

DIPLOMATIC BAGGAGE -DIPLOMATIC BAG - VIENNA CONVENTION
ON DIPLOMATIC RELATIONS - ITALIAN DECISION TO XRAY *

MINISTRY OF FOREIGN AFFAIRS, ROME

021/11569

NOTE VERBALE*

The Ministry of Foreign Affairs presents its compliments to the foreign diplomatic Missions accredited at Rome and to the International Organisations with headquarters or offices in Italy and has the honour to draw their attention to the following matter.

The phenomenon of international terrorism has become so important as to demand the greatest effort and the closest cooperation from all countries in order to fight it. Italy is actively engaged in this work and is preparing a series of measures to prevent acts of violence in its territory. In this action Italy is sure that it can count on the solidarity and understanding of all peace-loving nations which refuse violence as a means to pursue political aims.

As far as internal preventive measures are concerned, the Ministry of Foreign Affairs wishes to call the attention of the diplomatic Missions and International Organisations to the need for an increasingly strict compliance with the rules of general international law, as well as of the applicable international conventions,

such as the Vienna Conventions on Diplomatic and Consular Relations, particularly those concerning the limitations to the immunities and privileges of diplomatic agents, diplomatic baggage and diplomatic bags arriving in Italy.

As regards the last two aspects - the regulations on the diplomatic agent's personal baggage and on the diplomatic bag - the Ministry of Foreign Affairs, in calling the attention to the provisions of Art.36, No.s 1 and 2, of the Vienna Convention on Diplomatic Relations as far as the "diplomatic baggage" is concerned, and Art. 27 of the said Convention as far as the "diplomatic bag" is concerned, has the honour to specify the following:

1) With a view to preventing attempts on the security of the State and the life of persons, the Italian Authorities will carry out X-ray checks both on the accompanied personal baggage of diplomatic agents arriving in Italy and on the diplomatic bags addressed to the foreign diplomatic and consular Missions in Italy and the International Organisations with headquarters or offices in Italy;

2) the diplomatic Missions and International Organisations to which the present Note is addressed are kindly requested to take note that the diplomatic bag can only transit through the following international frontier entry points, where the above-mentioned X-ray checks can be affected:

a) entry points by air : Turin, Genoa, Milan (Linate and Malpensa), Venice, Rome (Fiumicino and Ciampino), Naples, Palermo;

b) entry points by sea : Genoa, Naples, Palermo, Brindisi, Venice, Trieste;

c) entry points by land:

Ventimiglia	railroad & motorway
Bardonecchia	railroad
Frejus	motorway
Chiasso	railroad & road
Brannero	railroad & motorway
Tarvisio	railroad & motorway
Gorizia	motorway
Opicina (Trieste)	railroad

3) The diplomatic bag should consist of parcels, in conformity with Art.27, No.4, of the Vienna Convention on Diplomatic Relations, of such dimensions as to permit X-ray checks; in detail, the said parcels should not exceed 90 cm in width and 70 cm in height, while there are no length limits;

4) X-ray checks will be such as not to permit reading of the correspondence, and therefore fully in compliance with Art.27, No.2, of the Vienna Convention on Diplomatic Relations;

5) Should the X-ray checks indicate the presence of articles that there is reason to presume are not included in the contents permitted in accordance with Art 27, No.4 of the aforesaid Convention, the national frontier authorities reserve the right to take the appropriate measures consistent with Art.27, No.3, of the Convention;

6) The Italian Government reserves the right to apply control measures on the "personal baggage" of the diplomatic agent, which - as is well-known - according to Art.36, No 2, of the Vienna Convention on Diplomatic Relations, can be inspected "in the presence of the

diplomatic agent or a person authorised by him", whenever, in the opinion of the country of entry, there occur the reasons specified in that article. Therefore, the limitations concerning entry points as are set out in point 2) for diplomatic bags, do not apply to diplomatic agents;

7) The above-mentioned measures will also be applied in respect of the International Organisations with headquarters in Italy, their officers and officers of International Organisations whose headquarters are not in Italy, but who enter the Italian territory for special meetings called in the Italian territory;

8) The measures described above will also apply to diplomatic agents and international officers not accredited in Italy and who for any reason, transit or other, are in the Italian territory;

9) Similar control measures can be applied to accompanied diplomatic bags and personal hand baggage of diplomatic agents departing or transiting. In this case, as such measures are aimed at protecting air traffic security, they can only be applied at frontier airports, and parcels cannot exceed 60 cm in width and 40 cm in height. At the Rome airports (Fiumicino and Ciampino) the dimensions of the parcels can be as specified under 3) above;

10) For your information, we wish to make it clear that the appropriate frontier Authorities have been instructed to carry out the X-ray checks on diplomatic bags only in the presence of the courier or, in any case, of a representative of the diplomatic or consular Mission or International Organisation to which the bag is addressed;

11) The diplomatic Missions to which the present Note is addressed are kindly requested to bring the content of the Note to the knowledge of their respective consulates in Italy.

In making the above preventive measures known to the diplomatic Missions accredited in Italy and the Organisations with headquarters or offices in Italy, the Italian Government trusts in their traditional cooperation, convinced as it is that, in view of the importance and delicacy of the matters referred to in the present Note Verbale, they will wish to collaborate in the application of the various measures described above.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the foreign diplomatic Missions accredited in Italy and International Organisations with headquarters or offices in Italy the assurances of its highest consideration.

Rome, 4 October 1986.

*[This is an unofficial translation of Note Verbale 021-11569 dated 4 October 1986 of the Ministry of Foreign Affairs, Rome. The unofficial translation was provided by the Department of Foreign Affairs, Canberra].