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Report of the Committee on Relations with the Host Country

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Report of the Committee on Relations with the Host Country



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Note

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Chapter I

Introduction

1. The Committee on Relations with the Host Country was established pursuant to General Assembly resolution [2819 \(XXVI\)](#). The Assembly, by its resolution [76/122](#), decided to include in the provisional agenda of its seventy-seventh session the item entitled “Report of the Committee on Relations with the Host Country”. The present report is submitted pursuant to resolution [76/122](#).
2. The report consists of four chapters. The recommendations and conclusions of the Committee are contained in chapter IV.

Chapter II

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

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

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

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

Chair:

Andreas **Hadjichrysanthou** (Cyprus)

Vice-Chairs:

Tzvety **Romanska** (Bulgaria)

Beatrice **Maille** (Canada)

Gadji **Rabe** (Côte d'Ivoire)

Rapporteur:

Rodrigo A. **Carazo** – 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 the annex to the present report. No documents were issued by the Committee during the reporting period.

6. During the reporting period, the Committee held four meetings: the 304th meeting, on 23 February 2022; the 305th meeting, on 11 July 2022; the 306th meeting, on 12 September 2022; and the 307th meeting, on 21 October 2022. The present report also includes a summary of the Committee's discussions of substantive issues at its 303rd meeting, at which it adopted its previous report ([A/76/26](#)).

7. At its 305th meeting, the Committee was informed of the departure of the Rapporteur, Rodrigo A. Carazo (Costa Rica). At its 306th meeting, the Committee elected by acclamation Gustavo Adolfo Ramírez Baca (Costa Rica) as Rapporteur.

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 303rd meeting, the representative of the Syrian Arab Republic noted that the Committee had held several meetings during the seventy-sixth session of the General Assembly to discuss the restrictions imposed on a number of delegations of Member States. He questioned why the representatives of certain Member States were facing restrictions, while others were not. He stated that for diplomats of his country, host country visas were single-entry and only valid for six months and that it took six to eight weeks for the visas to be issued. He urged the host country to issue multiple-entry visas. He also stated that the 25-mile radius travel restriction hampered the free movement of his delegation and noted that family members of diplomats were also bound by the same restrictions. He urged the Committee to act in order to ensure that the host country respected its commitments in line with the Headquarters Agreement.

9. At the 304th meeting, the representative of the Russian Federation noted with regret that the host country systemically failed to fulfil its international legal obligations under the Headquarters Agreement. He recalled paragraph 15 of General Assembly resolution [76/122](#). He stated that results in solving the issues of certain Member States were lacking and that all reasonable and limited time frames prescribed by the General Assembly for resolving those issues had passed. He also stated that the Secretary-General should resort to more effective methods of dispute resolution provided under the Headquarters Agreement. He noted that issues related to the extension of visas for representatives of the Russian Federation and their family members were systemic in nature and affected not only the staff of his Mission but also delegations from the capital. He stated that the delegation of the Russian Federation was either completely absent from or was understaffed at the second session of the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction, the meeting of the Panel of External Auditors of the United Nations, the Specialized Agencies and the International Atomic Energy Agency, the first session of the open-ended working group on security of and in the use of information and communications technologies and the forty-second session of Working Group III of the United Nations Commission on International Trade Law (UNCITRAL). He indicated that at the then-ongoing meeting of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, the Deputy Director of the Legal Department of the Ministry of Foreign Affairs of the Russian Federation had to arrive late for the meeting because of the delay in the issuance of his visa. He noted that those difficulties were significantly hampering the normal functioning of the delegation of his country. He asserted that the prompt issuance of visas for travel related to the United Nations was the responsibility of the United States, which was using its position as a host country as an instrument of political pressure. He emphasized that those issues were not of a bilateral nature. He stated that the practice of visa 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 was unacceptable. He expressed hope that the Secretary-General would do more to protect the personnel of the Organization.

10. The representative of Cuba noted that his Mission continued to see cases of excessive delays in the issuance of visas to its personnel, despite requests made by the Minister for Foreign Affairs sufficiently in advance. He also noted that there had been prolonged delays in the renewal of a number of one-year multiple-entry visas for the personnel of his Mission. He recalled that the host country had previously indicated that the required time for visa renewal would be approximately four weeks. He asserted that for the personnel of his Mission, it always took longer. He referred to sections 11 and 13 of the Headquarters Agreement and noted that the obligation to issue visas to representatives of a Member State was applicable irrespective of the status of their bilateral relations with the host country.

11. The representative of the Syrian Arab Republic expressed support for the delegations affected by the issues before the Committee. He called on the host country to fulfil its obligations and change the measures targeted at a number of Member States, including his country.

12. The representative of Belarus stated that his country continued to adhere to the consistent position that the host country must comply with its obligations with regard to the unimpeded and non-discriminatory admission of delegates of Member States to the Headquarters of the United Nations. He stated that his country was constantly facing problems in obtaining visas for the head of his Mission and his family members. He shared concerns about the delays in issuance or non-issuance of visas voiced by other representatives and stated that visa issues were hindering the exercise of the professional duties of delegates. He emphasized that, regardless of the state of bilateral relations, the host country should not create any obstacles to the participation of the representatives of Member States in the work of the United Nations, including by applying visa restrictions.

13. The representative of the host country stated that the host country had diligently worked to ensure that travel to and from the Headquarters district for the General Assembly went smoothly, including by issuing hundreds of visas for the high-level week and meetings of the Main Committees of the General Assembly. He noted that when issues arose with specific applications, the host country worked to address them. He reiterated the readiness of the host country to assist the Member States concerned. He noted that, in many cases, delays in visa issuance stemmed from applications that had been submitted very close to the meeting date or without the required critical information, such as the specific purpose of the visit and the dates of the meetings the delegate was planning to attend. He referred to the letter dated 16 February 2022 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/76/706). He reiterated that when missions contacted the Mission of the host country sufficiently in advance, the host country was nearly always able to assist them in securing timely visa issuance before United Nations meetings.

14. With regard to the statement of the representative of the Russian Federation concerning visas, he noted that in the case of the Russian Federation, the host country had issued hundreds of visas in a timely manner in recent years, despite a very large volume of applications. He stated that, in 2021, the United States issued nearly 250 G-1 visas to the staff of the Permanent Mission of the Russian Federation and over 150 G-2 temporary duty visas. He noted that those numbers far exceeded the number of G-1 and G-2 visas issued to any other member of the Security Council in 2021 and was more than twice the number of G-1 visas received by any other Security Council member. He noted that for the General Assembly, the Russian Federation received over 100 G-2 visas, which was nearly 50 per cent more visas than one Security Council member and at least five times more visas than the other 12 Security Council members. He stated that processing such large volumes of visa applications presented significant challenges, particularly in view of the coronavirus disease (COVID-19) pandemic and the

extraordinary staffing reductions or restrictions imposed by the Russian Federation on the embassy of the United States in Moscow. He stated that, while his Mission was in constant contact with the Permanent Mission of the Russian Federation, some information from the Mission of the Russian Federation concerning specific visa cases had been inaccurate or misleading, hampering progress on visa issuance. He further stated that the exploitation by the Russian Federation of its Permanent Mission to insert personnel into the United States for unauthorized purposes was among the most difficult challenges for the host country. He stated that applying for visas to travel to New York under the Headquarters Agreement for any purpose other than United Nations business was unacceptable. He stated that calls for arbitration were divisive and counterproductive. He believed that the host country had made significant progress as a result of consultations with the Office of Legal Affairs of the United Nations and was committed to making further progress on visas and other matters.

15. The representative of Cuba referred to the diplomatic note that his Permanent Mission had sent to the Mission of the host country on 7 February 2022 and reiterated that 26 members of his Mission had been waiting from two to seven months for their multiple-entry visas. He recalled that a communication from the host country from November 2021 indicated that the visa renewal process would take approximately four weeks. He expressed understanding that the COVID-19 pandemic had imposed restrictions and limitations, but noted that the waiting time was excessive.

16. The representative of the Russian Federation drew the attention of the Committee to a significant number of Member States that enjoyed visa-free entry to the United States. He noted the comment of the host country that it was issuing many visas and stated that it had no legal standing. He noted that there existed no instrument that provided for restrictions on the number of visas or any limits to visas issued in connection with United Nations work. He thanked the host country for assistance in addressing certain specific problems. He stated that it should not be the case that his delegation should have to request support for every meeting. He also stated that there should be a smooth, well-functioning mechanism for visa issuance. He voiced surprise over the comment of the representative of the host country concerning the exploitation by the Russian Federation of its Mission to provide access to persons whose work was not related to the work of the Organization. He characterized those claims as unjustified accusations.

17. The representative of the Islamic Republic of Iran asserted that it was incumbent upon the host country to take the necessary measures to ensure that the functioning of the missions was not in jeopardy. He stated that visa restrictions, including single-entry visas, the denial of entry visas and delays in the issuance of visas, remained the chief obstacles for a number of delegations, including his. He stated that single-entry visas and the prolonged time for the issuance of the re-entry visas remained problematic and affected delegations, especially in emergency situations. He stated that, for example, some of his colleagues were not able to attend the funerals of their close relatives. He urged the host country to take the necessary measures to honour its obligations in accordance with the Headquarters Agreement and other relevant international instruments to ensure the unimpeded travel of official representatives of Member States into the United States.

18. The representative of the host country stated that, with regard to the comment of the representative of the Islamic Republic of Iran, the host country had been able, earlier that day, to renew visas of members of the Cuban delegation in New York who needed to return home for family emergencies. He wished to assure all delegations that his Mission was committed to finding solutions and encouraged all affected delegations to address their visa-related issues to the Host Country Affairs Section of the United States Mission.

19. The representative of Cuba stated that there remained other members of his Mission who were waiting for their visas. He stated that the situation had a long-standing character and had disrupted the operation of his Mission. He asserted that the situation was making it impossible for his country to be duly represented at some meetings. He noted that there were also delays in the issuance of visas by the United States Embassy in Havana.

20. The Assistant Secretary-General for Legal Affairs stated that the Committee was well aware of the serious engagement by the Secretary-General and the Under-Secretary-General for Legal Affairs, the United Nations Legal Counsel, to resolve issues before the Committee in line with the Headquarters Agreement, including through discussions at various levels with the host country and in consultation with affected Member States and the Chair. He referred to the statements of the Legal Counsel at the 295th meeting of the Committee ([A/AC.154/415](#)). He stated that the Legal Counsel believed that a degree of progress had been made since his visit to Washington, D.C., in June 2021, in particular with respect to visas, although he did understand that it may not be deemed sufficient for the affected missions. He noted that the Legal Counsel continued to press the host country and concerned missions to maintain the momentum by finding constructive solutions to impediments to the timely issuance of visas. He stated that the Secretariat was proactively engaged with the host country on visas in advance of upcoming in-person meetings.

21. The Assistant Secretary-General for Legal Affairs noted that the Secretary-General had been in close contact with the host country and with concerned missions, including the Russian Federation. He stated that the Secretary-General in the recent past had received letters from the Russian Federation and the host country on issues of concern to both missions. He stated that in the preceding two weeks, the Secretary-General had discussed those issues with senior representatives of the Russian Federation and the host country, including the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov, and the Permanent Representative of the United States of America, Linda Thomas-Greenfield. He confirmed that the Secretary-General remained very concerned by the situation and continued to emphasize the importance of urgently finding solutions, including through constructive bilateral engagement, that would enable the effective functioning of the United Nations at its Headquarters consistent with the Headquarters Agreement. He stated that the Secretariat would continue its efforts to that effect. He assured the Committee that he would inform the United Nations Legal Counsel and the Secretary-General of the discussions in the Committee.

22. The representative of the Bolivarian Republic of Venezuela asked the Assistant Secretary-General for Legal Affairs for clarification about the actions undertaken by the Secretary-General and the Office of Legal Affairs to address matters other than visas with the competent authorities of the host country.

23. The Assistant Secretary-General for Legal Affairs clarified that all the issues brought before the Committee at its recent meetings had been raised in meetings between the United Nations Legal Counsel and the host country.

24. The Chair noted the different positions of the host country and the affected Member States on outstanding issues before the Committee and the degree of progress that had been made to address them, in particular with respect to visas. He also noted the recent engagement by the Secretary-General with senior officials of the host country and the Russian Federation.

25. At the 305th meeting, the representative of the Russian Federation stated that the main goal of the Committee and its Chair was to ensure that, through collective efforts, including with the participation of the relevant authorities of the host country, solutions to specific issues could be found. He stated that despite assurances made by the host country at the past meetings of the Committee, there had been no changes to the visa

policy with regard to diplomats of the Russian Federation. He noted that at the time of the meeting, 23 members of the Permanent Mission of the Russian Federation and 38 members of their families had been waiting for their visas for more than five months. He stated that difficulties with visas were also experienced this year by delegations from Moscow. He indicated that owing to the non-issuance or late issuance of visas, delegations of the Russian Federation were either completely absent or were not fully represented at the meetings of the Fifth Committee during the second part of the resumed seventy-sixth session of the General Assembly; the first session of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes; the Eighth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; the thirty-second Meeting of States Parties to the United Nations Convention on the Law of the Sea; and the fifty-fifth session of UNCITRAL. He stated that it was an abnormal situation that the Mission of the host country had to find ad hoc solutions to issues with visas. He noted that the issuance of visas was part of the international obligations of the United States as the host country.

26. The representative of the Russian Federation noted that issues with visas were faced only by some States. He asserted that the host country acted in a discriminatory manner on the basis of political considerations and contrary to the Headquarters Agreement. He characterized justifications provided by the host country as contrived. He also stated that visa discrimination against Secretariat officials that were nationals of the Russian Federation was unacceptable. He reiterated his delegation's long-standing demand that the Secretary-General resort to the dispute settlement mechanism in section 21 of the Headquarters Agreement.

27. The representative of China stated that his country associated itself with the statement of the representative of the Russian Federation. He noted that the host country had an obligation under the Headquarters Agreement to issue visas to delegates attending United Nations meetings in a timely manner. He stated that, in his country's view, the requirement of the timely issuance of visas was not excessive and was a basic obligation under international law. He expressed hope that the host country would abide by its obligation and avoid preventing representatives of Member States from obtaining visas due to political factors.

28. The representative of Cuba noted that there were delays in the granting of visas for Cuban representatives who were designated to work in the Permanent Mission of Cuba. He asserted that the Ministry of Foreign Affairs was in full compliance with the terms for the granting of visas established by the Embassy of the United States in Havana. He stated that the situation continued to cause cancellations of plane tickets for travel to Cuba and resulted in unnecessary monetary expenses. He recalled sections 11 and 13 of the Headquarters Agreement and stated that the discriminatory actions of the host country with regard to the issuance of visas to representatives of some Member States were in violation of the obligations of the United States as the host country. He stated that these actions were hampering the work of the Organization and making it impossible for delegations to perform their functions on an equal footing. He stated that the Organization could not be complicit in the repeated failure of the host country to comply with the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations and other international instruments. He stated that the Secretariat had a duty to act decisively and called upon the Secretary-General to ensure that there was respect for sovereign equality among States. He noted that it was crucial that there be a guarantee of full participation without discrimination for all members of the United Nations in the work of the Organization.

29. The representative of Belarus stated that unhindered access to the Headquarters was a foundational basis of the work of the Organization. He referred to the Headquarters Agreement and stated that the host country should not create obstacles, including with visas, for the full participation of representatives of States in the work of the bodies of the Organization. He informed the Committee that the Deputy Minister for Foreign Affairs of Belarus was not issued a visa and as a result could not take part in the high-level political forum on sustainable development. He noted that the necessary documents were sent approximately three months in advance. He stated that the creation of artificial obstacles to the work of his delegation was not only a step against the founding Member State, but also against the entire United Nations system. He noted that such actions were a consequence of a self-centred policy of the host country that was to the detriment of multilateral diplomacy.

30. The representative of the Syrian Arab Republic shared the concerns expressed by the representative of the Russian Federation regarding visas and travel restrictions and by the representative of Cuba regarding the safety of the Permanent Mission of Cuba and other missions to the United Nations in the host country. He stated that staff of his Mission were issued single-entry visas for six months. He described a new procedure that was put in place by the host country, whereby, the applicant's passport was returned after the applicant applied for a visa with an indication that the applicant would be informed when the passport could be sent back, after the completion of the necessary review. He stated that it took three months to renew a six-month visa. He recognized that, in view of the large number of diplomats in New York, the Mission of the host country was facing significant pressure. He asserted that the need to send a passport with a visa application every three months only exacerbated the situation. He also stated that the issuance of single-entry visas led the staff of his Mission to miss many important meetings held outside of New York. He asserted that issuance of visas of two-year duration could have resolved the issue.

31. The representative of the host country reiterated the commitment of the United States to its obligations under the Headquarters Agreement. He stated that since the previous meeting of the Committee, the Mission of the host country had issued 1,600 visas for United Nations-related work and for the dependants of diplomats. He stated that the Mission also continued to work closely with the United Nations and the City of New York to ensure the health and safety of individuals in the Headquarters district for the purposes of United Nations work.

32. The representative of the host country noted that delays in the issuance of visas often were the result of the late submission of an application or failure to include critical information, such as the purpose of the visit and the dates of the meetings and events. He called for Member States to address concerns about visa applications to the Mission of the host country well in advance of the relevant United Nations meetings and to notify the Mission about the composition of the delegations, with accurate information about visa applications. He recognized that visa processing times were occasionally longer than in the past. He stated that most of the United States embassies and consulates overseas were facing significant backlogs of visa requests owing to the COVID-19 pandemic and, in the case of the Embassy in Moscow, extraordinary staffing restrictions imposed by the Russian Federation. He noted that for the fifty-fifth session of UNCITRAL, his Mission was notified of the composition of the delegation of the Russian Federation only four days before the meeting. He stated that the host country worked over the weekend to issue visas on time for the meeting. He referred to the letter dated 24 June 2022 from the Permanent Representative of the Russian Federation addressed to the Secretary-General ([A/76/898](#)) and asserted that despite the efforts made by the host country with respect to the timely issuance of visas, the letter was distributed only one day after his Mission was alerted to the visa-related issues and three days before the beginning of

the UNCITRAL session. He asserted that the Russian Federation was more interested in creating opportunities to complain about visas being delayed than in cooperating with the host country to ensure that visas were issued on time.

33. The representative of the host country stated that there was a need for continued and increased cooperation between Member States and the Mission of the host country on visa issues, in particular with respect to the high-level week of the seventy-seventh session of the General Assembly. He assured the Committee that the host country would continue working to ensure smooth travel to and from the Headquarters district for the General Assembly, specifically for the high-level week and meetings of the Main Committees of the General Assembly.

34. The representative of the Russian Federation recalled that it was an obligation of the host country to issue visas to delegations of Member States that intended to participate in official United Nations meetings. He noted that some delegations had experienced problems with the issuance of visas for more than four years. He asserted that all of the visa applications for the delegation of his country were filled out accurately and submitted on time. He noted the dissatisfaction of his delegation with the situation. He also noted that the decrease in the number of personnel in the United States Embassy in Moscow was a result of reciprocal measures to the actions of the host country with regard to Russian diplomats in Washington, D.C., and New York.

35. The representative of Malaysia expressed continued concern about the obstacles that some of the permanent missions and the Secretariat staff were facing. She voiced support for the constructive approach of the host country to continue the ongoing dialogue with the affected missions and the Secretariat towards resolving the pending issues.

36. The representative of the Russian Federation stated that information from the host country about the number of visas that were issued and the number that were not could be helpful in demonstrating whether the host country was meeting its obligations under the Headquarters Agreement.

37. The representative of the Islamic Republic of Iran stated that single-entry visas for members of his delegation were still posing problems for the functioning of his Mission. He referred to his previous statements to the Committee on the matter. He noted that his delegation had constructively engaged with the host country on visas during past months and that, after providing information to the Mission of the host country, members of the delegation received visas in due time. However, he called for the equal treatment of all delegations with regard to the issuance of visas, and, in particular, for the issuance of multiple-entry visas to facilitate the discharge of diplomatic functions in the Organization.

38. At the 306th meeting, the representative of the Russian Federation stated that the General Assembly, in its resolution [76/122](#), had reiterated its serious concerns regarding the non-performance by the host country of its obligations under the Headquarters Agreement. He stated that, in the last four years, the issues faced by certain Member States had gotten worse and that the reassurances made by the host country that it would implement measures to improve the situation had far too often sharply contrasted with its real actions. He stated that the host country's fulfilment of its obligations under the Headquarters Agreement was undoubtedly dependent on the character of its bilateral relations with the Russian Federation, which was directly prohibited under the Headquarters Agreement. He informed the Committee that 34 members of the Permanent Mission of the Russian Federation and 43 members of their families had been waiting for five or more months for the extension of their visas. He stated that the problem with regard to the issuance of visas for new members of the Mission also persisted. He also stated that a practice of visa discrimination against citizens of the Russian Federation that had been accepted to fill vacancies in

the Secretariat and against citizens currently serving in the Secretariat did not come to an end – many staff members continued to wait for their visas. He informed the Committee about the seriousness of the situation concerning visas for delegates from Moscow attending United Nations meetings. He provided as examples the second regular session of the Executive Board of the United Nations Development Programme, the United Nations Population Fund and the United Nations Office for Project Services, the second regular session of the Executive Board of the United Nations Children's Fund, the third session of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes and the third United Nations Chiefs of Police Summit. He drew attention to the fact that a visa was not issued to the Minister of the Interior, who had intended to lead the delegation of the Russian Federation to the United Nations Chiefs of Police Summit. He underlined that the delegation for the high-level week of the seventy-seventh session of the General Assembly headed by the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov, was still waiting for visas days before the event. He stated that the United States continued to abuse its position as a host country of the Organization and use the mechanism of granting visas for political motives.

39. The representative of Cuba noted that there were delays in the issuance and extension of visas. He stated that the host country had an obligation to promptly provide visas to representatives of Member States, irrespective of bilateral relations.

40. The representative of the Islamic Republic of Iran extended his sympathy to the delegation of the Russian Federation in relation to the visa issues that it had reported to the Committee. He requested the host country to ensure equal participation for all delegations in all United Nations events, in particular the high-level week of the seventy-seventh session of the General Assembly. He stated that his Mission also faced issues as a result of the issuance of single-entry visas and long waiting periods, in particular in situations where emergency travel was required.

41. The representative of the host country thanked the delegations that had submitted to his Mission complete and accurate lists of their delegations to the high-level week of the seventy-seventh session of the General Assembly. With regard to the visa processing timelines, he noted that the COVID-19 pandemic had created a backlog of visa applications at every United States embassy and consulate around the world. He explained that backlogs lead to the lengthy processing times and that there was no immediate solution to that issue. He reassured the Committee that the host country worked very hard to improve visa processing times. He noted that the host country prioritized visas for diplomats traveling to the United Nations conferences and high-level meetings. He informed the Committee that the host country continued to regularly discuss visa-related issues with the Office of Legal Affairs. He reiterated his Mission's call for all Member States to apply for visas as far in advance of travel as possible to afford the host country authorities sufficient time for visa processing and to share with the Host Country Affairs Section lists of their delegations to upcoming United Nations meetings and events. He remarked that when the Russian Federation provided an accurate and complete delegation list in good time, the host country was able to issue the requested visas, as was the case for the Tenth Review Conference of Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. He regretted that this was not the case for the third United Nations Chiefs of Police Summit, for which applications were submitted on 16 August for the event, which started on 31 August 2022.

42. The representative of the host country noted that the host country had issued more visas to representatives of the Russian Federation for multilateral work than to any other member of the Security Council. He stated that, for example, for the high-level week of the seventy-sixth session of the General Assembly, the Russian Federation requested and received over 100 temporary duty visas. He noted that that

number was nearly 50 per cent higher than 1 Security Council member and five times higher than the other 12 Council members. He also informed the Committee that the drastic decrease in the number of consular staff in the Embassy of the United States in Moscow and the increase in the number of visa applications from the Government of the Russian Federation severely exacerbated the situation.

43. The representative of the host country informed the Committee that the Permanent Representative of the United States to the United Nations had just sent a letter to the Secretary-General with his Government's observations on issues recently raised by the Russian Federation and other Member States with the Secretary-General. He indicated that the letter would be circulated as a document of the General Assembly in due course (A/76/951). He stated that among the points made in the letter was that the Russian Federation had repeatedly and consistently named delegates to United Nations events and meetings and assigned employees to work at its Permanent Mission to conduct non-United Nations business. He stated that earlier that year, the United States required the departure pursuant to section 13 of the Headquarters Agreement of 12 intelligence operatives from the Permanent Mission of the Russian Federation who had abused their privileges of residence by engaging in espionage activities adverse to the national security of the host country. He noted that the host country did not and would not allow the Russian Federation or any Member State to use diplomatic visas as a cover for espionage or other unauthorized business at the United Nations.

44. The representative of the Russian Federation stated that it was improper for the United States to blame his country for the size of its delegations. He noted that the size was reflective of the interest of his Government in meaningfully contributing to the work of the Organization. He also wished to note that it was entirely reasonable for his Government to send a delegation that included as many specialized delegates with expert knowledge in the relevant topics as it determined was required.

45. With regard to the comment by the representative of the host country about his Government's decision to require a reduction in the number of staff in the Embassy of the United States in Moscow, the representative of the Russian Federation recalled that it was a reciprocal measure taken in response to the decision by the United States to reduce the number of staff in the Embassy of the Russian Federation in Washington, D.C. He noted that reciprocity was one of the key principles of consular and diplomatic relations. He also noted that the staff reduction in Washington, D.C., had happened under the pretext of alleged interference by the Russian Federation with the elections in the United States. He stated that such allegations had never been proven. Moreover, the people behind the interference were being prosecuted in the domestic courts of the United States.

46. In response to the comment made by the representative of the host country alleging engagement by representatives of the Russian Federation in espionage, the representative of the Russian Federation stated that section 13 of the Headquarters Agreement required that meaningful consultations be undertaken, which the host country had failed to do. Instead, the authorities of the host country had proposed that the Mission of the Russian Federation prove to the host country that such allegations were wrong, thus posing as a judge in their own case, contrary to a well know maxim *nemo iudex in propria causa*. He emphasized that the principles of the Headquarters Agreement and the Charter of the United Nations should be upheld.

47. The representative of France took note of the letter from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/76/916). She noted that her delegation also experienced delays in the issuance of visas for new members of the delegation owing to the late submission of

requests. She also noted the likelihood that the reduction of personnel in the United States Embassy in Moscow was a factor in the delay in the issuance of visas.

48. In relation to the remark by the representative of the host country with regard to the alleged untimeliness of visa request submissions for the third United Nations Chiefs of Police Summit, the representative of the Russian Federation insisted that the Headquarters Agreement did not specify any time limit for that purpose. He also noted that some members of his Mission had been waiting for visas for more than a year. He agreed that members of the delegation of the Russian Federation to the Tenth Review Conference of Parties to the Treaty on the Non-Proliferation of Nuclear Weapons had received their visas, but wished to point out that this outcome had required considerable engagement by his Mission almost in “manual mode” with the host country. He stated that the issuance of visas should not be done on an ad hoc basis and that the Agreement did not provide for any “manual mode” engagement with the host country on the part of any Mission, including his own, in providing advance notifications of complete delegation lists to the host country Mission.

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

49. At the 304th meeting, the representative of the Russian Federation drew the attention of the Committee to the remaining movement restrictions for the staff of the Permanent Mission of the Russian Federation and Secretariat officials who were nationals of the Russian Federation. He noted that similar restrictions were applied by the host country to staff of the Permanent Missions of Cuba, the Islamic Republic of Iran and the Syrian Arab Republic.

50. The representative of the host country stated that the host country was striving to review timely travel requests and consider them on a case-by-case basis. He pointed out that a new system, eGOV, had been introduced the previous year to facilitate a more efficient process. Users could request travel approval through the system, including for routine and emergency travel. He recalled the position of the host country that travel controls were consistent with the Headquarters Agreement, as they did not impede travel to or from the Headquarters district.

51. The representative of the Islamic Republic of Iran expressed his Government’s continued and persistent objection to the travel restrictions imposed on the staff of his Mission and their families. He characterized such restrictions as unjust, discriminatory and politically motivated and called for their immediate removal.

52. At the 305th meeting, the representative of the Russian Federation stated that staff of his Mission and some Secretariat staff who were nationals of the Russian Federation were subjected to the 25-mile travel restriction. He stated that the situation was deteriorating and that there was a requirement to seek permission to travel beyond the 25-mile radius zone, which had replaced the notification system that had been in place before.

53. The representative of Cuba noted that the travel restriction against members of his Mission limiting their movement to the island of Manhattan was still in force. He stated that the travel restriction further obstructed the proper functioning of the Permanent Mission of Cuba. He asserted that movement restrictions were illegal and contrary to international law. He stated that, for example, Cuban diplomats had been prevented from participating in some events that were held outside of the permitted

area and that children of the Cuban diplomats were unable to participate in extracurricular activities outside Manhattan.

54. The representative of the Syrian Arab Republic stated that the 25-mile radius travel restriction led to many difficulties for the staff of his Mission and was discriminatory. He questioned the basis for the application of the restriction to Syrian diplomats. He called for real progress in resolving issues related to the travel restrictions and visas.

55. The representative of the host country stated that his Mission strived to review submissions for waivers in a timely manner. He recalled that such submissions were considered on a case-by-case basis. He also recalled that the eGOV system facilitated a streamlined and more efficient process for the submission of requests for waivers. He stated that requests in connection with routine or emergency travel could be considered through the eGOV system. He reiterated the position of the host country that travel controls were consistent with the Headquarters Agreement and did not impede travel to or from the Headquarters district.

56. The representative of the Islamic Republic of Iran reiterated his delegation's continued and persistent objection to the travel restrictions imposed against the staff of the Permanent Mission of the Islamic Republic of Iran and their families. He asserted that the travel restrictions imposed on his Mission were unjust, discriminatory and politically motivated.

57. At the 306th meeting, the representative of the Russian Federation stated that the 25-mile travel restriction continued to apply to members of his Mission and Secretariat staff who were citizens of the Russian Federation. He noted that, about two years ago, the host country had de facto changed the procedure for travel beyond the 25-mile zone from a timely notification by the Mission to a requirement to obtain permission to do so, and that permission had, in several cases, been granted with significant delay, often too late for the travel to take place.

58. The representative of Cuba noted that restrictions on the movement of Cuban diplomats were imposed in 2019 and continued to be in force. He stated that movement restrictions constituted an obstacle to the smooth functioning of his Mission and were discriminatory and politically motivated. He described the measure as illegal and contrary to international law.

59. The representative of the Islamic Republic of Iran stated that his Mission maintained its continuing and persistent objection to the travel restrictions imposed by the host country against his Mission, its staff and their families. He stated that travel restrictions were unjust and discriminatory.

60. The representative of the host country recalled the position of the host country that travel controls were in line with its obligations under the Headquarters Agreement. He stated that all representatives to the United Nations could freely travel to and from the Headquarters district.

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

61. At the 303rd meeting, the representative of Cuba referred to the letter dated 22 September 2021 from the Permanent Representative of Cuba addressed to the Chair that was circulated as a document of the Committee (A/AC.154/420). He stated that Carlos Fernández de Cossío, Director General for the United States of the Ministry of Foreign Affairs of Cuba, was intercepted at John F. Kennedy International Airport by an unidentified individual who sought to question Mr. de Cossío about alleged health incidents affecting United States diplomats in Havana. He characterized that action as aggressive and disrespectful. He informed the Committee

that his Government had requested the host country to investigate the incident and that his Mission was still waiting for a response. He stated that it was intolerable that representatives of a Member State had to fear for their safety as they sought to discharge their functions. He asserted that the host country was taking increasingly hostile actions against specific Member States such as Cuba. He stated that it was not only the time that was spent on finding solutions to issues before the Committee, but also the scale of the violations, that warranted finding a legal solution.

62. The representative of the Islamic Republic of Iran expressed solidarity with the delegation of Cuba regarding the disrespectful behaviour directed at its high-ranking official. He informed the Committee that four members of his country's delegation had been subjected to secondary screening procedures upon boarding an airplane to the United States from the Vienna International Airport. He expressed his Government's strong objection concerning the conduct of the host country and requested the host country to ensure that it not be repeated. He reiterated his delegation's long-standing demand that the Secretary-General resort to the dispute settlement mechanism in section 21 of the Headquarters Agreement.

63. The representative of the Russian Federation stated that his delegation was in full solidarity with the positions taken by the representatives Cuba, the Islamic Republic of Iran, the Syrian Arab Republic and the Bolivarian Republic of Venezuela on the security of missions and safety of their personnel, and that appropriate solutions must be implemented by the host country to ensure the safety and security of delegates. He also stated that the situation regarding visas, travel restrictions and banking issues must be addressed and brought into line with the Headquarters Agreement. He stated that the Committee must find solutions to these problems quickly.

64. The representative of the host country stated that the host country was aware of the incident described by the representative of Cuba and was looking into the situation. He stated that the host country was striving to facilitate the travel of visiting dignitaries in a professional and courteous manner.

65. The representative of Cuba stated that the incident described by him earlier had occurred next to the exit of the airplane, in a restricted access and high security area. He asserted that the incident could have occurred only with the knowledge and cooperation of the federal authorities of the United States and the airport authorities in charge of security. He stated that the host country was responsible for the event and demanded a serious investigation thereof and that the results of the investigation be presented to the Committee.

66. The representative of the host country reiterated that the host country was looking into the incident and noted that, even if the incident occurred as described by the representative of Cuba, there was nothing to suggest that it rose to the level of implicating any privileges or immunities of the individual involved or was a violation of the United States responsibilities as the host country.

67. The representative of Cuba noted that the host country could have contacted his Mission about the incident since the host country was informed by his Mission. He stated that the incident was of an unprecedented character.

68. The Chair thanked the representatives of the host country and the Member States concerned for their constructive approach. He highlighted the need to strive 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. He encouraged the delegations to continue to engage bilaterally with the host country and to avail themselves of the assistance of the Chair.

69. At the 304th meeting, the representative of Cuba stated that hostile protests outside the Permanent Mission of Cuba continued to take place and that the authorities of the host country had not placed any fencing outside the Mission to allow the staff of the Mission to enter and leave the premises. 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, in this connection, to the letter dated 14 February 2022 from the Permanent Representative of Cuba to the United Nations addressed to the Chair of the Committee (A/AC.154/421). He noted that the protesters blocked the normal entry to the Mission's building, placed posters in front of the main door, used high-volume speakers and blocked the sidewalk. He stated that several of the protesters had acted aggressively and provocatively, including by making verbal threats to use firearms and knives against the staff of the Mission. He noted that the authorities of the host country were entrusted with the diplomatic security of permanent missions. He asserted that due protection was not always afforded to the Permanent Mission of Cuba. He noted that in the past that type of hostile act had had serious consequences and even caused physical harm to Cuban diplomats. In this regard, he referred to the obligations of the host country under the Vienna Convention on Diplomatic Relations, in particular those under articles 22 and 29.

70. The representative of the host country stated that the United States took seriously its duty 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 noted that, in the host country, a peaceful protest was a constitutional right. He urged missions to reach out to his Mission if they were aware of a scheduled protest. 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. He cautioned that members of the Mission should not engage with or approach protesters. He stated that, after calling 911, the Mission should contact the Bureau of Diplomatic Security so that it could follow up with the Police Department and stay in contact with the Mission. He rejected the contention that the host country had not done its utmost to provide due protection to the Permanent Mission of Cuba.

71. With regard to the demonstration that took place on 16 December 2021, the representative of the host country noted that the Bureau of Diplomatic Security remained in close communication with the Permanent Mission of Cuba during and following the protest. He stated that, in addition to calling local law enforcement and emergency personnel to ensure that the situation remained peaceful, diplomatic security had instructed protesters to remain in the designated demonstration area and refrain from obstructing the main entrance. He stated that when tensions between protesters and staff arose, the New York City Police Department dispatched additional officers to the location and instructed protesters to remain within the designated demonstration area and refrain from hanging posters on the windows of the Permanent Mission of Cuba. He noted that the Police Department had deployed police officers until the demonstration ended and the protesters departed.

72. With regard to the demonstration that took place on 23 December 2021, the representative of the host country stated that the Bureau of Diplomatic Security similarly remained in close communication with the Permanent Mission of Cuba during and following the protest. He noted that, upon learning that the protests would take place next to the Permanent Mission of Cuba rather than at a location elsewhere, the Bureau of Diplomatic Security called the New York City Police Department,

which dispatched officers to the location to address the reported actions of the protesters and separate the group from the Mission and its employees. He also noted that the Police Department had deployed police officers until the demonstration ended and the protesters departed.

73. The representative of Cuba noted that demonstrations next to the Permanent Mission of Cuba occurred quite regularly and were therefore sufficiently predictable to the authorities of the host country. He stated that there were many examples of violations committed by the protesters. He asked for clarification of what the designated demonstration area was and what type of protection could be offered by the Mission of the host country.

74. The representative of the Islamic Republic of Iran stated that in his delegation's view, the basic purpose of the Headquarters Agreement was to provide a foundation for the smooth functioning of the United Nations and the missions accredited to it. He expressed solidarity with the Permanent Mission of Cuba for the continuous issues it faced in view of the failure of the authorities of the host country to abide by the Headquarters Agreement and the Vienna Convention on Diplomatic Relations.

75. The representative of the Islamic Republic of Iran recalled the dissatisfaction expressed by his delegation at the previous meeting of the Committee over the secondary screenings of the Iranian representatives to the United Nations upon boarding the airplane at the Vienna International Airport. He urged the host country to take all necessary measures to ensure that respect and dignity were bestowed on all Iranian representatives upon their departure for United Nations meetings in New York.

76. The representative of the host country noted that, in general, diplomats were required to undergo ordinary security screening along with other visitors to the United States. He encouraged delegations that had any concerns about their interactions with airport personnel to contact the Host Country Affairs Section of the United States Mission.

77. At the 305th meeting, the representative of Cuba stated that hostile acts around the Permanent Mission of Cuba continued to take place and that the authorities of the host country were not meeting their obligations. He reiterated that, in the course of the demonstrations, obstacles were placed around the access areas of the building where the Permanent Mission of Cuba was located, posters were placed on the main front wall of the Mission, speakers were used on high volume and the public walkway was blocked. He recalled that several demonstrators had shown aggressive and provocative behaviour, including verbal threats to use firearms against staff members of his Mission. He asserted that the noise, provocations, threats and other destabilizing acts had continued to upset the tranquillity of the Mission, making it difficult to work and jeopardizing the security of the members of the Mission and their family members, including children. He stated that the Bureau of Diplomatic Security of the Department of State had not always provided due protection to the Permanent Mission of Cuba, despite being informed on a regular basis and in a timely manner. He stated that the tolerance by the authorities of the host country of that kind of hostile demonstration was a serious violation under the Headquarters Agreement. He asserted that the inaction of the host country could lead to the perpetration of violent acts, threatening the security of the Mission and its personnel. He recalled articles 22 and 29 of the Vienna Convention on Diplomatic Relations and noted that the United States also had relevant obligations under the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.

78. The representative of the host country reiterated that the United States took seriously its duty 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 recalled 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 further recalled that peaceful protest was a constitutional right in the host country. He urged missions to reach out to his Mission if they were aware of a scheduled protest. He noted that if an event raised concerns of imminent danger to a 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. He stated that members of the Mission should not engage with or approach protesters. He indicated that after calling 911, the Mission should contact the Bureau of Diplomatic Security so that it could follow up with the Police Department and stay in contact with the Mission.

79. The representative of Cuba called for a rigorous and serious analysis of the implications of the behaviour of protesters next to the Permanent Mission of Cuba. He referred to the communication that his Mission addressed to the Mission of the United States dated 17 June 2022 concerning examples of the violations committed by the demonstrators on 1 and 21 May 2022. He stated that the demonstrations were not only creating obstacles to the normal passage of pedestrians, but were also posing danger to the staff of the Mission and their family members, including children. He asserted that the frequency of demonstrations was well known to the Bureau of Diplomatic Security of the Department of State and the New York City Police Department. He also asserted that in addition to the Vienna Convention on Diplomatic Relations and other international instruments, there was also the federal legislation of the host country and the legislation of the state of New York that he believed should be applied to the situations when information about demonstrations was available in advance. He voiced belief that there were sufficient mechanisms at the disposal of the host country for it to act effectively and prevent violations at the demonstrations. He noted that there were instances in the past where serious damage was caused to the Permanent Mission of Cuba as well as to the Embassy of Cuba in Washington, D.C. He urged the host country to take the measures necessary to ensure that demonstrators abided by domestic and international legislation.

80. At the 306th meeting, the representative of Cuba referred to his statements at the previous meetings of the Committee in relation to the demonstrations that were held in front of the Permanent Mission of Cuba. He noted that it was well known that such demonstrations had serious consequences, including physical injuries to the diplomats of Cuba. He recalled that the Permanent Mission of Cuba had sent notes verbales to the Mission of the host country about the incidents. 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.

81. The representative of the Islamic Republic of Iran voiced solidarity with the Permanent Mission of Cuba in relation to the security incidents that its representative had reported to the Committee. 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.

82. The representative of the Islamic Republic of Iran recalled the issue of secondary screening that he had previously raised in the Committee. Iranian diplomats en route to attend United Nations meetings in New York were subjected to unacceptable secondary screening during transit through Vienna International Airport. He stated that there were similar instances affecting Iranian diplomats departing from John F. Kennedy International Airport. Some of the diplomats complained of skin irritation following the secondary screening procedures, which involved the application of an unknown fluid. He called upon the host country to take

all necessary measures to ensure that respect and dignity were bestowed on all Iranian representatives traveling to attend United Nations meetings in New York.

83. The representative of the host country stated that he wished to assure the Committee that the host country took seriously all of its obligations to protect the premises of a diplomatic mission against any intrusion or damage and to prevent any disturbance of the peace of the missions. He recalled that the Bureau of Diplomatic Security of the Department of State coordinated closely with the New York City Police Department to ensure that any known protests or demonstrations received adequate police support. He encouraged permanent missions to contact the Host Country Affairs Section with information about any scheduled protests. He also noted that peaceful assembly, including protests, was a constitutional right in the United States 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.

84. The representative of Cuba stated that the actions of demonstrators directed at his Mission were not only hostile but also in violation of the laws of New York City with regard to the protection of diplomatic personnel. He reiterated that the protests took place in front of his Mission and noted that the demonstrators threatened to use physical violence against the staff of the Mission and posted images of his Mission engulfed in flames. He emphasized that the exercise of the right to freedom of expression could not put at risk the physical integrity of the personnel and premises of the Permanent Mission. He recalled that there had been instances in the past of violence against the diplomats of Cuba on the territory of the United States. He called upon the host country to take preventive steps to avoid incidents that threaten the security of his Mission and its personnel.

D. Other matters

1. Banking

85. At the 303rd meeting, the representative of the Bolivarian Republic of Venezuela stated that the banking issues faced by his Mission during the reporting period remained pending and affected his country's right to participate and vote in the General Assembly. He expressed solidarity with the delegation of Cuba over the incident with its high-level official.

86. At the 304th meeting, the representative of the Islamic Republic of Iran stressed the necessity of reaching a resolution to the banking problems experienced by some missions, including the Permanent Mission of the Bolivarian Republic of Venezuela, and called upon the host country to meet its obligations in that regard.

87. At the 305th meeting, the representative of the Bolivarian Republic of Venezuela 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 amounts, which he asserted showed a lack of political will to resolve the question.

88. The representative of the host country stated that the host country had consistently demonstrated its commitment to facilitating access by Member States to the United States banking system for the payment of dues to the Organization. He recalled that, in the past, the host country had facilitated the use of a banking channel for the Permanent Mission of the Bolivarian Republic of Venezuela to make a payment of its dues.

2. Property of a mission

89. At the 304th meeting, the representative of the Russian Federation characterized the seizure of the part of the offices of the Permanent Mission of the Russian Federation in Upper Brookville as predatory and as aimed at making the functioning of the Mission as difficult as possible. He stated that the granting of diplomatic status and privileges and immunities to the premises of the permanent missions used for official needs was not an international courtesy or a privilege of the accrediting State, but a legal obligation. He asserted that immunity was an international legal guarantee of the normal functioning of permanent missions. He stated that the concept of immunity would be devoid of any meaning if the host State could limit or remove it or lift it at its own discretion. He indicated that the Permanent Representative of the Union of Soviet Socialist Republics received that property specifically for official use and that the Soviet Union, and subsequently the Russian Federation, owned and used that property for official purposes, including representational purposes. He expressed disappointment at the lack of progress in resolving the matter.

90. The representative of the host country reiterated the position of the host country that the status of the property of the Russian Federation on Long Island did not implicate the obligations of the United States as the host country. He further reiterated that the closure of the property was a bilateral matter. He noted that that topic was neither an appropriate nor a fruitful subject of discussion in the Committee. He stated that there existed no entitlement to or protection for recreational property used by a mission under either the Vienna Convention on Diplomatic Relations or the Headquarters Agreement. He pointed out that the bilateral nature of the issue was also evidenced by the fact that there were no other permanent missions that owned recreational property of a similar kind to which such a privilege had been afforded.

91. At the 305th meeting, the representative of the Russian Federation stated that the situation with the Mission's property on Long Island that had been illegally seized was egregious. He stated that the host country had recognized the privileges and immunities of the premises for decades and then seized the property overnight under a false pretext.

92. The representative of the host country recalled that, in his country's view, the status of the property of the Russian Federation on Long Island did not implicate the obligations of the United States under the Headquarters Agreement. He further recalled that the closure of the property was a bilateral matter, which he asserted was evident from the fact that there were no other permanent missions that owned recreational property of that nature that was accorded diplomatic privileges. He stated that that topic was neither an appropriate nor a fruitful subject of discussion in the Committee. He asserted that there was no entitlement to or protection for recreational property under the Vienna Convention on Diplomatic Relations or the Headquarters Agreement.

93. The representative of the Russian Federation stated that the arguments of the host country concerning the property of the Russian Federation on Long Island had remained the same for more than four years. He stated that it was not debatable that one should not steal the property of another. He called for the issue to be finally resolved.

94. At the 306th meeting, the representative of the Russian Federation noted that the situation with regard to the property in Upper Brookville, which had been seized illegally by the United States authorities, remained unresolved.

95. The representative of the host country stated 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 and should therefore not be raised in the Committee.

96. The representative of the Russian Federation stated that the illegal seizure of the property in Upper Brookville was not a bilateral matter but was undertaken by the host country together and simultaneously – as a package – with other measures against the Mission of the Russian Federation, namely, the denial of visas and the expulsion of diplomats, that were collectively intended to disrupt the work of the Permanent Mission of the Russian Federation.

3. Section 21 of the Headquarters Agreement

97. At the 304th meeting, the representative of the Bolivarian Republic of Venezuela made a statement on behalf of the delegations of Algeria, Angola, Belarus, Bolivia (Plurinational State of), Cambodia, China, Cuba, the Democratic People's Republic of Korea, Equatorial Guinea, Eritrea, Iran (Islamic Republic of), the Lao People's Democratic Republic, Nicaragua, the Russian Federation, Saint Vincent and the Grenadines, the Syrian Arab Republic, Zimbabwe and the State of Palestine. He recalled that the Group of Friends in Defence of the Charter of the United Nations was established as a response to growing threats against the Charter and the urgent need to defend its purposes and principles. He referred to the growing recourse by some Member States to unilateralism and attempts to ignore and replace the purposes and principles embodied in the Charter of the United Nations with selective approaches or accommodative interpretations of the Charter. He stated that, while the Committee had been successful in addressing certain issues, in particular those concerning the protection and security of Headquarters and the premises of permanent missions and their personnel, other issues had remained unresolved for many years. He highlighted as examples issues concerning visas, travel and banking restrictions and the inviolability of diplomatic properties. He informed the Committee that these imposed deliberate limitations on the ability of certain Member States to effectively discharge their responsibilities and thus fulfil the purposes of the Organization, which was a flagrant violation of the Charter of the United Nations, and particularly of the principle of the sovereign equality of States. 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 was grateful for the efforts of the Secretary-General to try to resolve 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. Finally, he wished to seize the opportunity to inform the host country that what was being requested was simple: the host country should treat each and every member of the Organization fairly and equally, irrespective of the bilateral differences that may exist, and fully comply with its legally binding international obligations. Doing so would ensure the integrity of the Headquarters Agreement, in both its letter and spirit, while enabling all members of the Organization to fulfil the promise of the Charter of the United Nations.

98. The representative of the Islamic Republic of Iran recalled General Assembly resolutions [74/195](#), [75/146](#) and [76/122](#). He encouraged the Secretary-General to safeguard the smooth functioning of the Organization by activating section 21 of the Headquarters Agreement.

99. The representative of the Russian Federation stated that the recommendations of the Committee and the resolutions of the General Assembly were ignored by the host country. He further stated that the systematic and demonstrative nature of the violations was a direct sign that the host country had no intention of rectifying the

situation. He called for a principled response from the Secretary-General and demanded the swift launch of procedures under section 21 of the Headquarters Agreement.

100. The representative of Cuba stated that the United States abused its position as the host country by selectively and arbitrarily applying the Headquarters Agreement. He stated that the Organization could not be complicit in the repeated lack of compliance by the host country of its obligations. He stated that the Secretariat must act with resolve. He called for the Secretary-General to make use of his powers and ensure respect for the principle of the sovereign equality of States and to guarantee the full participation of all States Members of the United Nations in the work of the Organization, without discrimination. He underscored that it would be contrary to the resolutions of the General Assembly to indefinitely maintain the status quo with regard to the unresolved issues contained in the previous report of the Committee (A/76/26). With reference to section 21 of the Headquarters Agreement, he requested that the Committee be informed of the activities undertaken to find solutions to the pending issues.

101. The representative of China noted that issues concerning visas and travel restrictions were of a long-standing nature, affecting the normal participation by the Member States concerned in the work of the Organization. He reiterated that those issues must be properly addressed in accordance with international law, including the Charter and the Headquarters Agreement. He expressed hope that the Government of the host country would fulfil its obligations and avoid linking visa issues and travel restrictions with bilateral relations and political issues. He voiced support for the efforts made by the Chair and the Secretariat towards finding solutions to the outstanding issues. He noted that section 21 of the Headquarters Agreement provided the method and steps for dispute settlement and stated that it should be applied as soon as possible.

102. The representative of Nicaragua stated that the United Nations was in need of a profound transformation to achieve the objectives for which it was established and for it to be a multilateral forum in the service of mankind. She reaffirmed the importance of respecting at all times the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention on Diplomatic Relations and the Headquarters Agreement. She expressed regret over the continued problems of some delegations in obtaining visas to participate in United Nations meetings and solidarity with the Member States concerned. She stated that the resulting situation violated the rights of Member States to participate in the work of the Organization in conditions of equality and non-discrimination. She further stated that, taking into account the urgency of the situation for Member States that were subjected to those measures, it was time to apply section 21 of the Headquarters Agreement and to find a legal solution.

103. The representative of the United Kingdom of Great Britain and Northern Ireland noted the letter from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/76/706). He stated that the letter addressed many of the questions before the Committee and showed the seriousness with which the host state took its obligations under the Headquarters Agreement. He noted the contribution of the host country in the successful conduct of the main part of the seventy-sixth session of the General Assembly. He noted the openness of the host country to dialogue with affected permanent missions. He also noted the importance of providing timely and full information on visa applications. He noted the ongoing discussions between the Secretariat and the host state in relation to some of the outstanding issues and the related progress and expressed hope that further progress would be made that year. He noted that, in his country's view, it was not the time to call for formal procedures for dispute settlement under section 21 of the Headquarters Agreement.

104. The representative of the Russian Federation invited the host country to resort to arbitration in accordance with the Headquarters Agreement to settle questions about the legality of the seizure of the property of the Russian Federation and restrictions in the issuance of visas. He noted that his country would respect the outcome of the arbitration. He noted the resistance of the host country to arbitration and asserted that it testified to the uncertainty of the host country about the legality of its actions.

105. The representative of France thanked the Under-Secretary-General for Legal Affairs, the United Nations Legal Counsel, and the Office of Legal Affairs for the efforts to ensure the proper implementation of the Headquarters Agreement and to find solutions to the pending issues. He recognized the redoubled efforts by the host country and the measures that it had taken regarding the various matters brought to the attention of the Committee in past meetings. He encouraged the host country to continue those efforts in order to find solutions to the challenges that had been raised in a reasonable time frame. He reiterated his country's express preference for resolving those challenges by continuing the existing dialogue.

106. The representative of the Islamic Republic of Iran called for greater involvement of Member States that were not members of the Committee in the negotiation of the recommendations of the Committee.

107. The representative of Malaysia stated that the principle of sovereign equality was enshrined in the Charter, which also guaranteed the right of representatives of Member States to such privileges and immunities as were necessary for the independent exercise of their functions in connection with the Organization. She asserted that it was in the interest of all Member States that those privileges and immunities were observed and that appropriate conditions were maintained for the normal functioning of delegations and missions accredited to the United Nations. She noted with serious concern the issues raised before the Committee, including measures imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities. She also noted the positions of the affected States, the host country and the Secretariat. She referred to the recommendations and conclusions of the Committee contained in its previous report (A/76/26). She noted the importance of the continued commitment to the fulfilment of the purposes of the Organization and of addressing all issues in a spirit of cooperation and in accordance with international law. She welcomed the continued engagement and commitment of the host country towards resolving the issues raised before the Committee and expressed hope that the dialogue between the representatives of the host country and the affected missions, as well as with the Secretariat, would continue until solutions were found.

108. The Chair noted that the affected Member States were very concerned by the time that had elapsed since the General Assembly first adopted a resolution on the report of the Committee calling for issues before the Committee to be resolved in a reasonable and finite period of time. He recalled that, in its last three reports, the Committee had expressed its views, including its serious concerns, to the General Assembly and to the Secretary-General regarding the duration of that period and whether enough of the issues had been satisfactorily resolved in time. He noted concerns raised in that connection during the meeting and the views of the host country.

109. The Chair stated that the Committee would remain seized of the issues which were on its agenda. He highlighted the need to strive 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. He encouraged the delegations concerned to continue to engage bilaterally with the host country and avail themselves of the assistance of the Chair. He conveyed his intent to actively engage with the host country, affected Member States and the Secretariat on the issues raised during the meeting.

110. At the 305th meeting, the representative of the Russian Federation stated that the Secretary-General had a mandate from the General Assembly to launch an arbitration procedure under the Headquarters Agreement. He stated that the continuous and demonstrative disregard by the host country of the recommendations of the Committee and the General Assembly was unacceptable. He stated that all reasonable and finite periods had passed and called for the Secretary-General to launch an arbitration under section 21 of the Headquarters Agreement.

111. The representative of China expressed appreciation of the efforts of the Chair and the Secretariat to promote the resolution of visa issues. He referred to paragraph 15 of General Assembly resolution [76/122](#) and noted that section 21 of the Headquarters Agreement set out the methods and steps for dispute settlement. He stated that those methods and steps should be carefully considered. He stated that it was in the overall interest of the Organization to ensure the legitimate rights of Member States to participate in the work of the United Nations on an equal footing.

112. The representative of Cuba stated that his delegation remained deeply disappointed by the non-compliance by the host country with its obligations. He underscored that maintaining the status quo indefinitely regarding the matters raised in the previous report of the Committee ([A/76/26](#)) would run contrary to the resolutions of the General Assembly. He drew attention to General Assembly resolutions [74/195](#), [75/146](#) and [76/122](#) and stated that nothing could justify the amount of time that had passed without a resolution of the issues pending before the Committee. He stated there were no tangible results in the prolonged consideration of whether to initiate arbitration proceedings under section 21 of the Headquarters Agreement.

113. The representative of the Islamic Republic of Iran referred to General Assembly resolutions [74/195](#), [75/146](#) and [76/122](#) and encouraged the Secretary-General to safeguard the smooth functioning of the Organization by activating section 21 of the Headquarters Agreement.

114. The representative of the Bolivarian Republic of Venezuela underlined that the privilege of hosting the Headquarters of the United Nations should not be used by the host country to unduly obtain advantages or advance political agendas against certain countries. He referred to General Assembly resolution [2819 \(XXVI\)](#) and stated that the Committee was established with the aim of addressing questions with regard to the implementation of the Headquarters Agreement. He noted that many issues before the Committee were under consideration for several years. He asserted that the systemic violations of the Headquarters Agreement by the Government of the host country posed challenges to the ability of affected States to effectively meet their respective responsibilities and fulfil the objectives of the Organization. He stated that the violations were also contrary to the principle of the sovereign equality of States. He voiced his country's belief that a more than reasonable amount of time had passed. He stated that there was a lack of tangible, practical solutions to the outstanding issues. He referred to General Assembly resolutions [74/195](#), [75/146](#) and [76/122](#) and stated that activation of the arbitration proceedings under section 21 of the Headquarters Agreement seemed to be the only way to guarantee the integrity of the Organization.

115. The representative of the United Kingdom noted that a number of issues raised in the Committee had a practical, not a legal, nature. He stated that it was premature at that stage to seek referral for arbitration under section 21 of the Headquarters Agreement.

116. The representative of Canada stated that the COVID-19 pandemic was still affecting the functioning of many permanent missions, including hers. She noted that despite those challenges, the host country continued to issue a significant number of visas. She noted the observation of the representative of the United Kingdom about

the practical nature of the challenges faced by the affected missions. She expressed hope that alternative solutions could be found to resolve those practical challenges.

117. The representative of the Syrian Arab Republic stated, with reference to the comment of the representative of the United Kingdom concerning the practical nature of the issues faced by some permanent missions, that those issues were indeed legal in nature. They were the result of the systematic application of measures directed at specific permanent missions in contravention of the Headquarters Agreement.

118. The representative of Cuba noted, in connection with the statement of the representative of the United Kingdom, that issues before the Committee were of a long-standing nature. He stated that the failure of the host country to comply with its obligations and to act to address a number of those issues could not simply be characterized as a practical matter. He asserted that the situation required an effective and rigorous legal solution satisfactory to the parties concerned.

119. The representative of France stated that she was pleased to observe the efforts of the host country to find solutions to the pending issues and that progress had been made. She noted that there remained matters to be resolved. She observed that discussions in the Committee and bilateral engagement between the affected permanent missions and the Mission of the host country were good means for finding solutions. She stated that the issue of the legality or operational nature of questions before the Committee was a separate matter. She highlighted the absolute priority of finding tangible solutions within the Committee and through dialogue, and voiced her belief in the effectiveness of those means, as opposed to legal proceedings.

120. The representative of the Islamic Republic of Iran recalled paragraph 15 of General Assembly resolution [76/122](#). He stated that if no legal dispute existed there would be no need for the language in that paragraph. He called on the Committee to consider paragraph 15 of resolution [76/122](#) seriously.

121. The Chair noted the different positions of the host country and the affected Member States on outstanding issues before the Committee and the degree of progress that had been made to address them, in particular with respect to visas. He recalled the position of the Committee with regard to section 21 of the Headquarters Agreement, as outlined in paragraph 191 (p) of the previous report of the Committee ([A/76/26](#)). He noted that the affected Member States remained very concerned about the time that had elapsed since the General Assembly first adopted a resolution calling for issues before the Committee to be resolved in a “reasonable and finite” period of time, failing which, serious consideration would be given to taking steps under section 21 of the Headquarters Agreement. He noted that the Committee remained seized of the matter. He called for the resolution of all issues within the purview of the Committee in a spirit of compromise and in full regard for the interests of the Organization. He encouraged the delegations to continue to engage bilaterally with the host country and avail themselves of the assistance of the Chair as they saw appropriate.

122. At the 306th meeting, the representative of the Russian Federation stated that the problems raised before the Committee had a negative impact on the capacity of his Mission to effectively carry out its functions and effectively participate in the work of the Organization. He stated that the only option to resolve the systematic and demonstrative non-performance by the host country of its obligations under the Headquarters Agreement was to launch an arbitration procedure under section 21 without any further delay.

123. The representative of Cuba stated that the host country, in applying the Headquarters Agreement selectively and arbitrarily, had abused the principle of sovereign equality enshrined in the Charter. He referred to section 27 of the Headquarters Agreement and called for the Organization to act in a determined manner.

He asserted that the lack of concrete action had made it possible for the host country to act with impunity, to ignore the recommendations of the Committee and the General Assembly and to increase the arbitrary measures that it had applied to certain Member States for several years. He stated that nothing justified the time that had passed since the adoption by the Assembly of resolutions [74/195](#), [75/146](#) and [76/122](#), and called for the Secretary-General to implement the mandate provided by the Assembly.

124. The representative of the Islamic Republic of Iran encouraged the Secretary-General to safeguard the smooth functioning of the Organization and activate section 21 of the Headquarters Agreement. He also encouraged the host country to refer to the dispute settlement mechanism in section 21 in good faith to solve the existing disputes.

125. The representative of China noted that travel restrictions and security issues were longstanding issues before the Committee and that they had not been effectively resolved. He expressed his delegation's concern with regard to those unresolved issues. He recalled that the host country had obligations under the Headquarters Agreement to issue visas to representatives of Member States. He stated that the host country should not impose any impediments to transit to and from the Headquarters district, irrespective of bilateral relations between the Government of the United States and the Government of representatives travelling to United Nations meetings in New York. He expressed hope that the host country would show good faith and reject political bias in fulfilling its obligations under the Headquarters Agreement, the Convention on the Privileges and Immunities of the United Nations, the Vienna Convention on Diplomatic Relations and other relevant international instruments. He referred to General Assembly resolutions [74/195](#), [75/146](#) and [76/122](#). He expressed hope that the concerned parties would strengthen communication on the outstanding issues and make efforts in accordance with the provisions of the Headquarters Agreement on dispute settlement procedures to address the issues and move ahead with the relevant efforts in a steady manner.

126. The representative of the Bolivarian Republic of Venezuela stated that the privilege of hosting the Headquarters of the Organization should not be used to obtain advantages or to promote political agendas against a specific group of countries. He referred to resolution [2819 \(XXVI\)](#), by which the Committee was established, and noted that issues before the Committee remained unresolved for many years. He stated that the host country deliberately imposed obstacles to limit the ability of certain States to effectively fulfill their functions vis-à-vis the Organization. He stated that it was unacceptable that issues concerning visas, movement restrictions, banking and the inviolability of diplomatic property were still being discussed in the Committee without solutions being found. He referred to General Assembly resolutions [74/195](#), [75/146](#) and [76/122](#) and asserted that the arbitration procedure provided for in section 21 of the Headquarters Agreement appeared to be the only way of guaranteeing the integrity of the Headquarters Agreement. He expressed hope that the host country would fulfill its international obligations in a fair and equitable manner, independently of bilateral differences.

127. The representative of the Syrian Arab Republic voiced solidarity with the Permanent Mission of Cuba and the Permanent Mission of the Russian Federation. He asserted that the host country had addressed some of the bilateral issues on a multilateral level. He referred to the issuance of single-entry visas with a duration of six months and noted that it took up to three months to obtain a visa renewal. He also referred to the continued application of travel restrictions to a number of delegations. He noted that there may be no other choice but to proceed with the mechanism outlined in section 21.

128. The representative of the host country stated that the United States was honoured to serve as the host country of the Organization and that it was committed to its obligations under the Headquarters Agreement. He encouraged concerned delegations to approach the Host Country Affairs Section of the United States Mission on relevant issues.

129. The representative of the host country stated that calls for arbitration seemed to be largely based on concerns raised by the delegation of the Russian Federation that were continuing to be addressed and that it was therefore not an appropriate time to invoke section 21. He called upon all affected missions to continue to collectively work with the host country to ensure that their issues and concerns were addressed.

130. The representative of the Russian Federation stated that the privilege to host the Organization came with serious obligations. He indicated that, contrary to what the representative of the host country had said, his Mission continued to face serious issues that were not being resolved by the authorities of the host country. He underlined that the situation overall only continued to worsen. He expressed his Government's expectation that the Secretary-General would now act decisively.

131. The representative of the Russian Federation underlined that his delegation was hardly the only one suffering from discriminatory treatment on the part of the host country. He noted the wide range of issues discussed in the Committee and observed that it was the same delegations that continued to face those issues. He stated that that was indicative of the host country's intention to discriminate against specific States and create difficult conditions for their work in the Organization.

132. The representative of the Bolivarian Republic of Venezuela noted that the issues raised in the Committee related not only to concerns of the delegation of the Russian Federation but also to concerns of various other delegations, including his. He stated that at that stage, the only option to guarantee the integrity of the Headquarters Agreement was to activate section 21.

133. The representative of France voiced support for the continuation of a dialogue between the host country and delegations that raised legitimate concerns and for finding negotiated solutions. She thanked the Office of Legal Affairs and the United Nations Legal Counsel for the continued engagement with the authorities of the host country and for updates on the work undertaken.

134. The representative of the United Kingdom stated that there was an apparent need for continued dialogue. He noted the explanations provided by the host country and the ongoing commitment of the host country to the Headquarters Agreement. He stated that real progress had been made in a number of areas of concern raised by the affected permanent missions. He noted that the guidance on practical steps provided by the host country showed a further way forward. He also noted the ongoing discussions between the Office of Legal Affairs and the Department of State. He urged the Committee to maintain the dialogue with the host country. He stated that any move towards invoking arbitration under section 21 would be premature.

135. The representative of Canada noted the importance of the existing dialogue between the affected delegations and the host country and encouraged its continuation. He stated that such dialogue provided a forum for raising issues and made it possible to take action on legitimate issues.

136. The representative of Bulgaria expressed support for the continuation of dialogue in the Committee.

137. The representative of the Russian Federation stated that dialogue should not be viewed only as a process, it must lead to concrete results. He stated that the problems faced by his delegation were not only unresolved but had, in fact, gotten worse. He

acknowledged the work that the Office of Legal Affairs was undertaking. However, in the light of the lack of any tangible progress, he called on the Secretary-General to immediately take concrete actions as the guarantor of the Headquarters Agreement. He stated that the time for further dialogue had passed, as had the “reasonable and finite” time periods indicated in the respective resolutions of the General Assembly. He stated that it was consequently high time to make use of the mechanisms provided for in section 21 of the Headquarters Agreement, namely, the launching of arbitration between the United Nations and the host country to address the ongoing issues.

138. The representative of the Islamic Republic of Iran welcomed the meaningful dialogue and discussion within the Committee and bilaterally between the host country and concerned delegations. He noted that the issues raised before the Committee were not only limited to concerns raised by the Russian Federation. He called on the host country to also address other points of concern in a satisfactory manner.

139. The representative of the Syrian Arab Republic stated that the issues raised in the Committee were reflective of wrongdoings of the host country, not of the affected delegations, and that it was time for the Secretary-General to proceed with arbitration under section 21 of the Headquarters Agreement.

140. The representative of the host country reiterated his country’s commitment to honouring its obligations under the Headquarters Agreement. He stated that the Committee was the proper forum in which to hear the concerns and issues being faced by Member States and that it was disruptive for those issues to be raised in other United Nations forums. He also reiterated his Government’s commitment to continuing the dialogue with the Secretariat and affected missions and working to address the remaining issues.

141. The Assistant Secretary-General for Legal Affairs noted that the Committee was well aware of the serious engagement by the Secretary-General and the United Nations Legal Counsel to resolve issues before the Committee in line with the Headquarters Agreement. He stated that the Legal Counsel and members of his Office were in frequent contact with host country officials and with the affected missions about those issues. He informed the Committee that the Office of Legal Affairs had taken particular care to draw attention to upcoming United Nations meetings to encourage the exchange of information between the host country and concerned missions so that the required visas could be issued in good time. He stated that, while those efforts have had a positive effect, issues of concern remained, such as lengthy delays in the renewal of certain visas for those already in New York serving in a Mission or in the Secretariat and cases of non-issuance or denial of visas.

142. The Assistant Secretary-General for Legal Affairs stated that this year the Secretary-General had met on more than one occasion with the Minister for Foreign Affairs of the Russian Federation and the Permanent Representative of the United States to the United Nations to emphasize that ensuring the effective functioning of the United Nations, including the permanent missions of Member States, was of paramount importance. He noted that the compliance of the host country with its obligations under the Headquarters Agreement and the engagement by Member States in good faith with the Organization were both fundamental aspects of such effective functioning. He informed the Committee that the Office of Legal Affairs would continue its efforts in that regard. He stated that all relevant options remained under consideration and that the Committee would be informed about the outcome of those discussions in due course.

143. The Chair noted the update provided by the Secretariat and the different positions of the host country and the affected Member States on the outstanding issues before the Committee and the degree of progress that had been made to address them, in particular with respect to visas. He also noted the serious concerns expressed by

several delegations, in particular the Russian Federation and the host country, about specific aspects of those issues, including with respect to the invocation of formal dispute resolution measures under section 21 of the Headquarters Agreement. He emphasized that it was important that every effort be made 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 reiterated his encouragement to the affected delegations 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.

Chapter IV

Recommendations and conclusions

144. At its 307th meeting, on 21 October 2022, 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 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 that numerous issues raised before it 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 144 (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;

(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 144 (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 the non-issuance of entry visas to certain representatives of certain Member States, in particular to delegates participating in the work of the Main Committees at the seventy-sixth 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. The Committee also remains seized of an increasing number of entry visa-related issues raised at its meetings and stresses that these issues should be resolved in a spirit of cooperation and in accordance with international law, including the Headquarters Agreement. The Committee also calls upon the host country to review its differing processes of granting visas, including single-entry visas, 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 recalls the lifting in 2021 of the more stringent travel restrictions applicable to one Mission, while remaining concerned about the more stringent travel restrictions that continue to affect another mission, as well as more stringent travel restrictions applied to a Mission in 2021 and additional restrictions applied to the same Mission in 2022, 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 remaining travel restrictions and, in that regard, notes the positions of the affected Member States, as reflected in the report of the Secretary-General, of the host country and of the Legal Counsel, as set out in document [A/AC.154/415](#), according to which, *inter alia*, “there is no room for the application of measures based on reciprocity in the treatment accorded to permanent missions accredited to the United Nations in New York”;

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

(m) The Committee stresses the need for the permanent missions and the United Nations to benefit from appropriate banking services and anticipates that the host country will continue to assist the permanent missions accredited to the United Nations and their staff in obtaining such services;

(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 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 sustained 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 191 (p) of its previous report and that of the General Assembly in paragraph 15 of its resolution [76/122](#), 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, and further notes with concern that issues still persist without 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 reiterates its recommendation to the Secretary-General to now give most serious consideration and take any appropriate steps under section 21 of the Headquarters Agreement and to enhance efforts to resolve 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.154/420](#) Letter dated 22 September 2021 from the Permanent Representative of Cuba to the United Nations addressed to the Chair of the Committee on Relations with the Host Country
- [A/AC.154/421](#) Letter dated 14 February 2022 from the Permanent Representative of Cuba to the United Nations addressed to the Chair of the Committee on Relations with the Host Country
- [A/AC.154/422](#) Letter dated 24 June 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.154/423](#) Letter dated 5 August 2022 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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