, when he had been unable to take the floor and when all heads of delegations

had already left New York. She stated that several members of the delegation had faced similar issues and had been unable to receive visas. She noted that none of the Indigenous women on the delegation had been able to obtain visas to take part in the Forum. In addition, she stated that a Russian delegate for the Economic and Social Council forum on financing for development follow-up had not received a visa. She noted that a group of journalists who had been supposed to cover the visit of Mr. Lavrov had not received visas either. She emphasized that all visa requests had been submitted in a timely manner. She noted that, in three cases, diplomats who had been supposed to take part in United Nations events had been refused visas. She noted that those cases were contrary to the Headquarters Agreement and were sufficient to trigger an arbitration process. She recalled sections 11 and 12 of the Headquarters Agreement, paragraph 144 (j) of the previous report of the Committee ([A/77/26](#)) and the 1988 and 2019 statements by the Legal Counsel ([A/C.6/43/7](#) and [A/AC.154/415](#)).

23. The representative of the Islamic Republic of Iran expressed his delegation's sympathy to the delegation of the Russian Federation. He wished to make a strong request to the host country to ensure the equal participation of all delegations in all United Nations activities as soon as possible. He noted that, for his delegation, single-entry visas and the long processing times for re-entry visas continued to be the greatest obstacles, especially in emergency situations where travel to the Islamic Republic of Iran was necessary. He stated that the waiting time between an interview in Vienna for Iranian representatives travelling to the United Nations and visa issuance was long and costly and resulted in the loss of several days on the part of his country's representatives participating in meetings. By way of example, he stated that an Iranian representative had spent almost four days in Vienna after an interview to collect a visa for a one-week meeting. He called for the host country to eliminate the extended waiting time between interviews and issuance of visas.

24. The representative of the host country stated that the visa issues raised by the Russian Federation remained a direct result of the continued misuse by the Russian Federation of diplomatic visas as a cover for espionage, of the decision to severely limit staffing at the Embassy of the United States in Moscow, and of the decision to have individuals who had previously been denied visas for specific reasons that had been communicated to the Russian Federation to reapply for visas, as well as of attempts to overwhelm the visa system of the host country with far more visa applications than any other Member State, including any other member of the Security Council. He stated that the United States was not the only country hosting an international organization that was experiencing problems in view of the misuse by the Russian Federation of diplomatic visas to conduct espionage.

25. The representative of the host country informed the Committee that, since its previous meeting, the host country had continued to issue the vast majority of visas to the representatives of the Russian Federation for United Nations meetings. He noted that, for the United Nations 2023 Water Conference, all visas had been issued on time, except for one visa application that had been received less than one week before the Conference. He stated that, for the special meeting of the Economic and Social Council on international cooperation in tax matters and the meetings of Working Groups IV, V and VI of UNCITRAL, the United Nations Forum on Forests, the Committee for Programme and Coordination, the Fifth Committee of the General Assembly, the open-ended working group on conventional ammunition and the Kimberley Process, all visas had been issued on time. He stated that, for the Disarmament Commission, one application had been received less than a week before the start of the meeting but that all visas had still been issued. He also stated that, for the Commission on Population and Development, all visas had been issued on time and that one application had been withdrawn by the Ministry of Foreign Affairs of the Russian Federation before the start of the meeting. He stated that, for the Economic

and Social Council youth forum, all visas had been issued. He stated that, in addition to those meetings, the host country had issued close to 100 visas for the visit of Mr. Lavrov to the United Nations in April 2023 and had facilitated a charter flight for the visit. In connection with visas for the Russian journalists to cover the visit of the Minister for Foreign Affairs of the Russian Federation, he stated that the host country had issued the majority of the visas requested. He recalled the staffing limitations at the Embassy of the United States in Moscow and noted that, despite the restriction to process only diplomatic visas, the Embassy had accepted visa applications from journalists for the trip. He recalled that Russian nationals could generally apply for visas at any consulate or embassy of the United States where they were physically present and where a visa appointment was available.

26. The representative of the host country noted that, despite the overwhelming number of applications, in particular for the visit of the Minister for Foreign Affairs of the Russian Federation, the host country had issued, on time, as many visas as possible, even if some applicants had been slightly delayed. By way of example, he noted that the host country had issued 14 of the 18 requested visas for the Permanent Forum on Indigenous Issues. With regard to the concerns voiced by the representative of the Russian Federation about visa renewals for staff of the Permanent Mission of the Russian Federation and their family members, he stated that the host country continued to prioritize visas for United Nations meetings and events. He noted that individuals already in New York could perform their jobs and that the host country continued to process visa renewals on a rolling basis, prioritizing renewals for individuals with urgent work travel. He noted that he was in almost daily contact with representatives from the Permanent Mission of the Russian Federation on all those visa matters and the usefulness of having such a direct line of communication.

27. The representative of the host country stated that his country also continued to find ways to improve processing times and enhance communication with all the permanent missions. As an example, he noted that the Consulate of the United States in Vienna would no longer routinely require interviews for applicants from the Islamic Republic of Iran for United Nations-related G visas. He encouraged all delegates to apply for visas for meetings and events as early as possible and to inform the Host Country Affairs Section of the United States Mission of visa concerns. He reminded delegations that visa applications were sometimes subject to administrative processing whereby a consular officer needed additional time to review an application or needed additional information to determine the eligibility of the applicant for the requested visa. He referred to a diplomatic note that his Mission had issued to all permanent missions in 2022 on visa matters and recalled in that regard that, in cases where further administrative processing was required for domestic renewal applications, the individual's passport could be returned and the individual would be contacted when the processing was complete.

28. The representative of the Bolivarian Republic of Venezuela referred to six visa requests concerning which a response from the host country was pending and clarified that one of the requests related to a meeting scheduled for 24 July 2023 and that seven weeks had already elapsed since that request had been made to the Consular Section of the United States Embassy in Colombia. Regarding the other three visa requests, he clarified that those requests were for three civil servants to attend the second session of the Permanent Forum on People of African Descent and recalled that one of those requests had been rejected. He noted that, for his delegation, that was an act of escalation of the hostile attitude of the Government of the host country towards his country and indicative of the deterioration of the host country's implementation of the Headquarters Agreement. He expressed readiness to maintain the existing channels of communication with the host country open and his delegation's hope that the issue would be resolved in advance of the seventy-eighth session of the General Assembly.

29. The representative of the United Kingdom noted the update provided by the host country concerning the issuance of visas and that the vast majority of visas seemed to have been granted. He welcomed that positive development.

30. The representative of the Russian Federation referred to the situation in which a three-person unit covering Third Committee matters in her Mission had been waiting for the arrival of one member for almost two years. She stated that the person selected for the position could not join the Mission for over a year now owing to the non-issuance of a visa and that, given that delay, another person had been selected, who regrettably had been waiting for more than half a year for a visa. She noted that the next session of the General Assembly was approaching and that the issue remained unresolved.

31. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel stated that the Secretariat had continued to encourage the exchange of information between Member States and the host country to facilitate the timely issuance of visas for delegations travelling to attend United Nations meetings in New York. He stated that such efforts, along with those of the concerned Member States and the host country, had contributed to a certain reduction in the number of United Nations meetings for which visa issues had arisen to date in 2023. He stated that, at the same time, the Secretariat had expressed concerns in appropriate cases where issues affecting a Member State or the Secretariat had arisen. He noted that that had been done through close engagement with the officials of the host country in New York and Washington, D.C., and concerned Member State missions, to address those cases as a matter of priority, among other issues under the Headquarters Agreement.

32. At the 310th meeting, the representative of the Russian Federation referred to paragraph 9 of General Assembly resolution [77/114](#) and recalled her statement on visa issues delivered at the previous meeting of the Committee. By way of a recent example, she informed the Committee that the host country had not issued a visa to the head of the Russian delegation for the sixth session of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes, Artur Lyukmanov, Director of the Department of International Information Security in the Ministry of Foreign Affairs. She stated that visa issues were of a systemic nature and arose in connection with the issuance and renewal of visas for the representatives of the Russian Federation and their family members. She said that one diplomat at the Permanent Mission of the Russian Federation had been waiting for a visa renewal for more than one year.

33. The representative of the Bolivarian Republic of Venezuela recalled his statement delivered at the previous meeting of the Committee. He informed the Committee that his delegation was still waiting for the approval of a visa request for one of the Vice-Ministers for Foreign Affairs to attend the high-level week of the seventy-eighth session of the General Assembly. He also informed the Committee that earlier that day, Government representatives in Bogota had visited the consular section of the Embassy of the United States to request information about the visa for the Vice-Minister and were still waiting for a response.

34. The representative of China voiced support for the delegations affected by visa issues and travel restrictions. She said that for as long as such problems remained unresolved, the normal participation of the affected Member States in the work of the United Nations would be impaired. She expressed hope that the host country would pay attention to the legitimate demands of the affected Member States and would effectively fulfil its obligations and refrain from obstructing the issuance of visas to the delegations of Member States based upon political considerations.

35. The representative of the host country stated that the host country continued to improve the efficiency of its visa processing procedures. He informed the Committee of the implementation of a new practice whereby the Consulate of the United States in Vienna no longer routinely required interviews for Iranian applicants for United Nations-related G visas, a change that had facilitated faster processing of visa applications.

36. The representative of the host country informed the Committee that the host country had issued thousands of visas for the high-level week of the seventy-eighth session of the General Assembly. He said that the host country would continue to prioritize the processing of any remaining applications over the following week. He thanked the permanent missions that had submitted early and accurate lists of their delegations for the high-level week and had applied for visas in advance. He encouraged delegations to contact the Host Country Affairs Section of the United States Mission with any questions regarding visas for the high-level week. In connection with the statement made by the representative of the Bolivarian Republic of Venezuela on visas, he informed the Committee that the host country had already issued visas to 43 of the 44 applicants to participate in the high-level week. He also informed the Committee that the host country worked closely with the Secretariat to facilitate travel by representatives of non-governmental organizations and invitees covered under the Headquarters Agreement to participate in United Nations meetings and events.

37. The representative of the host country recalled that visa applications were sometimes subject to administrative processing whereby additional time to review an application or additional information to determine an applicant's eligibility for the requested visa was needed. In such cases, the applicants were notified. Where administrative processing was required, the passport of the applicant would be returned and the applicant would be contacted when the processing was complete.

38. The representative of the host country noted the continued efforts of his country to engage directly with the Russian Federation to address and resolve legitimate concerns. He stated that the visa concerns raised by the representative of the Russian Federation remained a direct result of the continued misuse by the Russian Federation of diplomatic visas as a cover for espionage. He said that the decision of the Russian authorities to greatly limit staffing at the Embassy of the United States in Moscow had severely limited visa processing capacity. The decision to have individuals who had previously been denied visas for specific reasons that had been communicated directly to the Russian Federation reapply for visas was another reason for visa-related issues. While the United States continued to do everything in its power to process visas expeditiously, actions and decisions on the part of the Russian Federation were the primary cause for any late or non-issued visas. He noted that the United States was not the only country hosting an international organization that was facing problems with representatives sent by the Russian Federation. The Russian Federation continued to misuse diplomatic visas in multiple countries to conduct espionage. He noted that, despite such actions, the United States continued to issue the vast majority of requested visas to Russian delegates for United Nations-related work. He stated that all requested visas had been issued to the Russian delegates for the meetings of the Commission on the Limits of the Continental Shelf and the high-level political forum on sustainable development convened under the auspices of the Economic and Social Council. In addition, all visas had been issued on time to the Russian delegates to the Committee of Experts on Global Geospatial Information Management and for the annual memorial service to honour United Nations personnel who had lost their lives in the line of duty in 2022. He noted that, despite the host country issuing, in a timely manner, all visas to the Russian delegation to the open-ended working group on security of and in the use of information and communications technologies, the representative of the Russian

Federation had raised a complaint in the working group about visa issues, mentioning one individual who had not applied for a visa for that meeting. He further noted that the delegations of the Bolivarian Republic of Venezuela and Nicaragua had also raised issues concerning visas in the working group. He stated that the host country had no records of any visa applications for the nationals of those two States for that meeting. With regard to the sixth session of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes, he stated that visas had been issued to applicants who had not previously been denied a visa. He stated that naming individuals who had previously been denied a diplomatic visa for United Nations activities was not constructive. He called on the Russian Federation to name diplomats and delegates who intended only to conduct United Nations-related work while in the United States. He said that for that session, the host country had issued, or had available to issue, all visas to the delegates from the Bolivarian Republic of Venezuela, the Syrian Arab Republic and the Islamic Republic of Iran.

39. The representative of the host country stated that the host country had issued numerous visas for priority cases flagged by the Permanent Mission of the Russian Federation. He noted that the host country continued to prioritize visas for United Nations meetings and events. He said that individuals already in New York with diplomatic visa status remained in status and could conduct their work fully. The host country continued to process renewals on a rolling basis and prioritize renewals for individuals with urgent work-related travel.

40. The representative of the Russian Federation stated that she wished to record her strongest objection to the accusation by the representative of the host country that the Russian Federation had been misusing visas at the United Nations for espionage. She stated that such claims were wholly unsupported, had no merit and did not warrant any consideration by the Committee. She noted that the Headquarters Agreement did not include any exemptions to the obligation of the host country to issue visas. She said that there were decisions of the Committee and statements of the United Nations Legal Counsel on the obligation of the host country to issue visas under the Headquarters Agreement. She asserted that there was no criterion concerning the number of requests for visas or justifications of the eligibility of an applicant. With regard to the consular staff at the Embassy of the United States in Moscow, she stated that the Russian Federation had placed no restrictions on the number of people working in the consular section of the Embassy and that it was open to the United States increasing the number of personnel working in that section. She reiterated that the head of the Russian delegation had not received a visa for the sixth session of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes. She questioned the reason for the non-issuance of the visa. She also noted that 22 people were waiting to receive visas for the high-level week of the General Assembly and expressed hope that those visas would be issued soon.

41. The representative of the Bolivarian Republic of Venezuela stated that the information concerning the composition of the delegation of his country intending to participate in the seventy-eighth session of the General Assembly had been shared with the host country in time. He said that talk of numbers and percentages in connection with visas might give the impression that there had been progress. He stated that, while the majority of the visas for the members of his delegation had been approved, one remained outstanding. He noted the time constraints, and said that the delayed approval of visas was likely to cause issues with timely travel.

42. The representative of the Syrian Arab Republic recalled the statement of his delegation delivered at the previous meeting of the Committee. He said that the host country was deliberately misinterpreting the text of the Headquarters Agreement. He

noted that the interpretation of international agreements should be done in good faith. Bilateral considerations should have no impact on the issuance of visas by the host country to the delegations of Member States. In the past, there had been no restrictions imposed on his Government's delegations to United Nations meetings and Mission personnel. They had been issued with multiple entry visas for extended periods of time and had the freedom of movement around the United States. He asserted that the current situation vis-à-vis his delegation was reflective of selectivity and bilateral considerations used by the host country as a basis to impose visa and travel restrictions. He stated that the issuance of visas was an obligation of the host country and that his delegation questioned whether a legal basis existed for the imposition of travel restrictions.

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 308th meeting, the representative of the Russian Federation informed the Committee that, in December 2022, the host country had imposed new limitations to the freedom of movement of members of his Mission and Secretariat staff who were citizens of the Russian Federation. He said that the notification procedure for travel beyond the 25-mile radius had been arbitrarily changed to a permission procedure. He also noted that all requests for travel outside the 25-mile radius had been denied by the host country without explanation. He noted that the host country applied travel restrictions only to representatives of certain States, which he characterized as discriminatory. He called upon the Secretary-General and the United Nations Legal Counsel to protest against the issue with the host country.

44. The representative of Cuba noted that the affected delegations were repeatedly putting forward similar concerns, without many of them ever being resolved. He said it was well known that the host country continued to arbitrarily place restrictions on the movement of diplomats of certain Member States and members of their families, including high-level delegations. He recalled that such arbitrary and discriminatory restrictions were contrary to international law, could not be imposed against any Member State and were damaging the ability of diplomats to perform their functions. He informed the Committee that, as a result of such restrictions, the children of Cuban diplomats found it impossible to engage in extracurricular activities outside of Manhattan.

45. The representative of the Syrian Arab Republic stated that each year delegations were witnessing a further deterioration in the host country's treatment of issues before the Committee. He noted the large number of imposed restrictions and the belief of the host country that it was in compliance with its obligations under the Headquarters Agreement. He recalled the 25-mile radius travel restriction and stated that some delegates were treated as illegal immigrants. He said that, owing to issues with visas, in particular the issuance of single-entry visas, some delegates could not travel to their home countries, in view of the time frames and cumbersome process. He noted that the restrictions discussed in the Committee had been imposed on some but not other delegations, contrary to the Headquarters Agreement. He referred to sections 11 and 13 of the Headquarters Agreement and said that the host country misinterpreted those and other provisions of the Agreement and mistreated certain delegations.

46. The representative of the host country said that his country was in compliance with its obligations not to impose impediments on transit to and from the Headquarters district, so that diplomats, representatives and delegates could perform

their official duties at the United Nations. He noted that members of permanent missions had full and unfettered access to the Headquarters district. He stated that the host country was not obligated to permit any and all travel within the United States and could place or tighten travel controls or loosen or remove travel controls, which would be consistent with its obligations as the host country. He noted the recent adjustment to the travel control requirements for members of the Permanent Mission of the Bolivarian Republic of Venezuela. He emphasized that the host country was continuously evaluating all travel controls and was adjusting them as needed.

47. The representative of the Russian Federation referred to the statement of the representative of the host country and noted that the recommendations of the Committee were clear in that there was a need to lift the outstanding restrictions. He said that comments about the right to impose new restrictions or strengthen the existing restrictions were in blatant disregard of the obligations of the host country and recommendations of the Committee and the General Assembly.

48. The representative of Cuba emphasized that the imposition by the host country of the movement restrictions on the members of the permanent missions was in violation of its obligations. He noted that the issue had been repeatedly raised in the Committee, in addition to the bilateral exchanges with the host country. He recalled that additional movement restrictions were imposed against the Cuban diplomats in September 2019 and remained in place since then. He expressed solidarity with other delegations that had brought similar concerns to the Committee. He emphasized that his delegation remained open to dialogue but was not receiving an adequate response from the host country to that and other matters and had to bring those matters to the Committee.

49. The representative of the Bolivarian Republic of Venezuela expressed solidarity with and support for the delegations of Cuba and the Russian Federation. He supported the comments delivered by the representatives of those delegations during the meeting of the Committee. He referred to the comments made by the representative of the host country and stated his country's view that any restrictions on movement, regardless of the radius or justifications, were in violation of the Headquarters Agreement.

50. The representative of the Islamic Republic of Iran reiterated the position and persistent objection of his delegation with regard to travel restrictions. He stated that the travel restrictions imposed by the host country were unjust, discriminatory and politically motivated.

51. At the 309th meeting, the representative of the Russian Federation drew the attention of the Committee to the fact that the host country had started to apply travel restrictions to senior diplomats and that the procedure had become request-based. She stated that all requests to travel outside of the 25-mile radius had been refused. She asserted that the actions of the host country were discriminatory and constituted a violation of the norms of diplomatic law. She referred to paragraph 144 (k) of the previous report of the Committee ([A/77/26](#)) and stated that the actions of the host country went against the position of the Committee. She also referred to the statement of the Legal Counsel at the meeting of the Committee on 15 October 2019 ([A/AC.154/415](#)).

52. The representative of Cuba echoed the concerns raised by the representatives of the Russian Federation and of the Bolivarian Republic of Venezuela. He reiterated the position of his delegation regarding movement restrictions. He stated that Cuban diplomats accredited to the United Nations continued to face arbitrary and discriminatory movement restrictions which impeded their ability to fully discharge their functions. He stated that those movement restrictions were illegal and contrary to international law. He called for the Committee to hold the United States accountable for its violations of its obligations as the host country.

53. The representative of the Islamic Republic of Iran reiterated his delegation's continued and persistent objections to travel restrictions imposed by the host country against the staff of his Mission and their families, as they were unjust, discriminatory and politically motivated.

54. The representative of the host country reiterated the position of the United States regarding travel controls, namely that such measures were consistent with its obligations not to impose impediments on transit to and from the Headquarters district, so that diplomats, representatives and delegates could perform their official duties at the United Nations. He noted that members of permanent missions had full and unfettered access to the Headquarters district. He stated that the host country was not obligated to permit any and all travel within the United States and could place or tighten travel controls or loosen or remove travel controls and remain in compliance with its obligations as the host country.

55. At the 310th meeting, the representative of the Russian Federation recalled General Assembly resolutions [74/195](#), [75/146](#), [76/122](#) and [77/114](#) concerning the work of the Committee. She referred to paragraph 6 of General Assembly resolution [77/114](#) and noted that the host country had tightened the travel restrictions applicable to her Mission. She stated that the notification procedure for travel outside the 25-mile radius from Columbus Circle had been changed to a requirement for permission being granted and that the travel restrictions had been expanded to apply to a broader category of personnel, including Deputy Permanent Representatives, carrying out representative functions. She informed the Committee that starting from 2022, no requests for travel outside the 25-mile zone had been approved. She referred to the statement made by the representative of the host country at the previous meeting of the Committee indicating that the host country reserved its right to impose or lift travel restrictions. Not only was the host country not fulfilling its obligations under the Headquarters Agreement or complying with decisions of the General Assembly, it had clearly indicated that it had no intention to do otherwise in the future.

56. The representative of Cuba emphasized the importance of addressing the concerns expressed in the Committee by the affected delegations. He acknowledged the step taken by the host country in lifting the extremely unique restriction on movement that had been applied from the second half of 2019 to Cuban diplomats to the United Nations in New York. He stated that travel restrictions continued to apply, limiting the movement of his Mission's personnel to within 25 miles of Columbus Circle, which constituted discriminatory treatment, in violation of the obligations of the United States as the host country under the Headquarters Agreement.

57. The representative of the host country informed the Committee that since the previous meeting of the Committee, there had been an update to the travel controls applied to the members of the Permanent Mission of Cuba and their dependants, and that they were now able to move within a 25-mile zone centred on Columbus Circle.

58. The representative of the host country recalled that the United States had an obligation not to impose impediments on transit to and from the Headquarters district, so that diplomats, personnel, representatives and delegates could conduct their official duties at the United Nations. He stated that the United States was in full compliance with that obligation. He noted that the United States did not have an obligation to permit any and all travel within the United States. He stated that the host country continued to evaluate all travel controls and adjust them as needed. He emphasized that travel controls did not inhibit access to the Headquarters district.

59. With reference to the statement made by the representative of the host country concerning its right to impose travel restrictions, the representative of the Russian Federation stated that there was a clear position to the contrary expressed by the General Assembly and by the United Nations Legal Counsel on the matter. She

concluded that there was thus a legal dispute that must be resolved under the Headquarters Agreement.

60. The representative of Cuba stated that the issue of the restriction of movement had been discussed in the Committee for a long time. He reiterated the acknowledgement by his Permanent Mission of the lifting by the host country of some restrictions on the travel of Cuban diplomats. He recalled that his country had raised the issue in the Committee and had made critical references to the 25-mile zone in the past. He asserted that the remaining restrictions on movement were an example of discriminatory treatment and a violation of the responsibilities of the United States as the host country. He emphasized that the restrictions were incompatible with the Vienna Convention on Diplomatic Relations and contrary to international law.

C. 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: exemption from taxes

61. At the 310th meeting, the representative of China stated that tax exemption of representatives of Member States was an important right stipulated in the Vienna Convention on Diplomatic Relations and the Convention on the Privileges and Immunities of the United Nations. She said that the validity of the tax exemption card issued by the host country should match the residence period of the individual, to avoid any inconvenience caused by a shorter time limit. She voiced an expectation that the host country would pay attention to that matter and address it appropriately.

D. Question of the security of missions and the safety of their personnel

62. At the 308th meeting, the representative of Cuba said that the hostile protests outside the Permanent Mission of Cuba continued to take place and that the authorities of the host country had not taken any actions to enable the staff of the Mission to perform their functions. He indicated that the protests had continued to disrupt the peace of the Mission, interfere with the working environment and endanger the safety of its members and families, including children. He referred to the Vienna Convention on Diplomatic Relations and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, and stated that the host country had obligations under international law to take all appropriate measures to protect permanent missions against any intrusion or damage. He stated that his country remained profoundly disappointed by the existing issues and asked that the Committee remain informed of the engagement of the Office of Legal Affairs with the authorities of the host country in relation to the Headquarters Agreement.

63. The representative of the host country stated that the United States took seriously its obligation to take all appropriate steps to protect the premises of a diplomatic mission against any intrusion or damage and to prevent any disturbance of the peace of the mission. He stated that the Bureau of Diplomatic Security of the United States Department of State coordinated with the New York City Police Department to ensure that any known protests or demonstrations received adequate police support. He urged missions to reach out to his Mission if they were aware of a scheduled protest. He noted that the Host Country Affairs Section of the United States Mission was in regular contact with the affected permanent missions in that regard. He recalled that, in the host country, a peaceful protest was a constitutional right and stated that neither the Vienna Convention on Diplomatic Relations nor the

Headquarters Agreement required a receiving State to take action to prevent expressions of public opinion or prohibit peaceful demonstrations. He stated that, if an event raised concerns of imminent danger to a permanent mission or the security or safety of its personnel or operations, a representative should call 911 to facilitate the immediate response of the local authorities and then contact the Bureau of Diplomatic Security.

64. The representative of Cuba referred to the statement of the representative of the host country and noted that, although his mission had referred the emerging issues to the host country and had raised them in the Committee, it continued to face similar problems with the security of its premises. He said that he did not question the right to a peaceful protest in the host country. He noted that the position of his country had been expressed in several communications addressed to the host country and in the Committee. He stated that the protesters had based their activities at the entrance and exit of the Permanent Mission of Cuba. He noted that, in the past, protests had reached more concerning levels, with protesters obstructing access to the building of the Mission, using high-volume speakers, showing signs of aggressive behaviour and threatening verbally to use firearms and knives against the staff of the Mission. He stated that some of the hostile protests had had grave consequences in the past and had led to physical injuries against Cuban diplomats on United States territory. He called on the host country to give due attention to the matter and adopt the necessary measures to prevent such security incidents from recurring.

65. The representative of the Islamic Republic of Iran reiterated the position of his delegation on the issue of the safety and security of missions. He emphasized that the basic purpose of the Headquarters Agreement was to provide a foundation for the functioning of the United Nations and all missions accredited to it. He expressed solidarity with the Permanent Mission of Cuba over the continuous issues it faced. He informed the Committee of similar protests held the previous month next to the Permanent Mission of the Islamic Republic of Iran, as well as to the residence of the Permanent Representative, which he characterized as disrupting and disturbing. He took note of the commitment of the host country to its relevant obligations and to human rights. He asked that, at the same time, some actions also be taken by the host country to preserve the rights of the staff of the permanent missions. He stated that some of the activities of the protesters were contrary to international instruments and the laws and regulations of the host country. He voiced his delegation's belief that it was incumbent upon the authorities of the host country to take the necessary measures to ensure that the functioning of the missions and ordinary life of their staff were not in danger.

66. The representative of the Islamic Republic of Iran recalled the dissatisfaction expressed by his delegation at previous meetings of the Committee over the secondary screenings of Iranian representatives to the United Nations upon boarding the airplane at the Vienna International Airport. He stated that the screenings had only intensified with regard to the members of his mission departing from John F. Kennedy International Airport to the Islamic Republic of Iran. He reiterated his delegation's request to the host country to take all the necessary measures to ensure that respect and dignity were accorded to all Iranian representatives who travelled to and from United Nations meetings.

67. At the 309th meeting, the representative of Cuba reiterated the position of his delegation that the authorities of the host country failed to take the necessary actions in connection with the continued hostile protests outside the Permanent Mission of Cuba to enable the staff of the Mission to perform their functions in safety. He stated that the protests continued to endanger the safety of the staff of the Mission and their families, including children. He recalled that, in that regard, the Vienna Convention on Diplomatic Relations and the Convention on the Prevention and Punishment of

Crimes against Internationally Protected Persons, including Diplomatic Agents, required the United States to fulfil several obligations as the host State. He stated that the Organization could not be complicit in the repeated failure of the host country to comply with its obligations. He called upon the Secretary-General to exercise his authority and to ensure that the principle of sovereign equality of States was respected. He noted the paramount importance of delegations being guaranteed the full participation of all members of the United Nations in the work of the Organization, without discrimination. He requested that the Committee continue to be updated concerning the engagement of the Office of Legal Affairs with the authorities of the host country in relation to the Headquarters Agreement.

68. The representative of the Islamic Republic of Iran emphasized that the basic purpose of the Headquarters Agreement was to set out a foundation for the smooth functioning of the United Nations and all missions accredited to it. He expressed his delegation's solidarity with the Permanent Mission of Cuba over the issues it faced regarding the security of the Permanent Mission. He noted that, several months prior, his delegation had faced a similar disturbing protest. He stated that it was incumbent upon the authorities of the host country to take the necessary measures to ensure the smooth functioning of the permanent missions and ordinary life of their staff.

69. The representative of the Islamic Republic of Iran stated that members of government delegations to United Nations meetings had often been subject to secondary security screening upon boarding aircraft at Vienna International Airport bound for John F. Kennedy International Airport in New York and recalled the severe dissatisfaction expressed by his delegation on the matter at previous meetings of the Committee. He noted that such screenings were also happening on departure from John F. Kennedy International Airport. He once again reiterated his delegation's request to the host country to take all necessary measures to ensure that respect and dignity were accorded to all Iranian representatives upon their arrival to and departure from the United States.

70. The representative of France stated that there had been protests held close to the premises of the Permanent Mission of France and that it was for the host country to evaluate the level of threat, as balanced against the freedom of protest. She believed that the host country acted on such concerns in good faith and noted from the statement by the host country representative that it had applied such an assessment of the protests in front of the Permanent Mission of Cuba.

71. The representative of Cuba recalled that his delegation had raised the issue of the security of permanent missions in the Committee in the past. He noted that the issues faced by his Mission were not related to the right to protest and concerned the protection of the permanent missions. He stated that his delegation was available to provide additional information to the interested delegations and invited them to visit his Mission to better understand the situation. He noted that the Permanent Mission of Cuba comprised not only offices but also the place of residence of diplomatic personnel, including children and other family members. He noted that, in view of the continued protests, there were security issues concerning access to and exit from the Mission. He recalled other concerns voiced by his delegation at previous meetings of the Committee, such as threatening language used by the protesters. He also recalled the acts of violence perpetrated in the past against the diplomatic premises of Cuba on the territory of the United States in New York City and Washington, D.C.

72. The representative of France explained that she was not questioning the existence of difficulties in the implementation of the Headquarters Agreement. She recognized the efforts of the host country in maintaining dialogue with the affected Member States and encouraged the dialogue to continue. She reiterated that, in situations where there had been protests next to the Permanent Mission of France, the

interpretation of the risks and necessary actions had been made by the host country, and noted that the host country also needed to protect the freedom of protest.

73. The representative of Cuba stated that the measures required to protect the premises of his Mission were preventive in nature. He referred to the issues of security of the diplomatic premises of Cuba in the United States that had arisen in the past and emphasized that the discussion in the Committee was not of a theoretical or academic nature, but rather a discussion concerning facts and evidence. He recalled that the host country had certain obligations and that, in addition to the right to peaceful protest, there were also treaties in place that provided for the protection of diplomatic premises. He emphasized the importance of taking the necessary measures to prevent any acts of violence.

74. At the 310th meeting, the representative of Cuba recalled the information his delegation had provided to the Committee at its previous meetings concerning protests in front of the premises of the Permanent Mission of Cuba. He recalled that those protests affected the work of the Permanent Mission and endangered the safety and security of its staff and their family members, including children. He recalled that the host country had relevant obligations under the Vienna Convention on Diplomatic Relations and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, which it was failing to meet.

75. The representative of China emphasized that the representatives of Member States should enjoy, in the exercise of their duties and during their journeys to and from the meeting premises, such privileges and immunities as were necessary for the independent exercise of their functions, including the inviolability of the person, the right to have their personal baggage exempted from inspection and the right to send and receive documents and official supplies. She emphasized that such rights and privileges must be respected.

76. The representative of China pointed out that the area around East 35th Street and First Avenue where the Permanent Mission of China was located had been under repair and construction for a prolonged period of time. She noted that roads in that area were often blocked. That situation seriously affected the smooth flow of traffic around the area and caused inconvenience and security risks for people entering and exiting the area. She expressed hope that the host country would urge the local authorities to expedite the construction and complete it as soon as possible.

77. The representative of the host country reiterated that the United States took seriously its obligation to take all appropriate steps to protect the premises of a diplomatic mission against any intrusion or damage, and to prevent any disturbance of the peace of the mission. He noted that the Bureau of Diplomatic Security of the United States Department of State maintained close coordination with the New York City Police Department on all security matters, to ensure that any known protests or demonstrations received adequate police support. He encouraged permanent missions to contact the Host Country Affairs Section of the United States Mission in connection with scheduled protests the permanent mission might be aware of. In cases where a demonstration presented an immediate danger to the safety or security of personnel or the operations of the permanent mission, he encouraged the affected permanent mission to call 911 to facilitate the immediate response of the local authorities and to then contact the Bureau of Diplomatic Security. He recalled that the right of peaceful assembly, including the right to protest, was a constitutional right in the United States. He further recalled that neither the Vienna Convention on Diplomatic Relations nor the Headquarters Agreement required a receiving State to prevent expressions of public opinion or prohibit peaceful demonstrations.

78. The representative of the Bolivarian Republic of Venezuela echoed the concerns expressed by the representative of China. He noted with alarm and concern that construction work was being undertaken around the perimeter of his Permanent Mission, on East 46th Street, between First and Second Avenue. He noted that for the previous six or seven years, there had been a tendency to conduct construction work around his Permanent Mission at the time of the high-level week. He requested the host country to look into the matter.

79. The representative of Cuba noted that his delegation had been consistently raising concerns about the security of its mission at meetings of the Committee. He stated that his delegation did not question the right to peaceful assembly, but rather was questioning the specific behaviour of the protesters and the inappropriate manner in which the protests took place. He said that several communications had been sent by his Permanent Mission to the host country on that matter. He asserted that there was a range of actions that the host country could take to prevent any activity that might endanger the physical integrity of diplomats and the security of the premises of the Permanent Mission of Cuba.

80. A representative of the New York City Mayor's Office for International Affairs in the host country delegation said that her Office was unaware of the construction concerns and invited representatives to contact her Office for assistance.

E. Other matters

1. Banking

81. At the 308th meeting, the representative of the Bolivarian Republic of Venezuela recognized the support provided by the Host Country Affairs Section of the United States Mission. He stated that the real issues, and the solutions to them, were with the Government of the host country. He emphasized that the illegal imposition of unilateral coercive measures by the host country was a continuous violation of the Headquarters Agreement. He referred to the suspension of the voting rights of his country in the General Assembly and noted that his country had sufficient resources to pay its dues to the Organization. He stated that the host country had not yet provided a response regarding the establishment of a safe route for the transfer of the necessary funds for that purpose.

82. The representative of the host country reiterated the readiness of the host country to resolve banking issues of affected permanent missions. He noted that the Host Country Affairs Section of the United States Mission routinely engaged with the permanent missions to try to resolve issues that arose and urged delegations to reach out directly to the Host Country Affairs Section with the details of any issues as soon as possible.

83. At the 310th meeting, the representative of the Bolivarian Republic of Venezuela stated that the lack of action by the host country continued to prevent his Government from exercising its right to vote in the General Assembly, even though it had the resources to meet its commitments to the Organization.

84. The representative of the host country noted that no banking issues had been raised with the Host Country Affairs Section of the United States Mission in the recent past by the Permanent Mission of the Bolivarian Republic of Venezuela. He encouraged the Permanent Mission to communicate any concerns related to banking directly to the Host Country Affairs Section.

85. The representative of the Bolivarian Republic of Venezuela stated that he wished to confirm, in response to the statement made by the representative of the host country, that his delegation had consistently raised questions in the Committee about

its banking issues, including in official correspondence containing specific requests for resolution.

2. Property of a mission

86. At the 308th meeting, the representative of the Russian Federation recalled the long-standing position of his delegation with regard to the host country's illegal seizure of the Permanent Mission's property in Upper Brookville, which he stated was an egregious act that was in violation of the privileges and immunities attached to that property, which had been recognized by the host country for decades.

87. The representative of the host country recalled the position of the United States that the closure of the recreational property of the Russian Federation in Upper Brookville was a bilateral matter that did not pertain to the role of the United States as the host country.

88. The representative of the Russian Federation recalled the position of his country with regard to the diplomatic property of the Russian Federation in Upper Brookville, which it did not view as a bilateral question.

89. At the 309th meeting, the representative of the Russian Federation reiterated the position of her delegation regarding the illegal seizure by the host country of the Permanent Mission's property in Upper Brookville. She referred to paragraph 144 (f) of the previous report of the Committee ([A/77/26](#)) and asserted that the recommendations of the Committee had not been given effect by the host country.

90. The representative of the host country recalled the position of the United States that the issues raised by the representative of the Russian Federation concerning the property in Upper Brookville should be addressed bilaterally and not in the Committee.

91. At the 310th meeting, the representative of the Russian Federation referred to paragraph 3 of General Assembly resolution [77/114](#) and informed the Committee that her country remained without access to the property in Upper Brookville. She questioned the host country as to the state of the property in view of the prolonged period of time during which it had not been visited by members of her Mission.

92. The representative of the host country recalled that the closure of the recreational property of the Russian Federation in Upper Brookville was a bilateral matter and did not pertain to the role of the United States as the host country. He emphasized that there was no entitlement to or protection for a recreational property that might be used by a permanent mission under either the Vienna Convention on Diplomatic Relations or the Headquarters Agreement. He noted that the bilateral nature of the matter was evidenced by the fact that there was no other permanent mission that owned a recreational property of that nature to which such a privilege had been afforded.

93. The representative of the Russian Federation stated that the property in Upper Brookville was the property of the Permanent Mission of the Russian Federation, purchased by the Permanent Representative of the Russian Federation. She questioned the position of the host country in portraying the matter as a bilateral issue and noted that all issues, including those related to the property, should be properly addressed through arbitration, as provided for under the Headquarters Agreement.

3. Section 21 of the Headquarters Agreement

94. At the 308th meeting, the representative of the Russian Federation recalled paragraph 15 of General Assembly resolution [77/114](#). He noted that the Committee had first approved the phrase concerning the "reasonable and finite" period of time in

2019, and stated that all periods that could be considered reasonable had lapsed. He said that the issues were not only unresolved but were getting worse. He stated that the host country made fulfilment of its obligations under the Headquarters Agreement dependent on the state of its bilateral relations with the Russian Federation, which was contrary to the Headquarters Agreement. He stated that his country was expecting the swift launch of arbitration under section 21 of the Headquarters Agreement.

95. The representative of the Bolivarian Republic of Venezuela made a statement on behalf of the Group of Friends in Defence of the Charter of the United Nations. He thanked the Chair for taking a more inclusive and transparent approach to leading the consultations and negotiation of the recommendations and conclusions of the Committee, as reflected in the previous report of the Committee (A/77/26). He expressed hope that the practice would continue and be improved in the future. He stated that while the Committee was successful in addressing certain matters, in particular in connection with guaranteeing the protection and security of the Headquarters of the Organization and the permanent missions accredited to it and their personnel, there remained other matters awaiting resolution. He referred to issues with the issuance and renewal of visas, including limitations posed by single-entry visas, movement restrictions, banking issues and the inviolability of diplomatic property. He recalled paragraph 15 of General Assembly resolution 77/114. He stated that the recurring and systematic issues in relation to the implementation of the Headquarters Agreement continued to hinder the capacity of certain Member States, including some members of the Group of Friends in Defence of the Charter, from effectively discharging their responsibilities and fulfilling the purposes of the Organization. He stated that the situation was discriminatory and in violation of the Charter. He underscored that the privilege of hosting the Headquarters of the United Nations should not be used to advance political agendas against a particular group of countries. He recognized the efforts of the Secretary-General aimed at resolving the outstanding matters with the competent authorities of the host country. He stated that, after what had been a more than reasonable period of time, during which concrete, practical and tangible solutions to all the matters on the agenda of the Committee had not been found, activating the arbitration procedure provided for in section 21 of the Headquarters Agreement seemed to be the only way forward. He stated that resorting to section 21 of the Headquarters Agreement would not only guarantee the integrity of the Agreement in its letter and spirit but would also ensure that all Member State delegations could achieve the aspirations of the Charter. He called upon the host country to treat each and every member of the Organization fairly and equally, irrespective of the bilateral differences that might exist, and to comply fully with its legally binding international obligations. He also called for a comprehensive and genuine solution to all pending matters.

96. The representative of China noted that visa issues and travel restrictions had been before the Committee for a long time and seriously affected the normal participation of the Member States concerned in the work of the Organization. He stated that adequate attention must be paid to settling those and related issues, which should not be delayed indefinitely. He said that section 21 of the Headquarters Agreement provided the methods and procedures for dispute settlement and stated that it should be applied to safeguard the legitimate rights of Member States. He stated that seeking arbitration was not an optional provision, but rather a legal obligation. He stated that his delegation believed that the conditions for triggering the arbitration procedure under section 21 had been met and that procedure should now be launched.

97. The representative of the Islamic Republic of Iran called upon the Secretary-General to activate section 21 of the Headquarters Agreement in order to settle the existing dispute in an amicable way.

98. The representative of the Russian Federation voiced support for all delegations that had suffered as a consequence of the violations by the United States of its obligations as the host country. He noted that the real problems encountered by a number of permanent missions needed to be resolved. He stated that if issues could not be solved in the Committee, there were other avenues, as some delegations had mentioned. He stated that launching an arbitration procedure was long overdue and should be done immediately.

99. The representative of the United Kingdom noted the serious complaints raised by a number of delegations. He stated that, in his delegation's view, the key to resolving the issues was to continue the dialogue, including in the Committee and with the Host Country Affairs Section of the United States Mission. He noted the expression of willingness of the Host Country Affairs Section to engage in discussions to seek resolution of the issues in a timely manner. He also noted the ongoing discussions between the Secretariat and the host country. He noted the positive progress in the number of visas being granted by the host country and the genuine intention of the host country to resolve any issues related to the protection of permanent missions and banking issues. He stated that, in his delegation's view, it was not the time to seek arbitration and there were still discussions to be held. He also stated that the ultimate decision to seek arbitration belonged to the Secretary-General.

100. The representative of Canada thanked all delegations for their commitment to the work of the Organization. She noted the serious challenges voiced by some delegations, as well as reassurances of the commitment to remain engaged. She noted the host country's dedication to addressing the issues on an ongoing basis and to fulfilling its obligations under the Headquarters Agreement. She stated that a number of issues had been brought to her attention as the Vice-Chair of the Committee. She said that the speed of response of the host country to issues that concerned a national of Canada as well as a foreign national had been impressive. She also noted the willingness of the host country to engage and the creativity and innovation in finding options to address the issues. She encouraged delegations to continue the dialogue, which remained a much more effective avenue than others that were being discussed in the Committee.

101. The representative of the Bolivarian Republic of Venezuela underscored that while dialogue had been ongoing for some time, concrete, effective and tangible solutions were yet to be found. He appealed to the host country to discontinue the selective and arbitrary policies and practices that undermined the letter and spirit of the Headquarters Agreement.

102. The representative of Malaysia attested to the attentiveness and speed with which the Host Country Affairs Section of the United States Mission had resolved issues that had affected her delegation. She expressed appreciation for the efforts expended by the United States in carrying out its obligations as the host country. She also expressed appreciation to the New York City Police Department for providing a security briefing to her Mission. She also expressed continued concern and sympathy for the delegations affected by the issues raised in the Committee. She said that it was in the interests of the United Nations and all Member States that due privileges and immunities were observed and that appropriate conditions were maintained for the normal work of the delegations and permanent missions accredited to the United Nations. She supported the continuation of dialogue between the affected delegations and the host country. She said that it was her delegation's understanding that, under the Headquarters Agreement, decisions on any other measures rested with the Secretary-General and the host country, as parties to the Headquarters Agreement. She invited the Secretariat to apprise the Committee of progress in the ongoing dialogue with the host country. She expressed the continued commitment of her

delegation to the collective efforts to fulfil the purposes of the Organization and to address all issues in a spirit of cooperation and in accordance with international law.

103. The representative of Bulgaria extended sympathy to the delegations concerned. She expressed support for the use of direct communication channels as the best possible way to resolve the existing problems. She noted that, based on the information shared by the host country, there had been significant progress in resolving the issues before the Committee. She said that there was still space for a genuine dialogue and invited the Secretariat to provide an update on the ongoing discussions with the host country.

104. The Assistant Secretary-General for Legal Affairs stated that the Under-Secretary-General for Legal Affairs, the United Nations Legal Counsel, remained concerned about cases of significant delay, non-issuance or denial of a visa affecting a Member State or the Secretariat. He stated that the Legal Counsel and his team continued to engage closely with the host country and affected permanent missions to address those cases as a matter of priority, among other issues under the Headquarters Agreement. He informed the Committee that earlier that month, a discussion with a team from the United States Department of State had been held concerning appropriate solutions to the issues that had arisen under the Headquarters Agreement. He stated that the legal position of the Organization was clear, had been consistently maintained, and was well known to all members of the Committee. He confirmed that the Secretariat continued to emphasize that ensuring the effective functioning of the United Nations, in particular the permanent missions of Member States and the Secretariat, was of paramount importance. He stated that the compliance of the host country with its obligations under the Headquarters Agreement, including the timely issuance of visas, and the engagement by Member States in good faith with the Organization were both fundamental aspects of ensuring effective functioning. He assured the Committee that the Secretariat would continue its engagement to obtain solutions consistent with the Headquarters Agreement and, with the cooperation of those concerned, actively support the exchange of information on visas. He stated that with regard to issues related to compliance with the Headquarters Agreement, the Legal Counsel was guided by his assessment of whether the bilateral discussions were yielding or had a prospect of yielding sufficient results. He confirmed that all relevant options remained under consideration.

105. The representative of the Russian Federation thanked the Assistant Secretary-General for the explanation and for the work of the Office of Legal Affairs on the issues that had been flagged. He stated that his delegation remained concerned that the resolution of issues was not time bound. He said that the position of his delegation was that the resolution of the issues had been protracted for an unreasonable length of time. He remarked that the situation was worsening and, based on the comments of the representative of the host country, was deliberate, in disregard of the recommendations of the Committee and the provisions of the Headquarters Agreement. He stated that the situation could not be allowed to continue and that something needed to be done. He said that the fact that all options remained under consideration was positive but that his delegation saw arbitration as the correct way forward.

106. The representative of the Bolivarian Republic of Venezuela thanked the Assistant Secretary-General for the briefing. He noted the emphasis placed on engagement with the host country on visa issues. He noted that even if progress was made on one of the issues on the agenda of the Committee, there were other matters as well. He asked the Secretariat to provide clarification on whether any other matters had been raised in the discussions with the host country.

107. The Assistant Secretary-General for Legal Affairs clarified that the priority attached to visa issues in the exchanges with the host country was due to the direct

effect of visa issues on the proper functioning of the Organization, in particular because such issues might prevent a representative from being able to be present at the United Nations to participate in meetings. He assured the Committee that other issues had also been raised in the exchanges with the host country.

108. The representative of Cuba stated that he was of the view that the discussions of the Secretariat with the Department of State of the host country should address the range of issues on the agenda of the Committee and those reflected in the recommendations and conclusions of the Committee.

109. The Chair noted the different positions of the host country and the affected Member States and the update by the Secretariat on the outstanding issues before the Committee. He further noted the serious concerns expressed by several Member States on specific aspects of those issues, including with respect to the invocation of formal dispute resolution measures under section 21 of the Headquarters Agreement. He stated that the Committee would remain seized of the issues on its agenda. He emphasized that it was imperative to strive to resolve all issues within the purview of the Committee in a spirit of compromise and with full regard for the interests of the Organization and the integrity of the Headquarters Agreement. He encouraged the delegations concerned to continue to engage bilaterally with the host country and the Secretariat and to avail themselves of the assistance of the Chair as they saw appropriate.

110. At the 309th meeting, the representative of the Bolivarian Republic of Venezuela, speaking on behalf of the Group of Friends in Defence of the Charter of the United Nations, stated that issues concerning visas and their timely issuance and renewal, secondary screening processes, travel and movement restrictions, banking and the inviolability of diplomatic properties persisted and, in certain instances, had been exacerbated. He asserted that such unresolved issues were systemic and deliberate in nature and violated the spirit and letter of the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention on Diplomatic Relations and Article 105 of the Charter of the United Nations. He recalled paragraph 15 of General Assembly resolution [77/114](#). He expressed regret over the lack of progress in resolving the outstanding issues and called for more active engagement by the Secretariat with the members of the Group, to better understand the issues. He stated that the issues continued to negatively affect the work of the Member States concerned. He emphasized that the privilege of hosting the Headquarters of the United Nations should not be used to obtain advantages or to promote political agendas to the detriment of a specific group of countries. He stated that there were multiple outstanding issues and that progress could not be measured by improvements on only one of the issues. He called for the host country to respect diplomatic customs, norms of international law and the principles enshrined in the Charter of the United Nations, and to treat delegations without discrimination and regardless of bilateral differences that might exist. He assured the Committee of the commitment of the members of the Group to spare no effort to preserve, promote and defend the Charter and to advocate comprehensive and real solutions to all the issues. He noted that the Committee had a key role to play in finding the necessary solutions. He stated that, despite the efforts of the Secretary-General to resolve outstanding issues, and in view of the lack of concrete, tangible and practical solutions, the activation of the arbitration procedure under section 21 of the Headquarters Agreement seemed to be the only way forward. He stated that taking any other course of action would only further embolden the continued violation by the host country of its obligations under the Headquarters Agreement.

111. The representative of the Russian Federation stated that the Committee was in deep crisis due to the violations by the host country of a number of its obligations under the Headquarters Agreement. She stated that the host country imposed on missions of certain States conditions that were incompatible with effective

cooperation with the United Nations. She questioned the practical utility of the Committee in view of the number of unresolved issues. She stated that the host country continued to impose its bilateral agenda on the conditions of work of certain permanent missions and that it was not surprising that contacts between the Secretariat and the host country had not led to the necessary results. She stated that the discussions and contacts on the sidelines were insufficient to resolve the accumulated problems and called for the launch of an arbitration process under the Headquarters Agreement, including based on the recommendations of the Committee and the resolutions of the General Assembly.

112. The representative of the Russian Federation referred to several letters addressed to the Secretary-General that provided information on the most recent violations by the host country of its obligations and that had been issued as documents of the Committee. She asserted that the Permanent Mission of the Russian Federation and its staff were deliberately targeted by a wide range of measures and restrictions, with the aim of not only reducing the effectiveness of the cooperation of her Mission with the United Nations, but also exerting psychological pressure on the staff and diplomats. By way of example, she stated that members of the Mission had been approached by the local special services on the street and in airports, as well as online, including through contextual advertising on social networks, with proposals to cooperate with the Federal Bureau of Investigation of the United States. She stated that such practices were in violation of the Headquarters Agreement and article 25 of the Vienna Convention on Diplomatic Relations. She asserted that the host country created the most unfavourable and difficult conditions possible for the Permanent Mission of the Russian Federation and its staff.

113. The representative of the Russian Federation stated that the discussions of the Secretary-General and the Legal Counsel with the Government of the United States on issues raised in the Committee had not yielded the necessary practical results. She noted that the Secretary-General had an instruction from the General Assembly regarding the launch of an arbitration procedure against the United States and that the instruction had been reproduced in Assembly resolutions for three years. She expressed hope that the Secretary-General would, as requested, immediately launch an arbitration procedure under section 21 of the Headquarters Agreement. She asserted that further delays would undermine the authority of not only the Secretary-General, but also the General Assembly and the entire Organization.

114. The representative of the Islamic Republic of Iran referred to the position of his delegation regarding the activation of section 21 of the Headquarters Agreement expressed at previous meetings of the Committee and stated that his delegation was still of the view that the activation of section 21 was the best and most amicable solution for addressing and solving the existing disputes.

115. The representative of the host country stated that the United States was honoured to serve as the host country of the United Nations and remained fully committed to its obligations under the Headquarters Agreement. He stated that the United States Mission, and specifically the Host Country Affairs Section, continued to welcome delegations to bring host country-related questions and concerns to it directly. He emphasized that the sooner his Mission knew about an issue or a potential issue, the sooner they could assist. He noted that the issue concerning six visas for the delegates of the Bolivarian Republic of Venezuela had been made known to his Mission only at the meeting of the Committee and that it would be looked into. He stated that since the previous meeting of the Committee, the Secretary-General and the Secretary of State of the United States had met to discuss a range of issues, including host country matters. He noted that the host country was reviewing additional steps to continue to be responsive to the concerns raised by the Secretary-General and permanent missions.

116. With reference to the issues raised by the representative of the Russian Federation, the representative of the host country informed the Committee that the host country and the Russian Federation had met recently to discuss a wide range of host country matters. He noted that the meeting had taken place at the level of the deputy permanent representatives, that the host country had facilitated visas for several officials from Moscow to attend the meeting, and that officials from the Department of State had also participated in the meeting. He expected the discussions to continue. He strongly encouraged the Permanent Mission of the Russian Federation to build on that practice and to come directly to the Mission of the host country with any legitimate concerns.

117. The representative of the host country noted that despite the continued efforts of the host country to engage directly with the Russian Federation to address and resolve legitimate concerns, the representative of the Russian Federation had continued to claim at the meeting of the Committee that the United States was in violation of its host country obligations. He emphasized that the host country would not stand for attempts by the Russian Federation to spread disinformation.

118. The representative of the Russian Federation thanked the representative of the host country for the information he had provided. With regard to the bilateral contacts between the host country and the Russian Federation on host country-related issues, she stated that those contacts had not yielded any results. They demonstrated that the host country was well aware of the serious problems raised and that it had no desire to resolve them because it believed that its actions were not in violation of the Headquarters Agreement. She emphasized that that must be corrected and that the host country's obligations must be properly met. She stated that the manual handling by the host country of every issue was not normal and was unsustainable. She noted that the Headquarters Agreement did not provide for any restrictions on the number of visas that could be requested by a Member State and that they should be issued in the quantity requested. She stated that the comments made by the representative of the host country alleging the abuse of visas for espionage were unacceptable. In that regard, she noted that arbitration under section 21 of the Headquarters Agreement could address all the relevant issues on which there existed a difference of views between the host country and the affected Member States, including the Russian Federation. She stated that while her Mission remained open to bilateral contacts if they could be productive and lead to positive results, she regretted that that had not been the case thus far.

119. The representative of the United Kingdom stated that it had been very helpful to hear the views of the delegations and the issues they had raised. He noted the developments in the engagement between the host country and the Russian Federation, which was an encouraging sign. With regard to the comment made by the representative of the Russian Federation concerning the recommendations of the Committee, he stated that, in his delegation's view, there was no instruction for the Secretary-General to commence arbitration proceedings. He voiced doubts over whether the Committee or the General Assembly could issue an instruction to the Secretary-General on that matter. He stated that the Secretary-General had the discretion to commence arbitration proceedings, in the interests of the Organization, and that he was in a unique position to make that decision. He invited the United Nations Legal Counsel to share his views on the matter. He noted that while there remained issues, there were also signs of progress, and he encouraged all delegations to keep engaging and making progress.

120. The representative of France concurred with the statement made by the representative of the United Kingdom. She encouraged compliance with international law, including the Headquarters Agreement, and called for dialogue to be fostered, which could lead to concrete results. She commended the work and tireless efforts of

the United Nations Legal Counsel and the Office of Legal Affairs. She also commended the efforts of the Mission of the United States and expressed appreciation for its commitment to finding solutions.

121. With regard to the comments made by the representative of the Russian Federation, she noted that some problems remained unresolved. She also noted the update provided by the host country. She stated that it would be incorrect to conclude that contacts between the Secretariat and the host country had been useless or had not led to any results. She encouraged the affected delegations to continue engaging with the host country bilaterally and asserted that dialogue remained the most useful tool for finding long-term, rapid and concrete solutions. She stated that the role of the Committee was to issue recommendations and that it was for the Secretary-General to decide on the way to proceed and on the best tools and paths to use.

122. The representative of the Russian Federation recalled, with regard to the comments made by the representatives of the United Kingdom and France, the recommendations of the Committee regarding section 21 of the Headquarters Agreement and the endorsement of those recommendations by the General Assembly.

123. The representative of China stated that the issues of entry visas and travel restrictions had not been properly addressed and seriously affected the normal participation of the Member States concerned in the work of the United Nations. He recalled the text of section 21 of the Headquarters Agreement and stated that the methods and procedures for the settlement of disputes provided therein should be applied with the aim of settling disputes, to safeguard the legitimate rights of Member States and to guarantee that they could participate in the work of the United Nations.

124. The representative of China drew the attention of the Committee to the advisory opinion rendered by the International Court of Justice in 1988 on the applicability of the obligation to arbitrate under section 21 of the United Nations Headquarters Agreement of 26 June 1947. He recalled the three conditions outlined in the advisory opinion as to whether the Secretariat had the right to submit to arbitration in accordance with section 21 of the Headquarters Agreement and whether the host country had an obligation to participate in the arbitration procedure. He voiced his delegation's belief that all three conditions had been met in the current situation. He stated that if the relevant issues could not be resolved through consultations, the arbitration procedure of section 21 of the Headquarters Agreement could be initiated and the host country could participate in that procedure. He noted that in the prevailing circumstances, where a solution could not be found through consultations, China supported the initiation of the arbitration procedure.

125. The representative of the Syrian Arab Republic stated that the host country was fulfilling its obligations selectively and in a discriminatory manner, and questioned the legal basis for such selective implementation of the Headquarters Agreement. He noted that it did not appear that the host country was intending to reconsider its position in the near future, regardless of the significant number of difficulties faced by the affected delegations and their family members. He expressed appreciation for the different perspectives of the members of the Committee and called for more support for the affected permanent missions. He said that, owing to visa issues, many had not been able to travel to visit their families, including himself, in the aftermath of the earthquake earlier that year. He referred to the 25-mile radius travel restriction applied to the staff of his Mission. He stated that the non-performance of the obligations of the host country under the Headquarters Agreement should be referred to arbitration under section 21 of that Agreement.

126. The Under-Secretary-General for Legal Affairs, the United Nations Legal Counsel, recalled that the Charter of the United Nations had been signed in San Francisco on 26 June 1945 and that the United States had hosted the Organization

since its inception. He noted that, throughout the years, it had been possible to solve many issues, including through the Committee. He stated that, over the previous four years, he and the Assistant Secretary-General for Legal Affairs had regularly briefed the Committee on the actions that the Secretary-General and the Legal Counsel had taken to engage with the host country to find solutions to issues that had arisen under the Headquarters Agreement affecting some permanent missions and personnel of the Secretariat.

127. The Legal Counsel welcomed the statement by the representatives of the host country and the Russian Federation about the recent bilateral engagement between their Governments. He recalled that he himself, the Secretary-General and the Chair had consistently encouraged bilateral engagement between the Member States concerned and the host country on specific issues. He urged them to continue their discussions and achieve results.

128. The Legal Counsel informed the Committee that in April 2023, the Secretary-General had discussed with the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov, and the Secretary of State of the United States, Antony Blinken, his concerns about the negative impact of the ongoing issues under the Headquarters Agreement on the proper functioning of the United Nations and the urgent need for those issues to be resolved. He recalled that it was of paramount importance that all Member States acted with the interests of the United Nations in mind and facilitated its effective functioning. He noted in that regard that the Secretary-General continued to believe that the best way forward remained through constructive engagement with the host country and affected Member States. He stated that the Secretary-General had also written to the Secretary of State of the United States and had proposed certain measures that the host country could adopt to address the main objections raised about certain practices of the host country, consistent with the Headquarters Agreement. The Legal Counsel informed the Committee that the Secretariat continued to engage with the authorities of the host country on those proposals.

129. The Legal Counsel recalled the advisory opinion rendered by the International Court of Justice in 1988 on the applicability of the obligation to arbitrate under section 21 of the United Nations Headquarters Agreement of 26 June 1947. He recalled three elements that the Court had taken into consideration to provide its opinion on the question submitted to it by the General Assembly: first, whether a dispute existed between the United Nations and the United States; second, if the dispute existed, whether it was one concerning the interpretation or application of the Headquarters Agreement within the meaning of section 21; and third, whether such a dispute was “not settled by negotiation or other agreed mode of settlement”. He noted that those elements remained relevant. He recalled that the Headquarters Agreement was between the United Nations and the host country and that it therefore was not for the affected States and those States that had raised issues in the Committee to determine whether a dispute existed within the meaning of section 21. He emphasized that it was for the Secretary-General to make that determination. He stated that any steps taken under section 21, including arbitration, would be a matter for the Secretary-General to define and pursue. In that connection, he noted that the Secretary-General would of course be informed by views on the matter expressed by the Committee as a whole in its reports and by the Assembly in its resolutions on the work of the Committee.

130. The representative of the Russian Federation stated that the existence of a dispute was not limited to the opinion of a given party and was an objective issue to be considered in the arbitration proceedings. She emphasized the importance of relying on facts, and the facts indicated that the host country was not in compliance

with its obligations under the Headquarters Agreement. She concluded that there existed a dispute concerning the implementation of the Headquarters Agreement.

131. The Chair noted the positions of the host country and the affected Member States and the statement by the United Nations Legal Counsel on the engagement by the Secretary-General with the host country and the Russian Federation regarding the resolution of issues arising from the implementation of the Headquarters Agreement, including with respect to visas. He also noted the views expressed by several Member States, in particular the Russian Federation and the host country, on specific aspects of those issues, including with respect to the invocation of formal dispute resolution measures under section 21 of the Headquarters Agreement. He stated that the Committee would remain seized of the issues on its agenda. He reiterated the importance of striving to resolve all issues within the purview of the Committee in a spirit of compromise and in full regard for the interests of the Organization and the integrity of the Headquarters Agreement. He welcomed the fact that bilateral discussions had taken place and encouraged the parties to continue them with a view to reaching mutually acceptable solutions consistent with the Headquarters Agreement.

132. At the 310th meeting, the representative of the Russian Federation stated that issues under the Headquarters Agreement continued to arise and were not being properly resolved. She recalled the text of section 27 of the Headquarters Agreement and questioned whether visa rejections, travel restrictions and confiscation of property by the host country were enabling the Organization to discharge its responsibilities fully and efficiently and to fulfil its purposes. She said that the host country continued to exert pressure on the Permanent Mission of the Russian Federation and hinder the participation of her country in the work of the United Nations. She noted that 16 letters, including those signed by the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov, as well as joint letters from the most affected States, had been addressed to the Secretary-General regarding the systemic violation by the host country of its respective obligations under the Headquarters Agreement. She noted that the fact that violations applied to a limited number of Member States was indicative of discrimination. In that regard, she underlined that the Secretary-General must fulfil his obligations under the Headquarters Agreement. She asserted that a legal dispute existed between the United States and the United Nations concerning the implementation of the Headquarters Agreement and reiterated that the Secretary-General must launch an arbitration procedure under section 21 of the Headquarters Agreement.

133. The representative of the Bolivarian Republic of Venezuela stated that the issues related to visas and their timely renewal, as well as single-entry limitations, discriminatory processes of secondary controls applied to certain diplomatic agents and their belongings, travel restrictions and the inviolability of diplomatic properties, were not only unresolved, but in some cases had become worse. He emphasized that those issues were limiting the rights of his delegation and were in flagrant violation of the principle of the sovereign equality of States. He stated that one issue was not more important than another. He noted that the Headquarters of the Organization should not be used to obtain an advantage or to promote political agendas against a particular group of Member States. He stated that any bilateral differences that might exist between the host country and other Member States should not in any way give rise to any kind of selectivity or interference in the way the Headquarters Agreement was applied. He said there had been no signs of significant progress, and that no tangible solutions had been found to the issues before the Committee.

134. The representative of the Bolivarian Republic of Venezuela stated that his country was convinced of the need to make progress with regard to taking the necessary measures under section 21 of the Headquarters Agreement, which in his

delegation's view was the only available course of action to guarantee compliance with the Headquarters Agreement.

135. The representative of Cuba stated that the Organization could not be complicit in the repeated violations by the United States of its obligations as the host country. He wished to draw the attention of the Secretary-General to the situation and called on him to take the necessary measures to ensure that the principle of the sovereign equality of States was enforced. He emphasized the importance of ensuring the full participation of all Member States, without discrimination, in the work of the United Nations. He insisted that maintaining the status quo indefinitely with respect to the issues raised in the reports of the Committee would be in contradiction with the relevant resolutions of the General Assembly. He requested the Office of Legal Affairs to update the Committee on its engagement with the authorities of the host country, in accordance with the provisions of the Headquarters Agreement.

136. The representative of China thanked the host country and the Secretariat for their efforts and contributions to organizing the high-level week of the seventy-eighth session of the General Assembly. She expressed hope that the host country and other actors would abide by the relevant international instruments, including the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations and the Vienna Convention on Diplomatic Relations, to ensure the privileges and immunities of the permanent missions and their diplomatic personnel and to secure the normal performance of their duties.

137. The representative of the host country stated that the host country remained fully committed to its obligations under the Headquarters Agreement. He invited delegations to bring their questions and concerns directly to the Host Country Affairs Section of the United States Mission. The sooner his Mission was aware of an issue or a potential issue, the sooner it could assist. Those issues that could not be resolved through such direct communication should then be brought to the Committee. He emphasized that raising host country-related issues in other bodies, events and meetings was counterproductive and distracted from the essential business of the United Nations.

138. The representative of the United Kingdom reiterated the position of his delegation that it would be for the Secretary-General to decide if and when to trigger arbitration procedures under section 21 of the Headquarters Agreement. He noted that the Secretary-General had an overview of the whole working relationship between the host country and the Organization. He also noted the progress made by the host country on some issues and said that most visas were granted in good time. He encouraged the affected missions and the host country to continue their bilateral discussions to resolve outstanding matters.

139. The Under-Secretary-General for Legal Affairs, the United Nations Legal Counsel, recalled the regular briefings to the Committee that he and the Assistant Secretary-General for Legal Affairs had provided on the actions that they and the Secretary-General had taken to find solutions to issues that had arisen under the Headquarters Agreement affecting certain Permanent Missions and personnel of the Secretariat. He welcomed the developments reported by the host country concerning the relaxation of the travel restrictions applied to Cuba and the removal of the requirement for interviews for visas for representatives of the Islamic Republic of Iran. Those were positive steps in the right direction, which he encouraged the host country to continue. He also encouraged the host country and the Russian Federation to continue their bilateral engagement and find acceptable solutions to specific issues.

140. The Legal Counsel stated that he continued to press for the exchange of information between Member States and the host country to facilitate the timely issuance of visas for delegations travelling to attend United Nations meetings in New

York, in particular for the upcoming high-level week. He noted that those efforts, along with the efforts of the Member States concerned and the host country, had contributed to a reduction in the number of United Nations meetings for which visa issues had arisen in 2023 to date.

141. The Legal Counsel informed the Committee that he and members of the Office of Legal Affairs continued to engage closely with host country officials in New York and Washington, D.C., and with the permanent missions concerned about pressing issues under the Headquarters Agreement and to discuss the proposals made by the Secretary-General in his letter addressed to the United States Secretary of State in late April 2023. He also informed the Committee that he intended to visit Washington, D.C., in the coming weeks for high-level discussions with the relevant government officials on those matters. He assured the Committee that he would keep it informed of the outcome of those discussions.

142. The Legal Counsel informed the Committee that the Secretary-General remained concerned about the impact that the unresolved difficulties affecting certain Member States under the Headquarters Agreement were having on the proper functioning of the United Nations. He noted that the Secretary-General continued to emphasize in his bilateral engagements that it was of paramount importance that all Member States acted with the interests of the United Nations in mind and facilitated its effective functioning. He further noted that the Secretary-General continued to believe that the best way forward remained through constructive engagement with the host country and affected Member States.

143. The representative of the Russian Federation stated that she wished to emphasize the multilateral context in which the United Nations operated, which necessarily meant that the problems of each Member State under the Headquarters Agreement were the problems of the whole Organization. She stated that only when all Member States had the opportunity to participate fully, without any discrimination, in the work of the Organization would the Headquarters Agreement be fulfilled. She noted that the arbitration process for resolving disputes provided for in the Headquarters Agreement was an obligation, not an option.

144. The representative of the Syrian Arab Republic supported the statement made by the representative of the Russian Federation. He said that the problems discussed in the Committee were not of a bilateral nature and pertained to the whole Organization. He noted that when one Member State was affected, the entire United Nations was affected.

145. The Chair said that the Committee would remain seized of the issues on its agenda. He emphasized that delegations must strive to resolve all issues within the purview of the Committee in a spirit of compromise and with full regard for the interests of the Organization and the integrity of the Headquarters Agreement. He welcomed the fact that bilateral discussions had taken place and encouraged the parties to continue them with a view to reaching mutually acceptable solutions consistent with the Headquarters Agreement.

Chapter IV

Recommendations and conclusions

146. At its 311th meeting, on 20 October 2023, 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) 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, and notes that bringing issues to the attention of the host country may in some cases help to have them expeditiously resolved;

(c) Considering that the maintenance of appropriate conditions for ensuring normal functioning of the delegations and missions accredited to the United Nations is in the interest of the United Nations and all Member States, the Committee notes the efforts made by the host country to this end and also notes with concern that numerous issues raised before it continue to 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, and encourages Member States to bring issues to the attention of the host country and of the Committee as soon as they occur;

(d) 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 146 (a) cannot be subject to any restrictions arising from the bilateral relations of the host country. In this regard, the Committee takes seriously the number of remaining 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, preferably 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 and to continue efforts to ensure that diplomats transiting to and from United Nations Headquarters are treated respectfully. If violations occur, the Committee urges the host country to ensure that such cases are properly investigated and remedied, in accordance with applicable law. The Committee notes the serious concerns raised by a Member State expressing the inappropriate treatment and screening of certain of its high-ranking officials by host country Customs and Border Protection officers. The Committee requests the host country to carefully investigate these concerns and take the necessary preventive and remedial action, as appropriate;

(e) 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 ongoing efforts made by the host country to that end and anticipates that the host country will take all appropriate steps to protect the premises of missions against any intrusion or damage and to prevent any disturbance of the peace of missions or impairment of their dignity;

(f) 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 146 (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;

(g) 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;

(h) 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;

(i) 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;

(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 multiple cases of denial and non-issuance of entry visas, including in particular to delegates participating in high-level events and in the work of the Main Committees at the seventy-seventh session of the General Assembly. 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, sections 11 and 13, 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 and renewal of visas to representatives of Member States and members of their families, 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, and while acknowledging that action taken in 2023 led to a relative reduction in processing times for certain Missions, remains seriously concerned that other Missions and Secretariat staff members of certain nationalities continue to be adversely impacted by processing times. The Committee notes a relative decrease in the percentage of visas not issued, and at the same time remains seized of a range of visa issues that should be expeditiously 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, and the waiting time for issuance, 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 and recalling the privileges and immunities enjoyed by representatives of Member States and staff members of the United Nations Secretariat under applicable international law, the Committee notes the easing in 2023 of travel restrictions on two Missions as well as the modification of restrictions for Secretariat staff by increasing authorized ports of entry and recalls the lifting in 2021 of the more stringent travel restrictions applicable to one Mission, while remaining concerned about the more stringent travel restrictions applied to a Mission in 2021 and additional restrictions applied to the same Mission in late 2022 and extremely narrow implementation thereof, and the statements of affected delegations that travel restrictions impede their ability to carry out their functions and negatively impact their staff and families. The Committee strongly urges the host country to remove all 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;

(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 caused by the coronavirus disease (COVID-19) pandemic since March 2020 and appreciates the efforts of the United States Mission to the United Nations to respond to requests from the diplomatic community;

(p) The Committee notes the resourceful 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 the position of the Committee as set out in paragraph 144 (p) of its previous report and that of the General Assembly in paragraph 15 of its resolution [77/114](#), the Committee notes the discussions that have been formalized since the inclusion of this paragraph in its report in 2019 between the Legal Counsel and the competent authorities of the host country regarding unresolved issues and his reports on the outcome of these discussions, most recently at its 309th and 310th meetings, and further notes with concern that serious issues still persist without effective resolution. Recalling in this regard, once more, that serious consideration should be given to taking steps under section 21 of the Headquarters Agreement if certain issues remained unresolved following a reasonable and finite period of time, the Committee accordingly once again reiterates its request to the Secretary-General to now give the most serious consideration and take any appropriate steps under section 21 of the Headquarters Agreement and intensify efforts to expedite resolution of the issues;

(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 I

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.

Annex II

List of documents

- [A/AC.154/424](#) Letter dated 25 October 2022 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General: note by the Secretary-General
- [A/AC.154/425](#) Letter dated 2 February 2023 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General: note by the Secretary-General
- [A/AC.154/426](#) Letter dated 3 April 2023 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General: note by the Secretary-General
- [A/AC.154/427](#) Letter dated 13 April 2023 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General: note by the Secretary-General
- [A/AC.154/428](#) Letter dated 20 April 2023 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General: note by the Secretary-General
- [A/AC.154/429](#) Letter dated 3 May 2023 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General: note by the Secretary-General
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