



UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA
NEW YORK, N.Y. 10017-3505

February 24, 2017

Dear Marissa Jackson:

I am writing with reference to the former Permanent Representative of the Permanent Mission of the Russian Federation to the United Nations, Ambassador Vitaly Churkin.

As an accredited Permanent Representative to the United Nations, Vitaly Churkin enjoys complete personal inviolability under Article IV, Section 15, of the United Nations Headquarters Agreement, done at Lake Success, New York, June 26, 1947 (“Headquarters Agreement”). 61 Stat. 3416; TIAS 1676; 12 Bevans 956; 11 UNTS 11. Section 15 indicates that every person designated by a Member of the United Nations as its Principal Representative shall “be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it. The Russian Federation is a Member of the United Nations and had designated Mr. Churkin as its Permanent Representative.

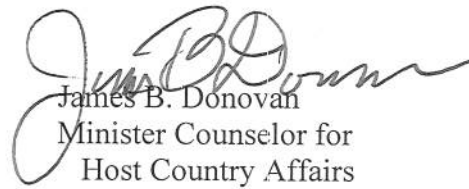
The text in Section 15 of the Headquarters Agreement regarding the privileges and immunities accorded to diplomatic envoys is viewed as a cross-reference to customary international law regarding diplomatic missions, which was later codified in the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961 (“Vienna Convention”). 23 UST 3227; TIAS 7502; 500 UNTS 95. Under Article 29 of the Vienna Convention, the United States, as the receiving State, has a legal obligation to treat accredited diplomats with “due respect” and “to take all appropriate steps to prevent any attack on his person, freedom or dignity.” It is the United States’ considered position that this provision of the Vienna Convention, which reflects customary international law, subsists even after death. It is on this basis that the United States insists on the dignified handling of the remains of our diplomatic personnel who pass away abroad (including in Russia) and works to prevent unnecessary disclosures regarding the circumstances of their deaths.

Ms. Marissa Jackson,
General Counsel,
Mayor’s Office for International Affairs,
Two United Nations Plaza, 27th Floor,
New York, NY 10017.

For the reasons stated above, the United States Mission to the United Nations respectfully requests that public officers and employees discontinue any disclosures regarding the causes or circumstances of the death of the Russian Federation's Permanent Representative.

Thank you very much for your consideration and we look forward to your response.

Sincerely,



James B. Donovan
Minister Counselor for
Host Country Affairs