

Protection of Diplomats

Further to a decision of the 26th U.N. General Assembly, the Secretary General in January 1972 invited member States to submit their comments on the question of the protection of diplomats for transmission to the International Law Commission (ILC). In its comments of April 1972 Canada expressed the basic view, stressed in the following excerpt, that a Convention on this subject should be adopted and that the greatest value of such a convention would be in its deterrent effect:

"The attacks of a new kind against diplomatic and consular inviolability which we have been witnessing in recent years must be countered in every appropriate way. It is the Canadian Government's opinion that an international convention to ensure the inviolability traditionally accorded by international law to those professionally engaged in international relations is highly desirable. (...) The deterrent effect is the most important feature of any convention intended to ensure the security of international relations through better protection of diplomats (...)"

In July 1972 the ILC produced "Draft articles on the prevention and punishment of crimes against diplomatic agents and other internationally protected persons". As in the related Montreal and the Hague conventions on hijacking, in essence the draft articles require each State party either to extradite or submit for prosecution, any alleged offender found on its territory.