



United Nations General Assembly | Sixth Committee

**Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives
(Agenda item 82)**

October 18th, 2022

(check against delivery)

Madam/Mister Chair,

Diplomatic and consular immunities lie at the core of international law, since they protect the channels through which States can dialogue, cooperate and peacefully settle disputes. In thanking the Secretary-General for his latest report under this agenda item, my delegation notes with concern the increased number of reported incidents. As recognized in the preamble of both 1961 and 1963 Vienna Conventions, the respect for rules and principles governing diplomatic and consular relations is of paramount importance to develop and strengthen friendly relations among States.

According to the Vienna Conventions, archives and documents shall be inviolable at all times "wherever they may be". As clarified by the International Court of Justice and stressed in the case law of both national courts and arbitral tribunals applying international law, this inviolability is absolute. Additionally, the Conventions also recognize the inviolability of official correspondence and clearly establish the receiving State's duty to enable free communication of diplomatic and consular missions for all official purposes. These treaties clearly acknowledge that, in order to communicate with their headquarters or other posts, diplomatic and consular missions may employ "all appropriate means". These essential safeguards must be upheld by all branches of government: Executive, Legislative and Judicial.

Madam/Mister Chair,

Information technology has significantly evolved from the 1960s to our days. Today, the flow of communication is no longer dependent on physical support. Information can circulate through technologically sophisticated channels. Archives and documents, in general, and diplomatic cables, in particular, exist not only on paper, but also on digital platforms. Regardless of all these changes, it remains beyond doubt that the absolute inviolability of the Vienna Conventions remains fully applicable. To countenance a contrary view would risk jeopardizing sovereign equality and the main purpose of diplomatic and consular relations: to develop and strengthen friendly relations among States. It is thus clear that diplomatic and consular communications, archives and documents enjoy protection both offline and online.

Madam/Mister Chair,

My delegation remains convinced that the resolution to be adopted under this agenda item needs to address in an adequate manner the challenges faced in promoting all dimensions of the protection, security and safety of diplomatic and consular missions. Brazil stands ready to engage constructively in this regard.

Thank you.