

**United Nations Conference on the Representation of States
in Their Relations with International Organizations**

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tending diplomatic status to a whole range of persons, including members of family, members of household, members of administrative and technical staff, members of the service staff of delegations and private staff of members of delegations, not previously granted such status under classic international law. His country's delegation to the 1961 Vienna Conference was reluctant to that extension but finally agreed because of the permanent character of the missions covered by the Convention. The trend towards extension of the range of persons granted diplomatic status had been continued in the Convention on Special Missions and it appeared that it would also be continued in the convention the Committee was in the process of drafting. In the opinion of his delegation, privileges and immunities should be confined to those necessary to enable a delegation to function efficiently. The United Kingdom amendment to article 67 represented an attempt to reconcile delegations' divergent views on the subject.

52. Mr. TANKOUA (United Republic of Cameroon) said that the meaning of the phrase "exemption from aliens' registration obligations" in paragraph 1 of the United Kingdom amendment was not clear to his delegation.

53. Sir Vincent EVANS (United Kingdom) explained that exemption from aliens' registration obligations was a privilege already enjoyed under the Convention on the Privileges and Immunities of the United Nations and the Convention on the Privileges and Immunities of the Specialized Agencies. His delegation had added the phrase to the article because it did not wish to deprive anyone of a privilege they already enjoyed.

54. The CHAIRMAN invited the Committee to vote first on the Peruvian oral subamendment to paragraph 1 of the United Kingdom amendment to article 67. Under that subamendment, the last two lines of paragraph 1 of the United Kingdom amendment would read "immunities provided for in articles 59, 61 and 65 and in paragraphs 1 (b) and 2 of article 66 and exemption from aliens' registration obligations". After

that a vote would be taken on paragraph 1 of the United Kingdom amendment (A/CONF.67/C.1/L.118).

The Peruvian oral subamendment was adopted by 36 votes to 1, with 23 abstentions.

Paragraph 1 of the United Kingdom amendment, as amended, was adopted by 26 votes to 12, with 23 abstentions.

55. The CHAIRMAN said that if he heard no objection he would take it that the Committee agreed to vote on paragraphs 2 and 3 of the United Kingdom amendment to article 67 (A/CONF.67/C.1/L.118) together.

It was so decided.

Paragraphs 2 and 3 of the United Kingdom amendment were adopted by 22 votes to 20, with 18 abstentions.

56. The CHAIRMAN noted that paragraphs 5 and 6 of the United Kingdom amendment had been withdrawn. He invited the Committee to vote on the United Kingdom oral amendment to paragraph 3 of article 67.

The amendment was adopted by 20 votes to 17, with 22 abstentions.

57. The CHAIRMAN invited the Committee to vote on the amendments to paragraphs 3 and 4 of article 67 proposed by the Federal Republic of Germany (A/CONF.67/C.1/L.102). If he heard no objection, he would take it that the Committee agreed to vote on both amendments together.

It was so decided.

The amendments were adopted by 55 votes to none, with 4 abstentions.

58. The CHAIRMAN invited the Committee to vote on article 67, as a whole, as amended.

Article 67, as a whole, as amended, was adopted by 32 votes to 11, with 20 abstentions.

The meeting rose at 1 p.m.

35th meeting

Friday, 28 February 1975, at 3.15 p.m.

Chairman: Mr. NETTEL (Austria).

Consideration of the question of the representation of States in their relations with international organizations in accordance with resolutions 2966 (XXVII), 3072 (XXVIII) and 3247 (XXIX) adopted by the General Assembly on 14 December 1972, 30 November 1973 and 29 November 1974 (continued)

Article U of the annex (Privileges and immunities of other persons) (continued) (A/CONF.67/4, A/CONF.67/C.1/L.102, L.105, L.114, L.118, L.127)

1. The CHAIRMAN reminded the meeting that, in addition to the two written amendments to article U (A/CONF.67/C.1/L.114 and L.127), the Committee

had before it an oral amendment which had been submitted at the previous meeting by the Spanish delegation, providing, on the one hand, for the mention of article R among the articles listed in paragraph 2 of article U and, on the other, for the addition of paragraphs 3 and 4 of article 67, with the necessary drafting changes, at the end of article U.

2. Mr. RITTER (Switzerland) proposed that the wording of paragraph 2 of article U should be modelled on that of paragraph 2 of article 67, as adopted at the previous meeting.

3. Mr. ZEMANEK (Austria), noting that article U contained a reference to articles of the annex which

had not yet been considered by the Committee, proposed that the debate on that provision should be adjourned until those articles had been studied.

4. The CHAIRMAN said that if there were no objection he would take it that the Committee agreed to adjourn the debate on article U of the annex.

It was so decided.

5. Mr. ZEMANEK (Austria), explaining his delegation's vote, said that at the previous meeting his delegation had voted against the second paragraph in the United Kingdom amendment (A/CONF.67/C.1/L.118), which sought to delete certain words in the first sentence of paragraph 2 of article 67, and that it had abstained from voting on article 67 as a whole. From paragraph 1 of article 67, as adopted, it followed that the family of members of the administrative and technical staff enjoyed more privileges than did the members of those two categories of staff. It would be advisable to request the Drafting Committee to propose to the Committee a solution whereby that situation could be remedied.

6. Mr. KUZNETSOV (Union of Soviet Socialist Republics) said that his delegation had voted for the Peruvian subamendment because it represented an improvement on the United Kingdom amendment. However, it had voted against the latter amendment as a whole because, although thus modified and improved, it was in fact not as good as the International Law Commission's text (see A/CONF.67/4).

7. Mr. SMITH (United States of America) explained that when his delegation had withdrawn its amendment (A/CONF.67/C.1/L.105), it had intended to support the United Kingdom amendment (A/CONF.67/C.1/L.118). Subsequently, however, the Peruvian delegation had submitted a subamendment to the United Kingdom amendment; his delegation had voted against that subamendment and had abstained in the vote on the United Kingdom amendment as a whole.

8. The CHAIRMAN, referring to the Austrian representative's statement, said that if he heard no objection he would take it that the Committee decided to request the Drafting Committee to submit to it a solution whereby the situation referred to by the Austrian representative could be remedied.

It was so decided.

Article 68 and article V of the annex (Nationals of the host State and persons permanently resident in the host State) (A/CONF.67/4, A/CONF.67/C.1/L.115)

Article 68 was adopted.

9. The CHAIRMAN pointed out that the content of the 10-Power amendment (A/CONF.67/C.1/L.115) was similar to that of other amendments which had already been considered by the Committee and that there was consequently no need to submit that document.

The 10-Power amendment (A/CONF.67/C.1/L.115) was adopted by 29 votes to 2, with 17 abstentions.

Article V of the annex, as amended, was adopted by 35 votes to none, with 16 abstentions.

Article 69 and article W of the annex (Duration of privileges and immunities) (A/CONF.67/4)

10. The CHAIRMAN, at the request of Mr. MAR-ESCA (Italy), put to a separate vote the words "if already in its territory" in paragraph 1 of article 69.

Those words were maintained by 32 votes to 5, with 11 abstentions.

Article 69, as a whole, was adopted by 47 votes to none, with 2 abstentions.

11. Mr. MARESCA (Italy) said that he had abstained in the vote on article 69, as a whole, because the words he had asked the Committee to delete, and which had been maintained, would prevent the authorities of the host State, when the latter had not had prior notification, from taking the necessary steps to receive the parties concerned. The retaining of those words would make it difficult to apply paragraph 1 of article 69.

12. Mr. MUSEUX (France) said that he had abstained in the vote on article 69, in the same way that he had abstained in the vote on article 38, because of the difficulties which the host State might experience in according privileges and immunities to persons entitled thereto in virtue of the future convention, but whose presence in its territory had not been notified to it.

13. The CHAIRMAN said he thought that it was the Committee's wish that article W of the annex should be put to the vote.

Article W of the annex was adopted by 37 votes to none, with 15 abstentions.

Article 70 (End of the functions of the head of delegation or any other delegate or member of the diplomatic staff) and *article X of the annex* (End of the functions of the observer delegate) (A/CONF.67/4, A/CONF.67/C.1/L.116)

Article 70 was adopted.

14. The CHAIRMAN put to the vote the amendment to article X of the annex, circulated under the symbol A/CONF.67/C.1/L.116, which was similar to other amendments to provisions that had already been adopted.

The amendment was adopted by 34 votes to 2, with 15 abstentions.

The whole of article X of the annex, as amended, was adopted by 38 votes to none, with 14 abstentions.

Article 71 (Protection of premises, property and archives) (A/CONF.67/WP.4)

15. Mr. ZEMANEK (Austria) pointed out that when the Committee had considered at its 22nd meeting article 41 on the protection of premises, property and archives, in part II of the draft convention, it had approved an oral amendment submitted by the Greek delegation to replace the words "within a reasonable time" by the words "as soon as possible". His delegation therefore proposed that, for the sake of uniformity, article 71 should be similarly amended.

16. Sir Vincent EVANS (United Kingdom) said that in paragraph 1 the words "they are assigned to it" should be replaced by the words "they are occupied by it", because the assignment of premises presupposed the existence of an authority responsible for assigning those premises. He proposed that that point should be referred to the Drafting Committee.

17. Mr. DORON (Israel) said that, since the word "shall" had been used throughout the draft in the English version, the word "must" in paragraph 1 of articles 41 and 71 should be replaced by the word "shall". He proposed that that question should be referred to the Drafting Committee.

18. The CHAIRMAN said that if he heard no objection to the Austrian oral amendment he would take it that the Committee adopted article 71, as amended, and decided to refer it to the Drafting Committee, it being understood that the latter would consider the two points raised by the United Kingdom and Israeli representatives, respectively.

It was so decided.

Article B of the annex (Sending of observer delegations) (A/CONF.67/4)

Article B of the annex was adopted by 42 votes to none, with 16 abstentions.

Article C of the annex (Appointment of the members of the observer delegation) (A/CONF.67/4)

19. Mr. HELLNERS (Sweden) said he doubted whether it would be possible to consider article C, since article 72 which the Committee had not yet considered was mentioned in it.

20. Mr. GOBBI (Argentina) pointed out that when the Committee had considered article 9, in which article 72 concerning the nationality of the members of the mission or of the delegation was also mentioned, it had decided not to take up that question and to deal with it at a later stage. He thought that the Committee should do likewise in the present instance.

21. Mr. AUST (United Kingdom), supported by Mr. SOGBETUN (Nigeria), observed that even though article C might contain a reference to article 72, which had not been adopted, there was a parallelism between article C and article 43 in part II of the draft, which had been adopted by the Committee. There was therefore no reason why the Committee should not take up article C, reverting to it should the consideration of article 72 warrant reconsideration of the reference made to it.

22. Mr. MAAS GEESTERANUS (Netherlands) said that since the Committee had adopted several amendments in which the term "observer delegate" in the provisions of the annex would be replaced by the words "head of the observer delegation, other observer delegates or members of the diplomatic staff of the observer delegation", it would be wise to introduce into the annex a provision on the size of the observer delegation. He asked the Expert Consultant for his opinion on the matter.

23. Mr. EL-ERIAN (Expert Consultant) said that

the International Law Commission (ILC) had not considered it necessary to include a provision on the size of the observer delegation, on the one hand, because it had included an article dealing with the composition of the observer delegation (article E), and on the other, because it had not dealt with the question of observer delegations in the same way as that of delegations properly so called. He did not think that the changes that had been made to the provisions of the annex could have any repercussions on the subject, but he saw no objection to a provision relating to the size of the observer delegation being introduced into the annex.

24. Sir Vincent EVANS (United Kingdom) agreed with the Netherlands representative that it was desirable to include a provision on the size of the observer mission.

25. Mr. MARESCA (Italy) was also of the opinion that the absence of a provision on the question would give the impression that, while the size of delegations could be subject to regulation, the same did not apply in the case of observer delegations.

26. Mr. RICHARDS (Liberia), pointing out that no amendment to article C had been submitted, formally proposed closure of the debate on the article.

27. Mr. MAAS GEESTERANUS (Netherlands) said he was opposed to the Liberian representative's motion for closure, because he thought that the debate should continue so as to enable members of the Committee to seek a solution together.

28. The CHAIRMAN invited the Committee to vote on the motion for closure, in accordance with rule 26 of the rules of procedure.

The motion was adopted by 23 votes to 19, with 16 abstentions.

29. The CHAIRMAN observed that no amendment had been proposed concerning the size of the observer delegation. He invited the Committee to vote on article C of the annex.

Article C was adopted by 41 votes to 3, with 18 abstentions.

30. Mr. ZEMANEK (Austria) said he had voted against article C because of the absence of a provision on the size of the observer delegation.

31. Mr. HELLNERS (Sweden) said he had voted against article C for the same reason as the representative of Austria.

32. Mr. WARNOCK (Ireland) said he had abstained in the vote on article C as he had been opposed to the motion for closure of the debate.

33. Mr. RITTER (Switzerland) said he had voted against article C for the same reason as that given by the representative of Austria.

Article D of the annex (Letter of appointment of the observer delegation) (A/CONF.67/4), A/CONF.67/C.1/L.109)

34. Mr. YAÑEZ-BARNUEVO (Spain) proposed that the problem raised by the use of the words "letter of appointment" which, in his opinion, should be re-

placed by the word "credentials", should be brought to the attention of the Drafting Committee.

35. The CHAIRMAN put to the vote article D and the amendment to it.

The 10-Power amendment to article D of the annex (A/CONF.67/C.1/L.109) was adopted by 38 votes to 4, with 19 abstentions.

Article D, as amended was adopted by 40 votes to none, with 19 abstentions.

Article E of the annex (Composition of the observer delegation) (A/CONF.67/4, A/CONF.67/C.1/L.110, L.121)

36. Mr. SMITH (United States of America) said that the United States delegation had submitted a certain number of amendments to the provisions in the annex, on the assumption that in the course of the debate it would receive sufficient clarification on the scope of the annex to be in a position to discuss the questions raised in that annex. But that had not been the case and, out of concern for the speeding up of the work, the United States delegation was withdrawing its amendment to article E (A/CONF.67/C.1/L.121) as well as all the other amendments relating to the articles of the annex.

37. Sir Vincent EVANS (United Kingdom) said he feared that the Committee was putting the cart before the horse. It had already adopted some amendments submitted by Bulgaria and nine other Powers but it was clear that, in the present case, the advisability of the amendment in document A/CONF.67/C.1/L.110 would depend on the wording the Committee adopted for paragraph 1 of article E. He thought that the amendment was designed to inflate the notion of observer delegation and to extend its scope beyond that which the ILC had intended. The United Kingdom delegation would therefore vote against the amendment in document A/CONF.67/C.1/L.110. The ILC had rightly foreseen that an observer delegation would not normally have to be as elaborate as a delegation that participated fully in the session of an organ or a conference. That tendency to enlarge on the articles of the annex had drawn the attention of the United Kingdom delegation to the need to regulate the size of the observer delegation. He therefore proposed that a paragraph 3 should be added to article E, worded as follows: "The size of the observer delegation shall not exceed what is reasonable and normal having regard to the functions of the delegation and the circumstances and conditions in the host State".

38. Mr. YAÑEZ-BARNUEVO (Spain) said he wished to propose an oral subamendment to the 10-Power amendment to article E of the annex (A/CONF.67/C.1/L.110), namely, to add at the end of the proposed paragraph 1, the words "administrative and technical staff and service staff", in order to bring it into line with article 45 of part III of the draft convention.

39. The oral amendment proposed by the United Kingdom delegation was based on article 46, but as no mention was made in it of the functions of the organ or the object of the conference, he proposed a sub-

amendment closer to article 46, the text of which would be as follows: "The size of the delegation shall not exceed what is reasonable and normal, having regard to the functions of the organ or the object of the conference, as well as the needs of the particular delegation and the circumstances and conditions in the host State."

40. Mr. OSMAN (Egypt) said he thought it well-advised to add to article E of the annex a paragraph modelled on article 46 of the draft, and he was therefore in favour of the subamendment of Spain to the oral amendment submitted by the United Kingdom.

41. Sir Vincent EVANS (United Kingdom), referring to the question of the composition of observer delegations compared with that of other delegations and to the subamendment proposed by Spain, reminded the Committee that the ILC had rightly wanted to make a distinction between those two types of delegations in view of their different functions. But the amendment proposed by the 10 Powers to article E of the annex (A/CONF.67/C.1/L.110) aimed at assimilating the observer delegations to the other delegations from the point of view of their composition, and the subamendment proposed by Spain went even further in that direction, since it sought to assimilate them completely. The representative of Spain had likewise proposed a subamendment to the new paragraph 3 proposed orally by the United Kingdom delegation to article E of the annex, so as to align that paragraph with article 46 of the draft. That subamendment was not pertinent, since the size of the delegation should not depend on the functions of the organ or the object of the conference, but rather on the functions of the observer delegation itself—functions which varied considerably from one observer delegation to another.

42. Mr. SOGBETUN (Nigeria) thought that the provisions of article 46 of the draft convention should also appear in the annex; he agreed with the representative of the United Kingdom, however, that emphasis should be placed on reasonable limits to the size of the observer delegation, depending on that delegation's functions.

43. Mr. TODOROV (Bulgaria) informed the Committee that, on behalf of the sponsors of the amendment in document A/CONF.67/C.1/L.110 to article E of the annex, he accepted the Spanish oral subamendment.

44. The CHAIRMAN pointed out that the Spanish oral subamendment entailed the deletion of paragraph 2 of article E of the annex.

45. Mr. MAAS GEESTERANUS (Netherlands) recalled that the Committee had already dealt with the question on previous days. He considered that the discussion on article E of the annex should take place in connexion with the definition of observer missions and observer delegations. Accordingly, he proposed that consideration of the article should be deferred until after article 1 of the draft articles and article A of the annex had been considered and delegations and observer delegations had been defined.

46. Mr. KUZNETSOV (Union of Soviet Socialist Republics) said that he categorically objected to the

Netherlands delegation's motion for adjournment. The Committee had made progress on the question and positions had become defined; consideration of the article and voting on it should not, therefore, be deferred.

47. Mr. CALLE Y CALLE (Peru) said that the ILC had indeed considered defining the status of observer delegations, but, bearing in mind the differences between the functions, staff and working conditions of such delegations, it would perhaps be simpler to say that all the provisions of the articles in part III of the draft also applied to observer delegations.

48. To provide, in article E of the annex, that observer delegation should have sufficient staff to perform their functions and, in addition, could include technical, administrative and service staff, would have practical consequences: the space available for observer delegations to organs or conferences was not unlimited. He considered that, at the present stage of its work on observer delegations, the Committee should not go into too much detail, and that the Netherlands proposal to adjourn consideration of the Article E seemed very well-advised.

49. The CHAIRMAN put to the vote the Netherlands delegation's motion that consideration of article E should be adjourned until the Committee had completed its work on article 1 of the draft and on article A of the annex.

The motion was adopted by 24 votes to 16, with 18 abstentions.

Article F of the annex (Notifications) (A/CONF.67/4)

50. The CHAIRMAN said that the United States of America had withdrawn its amendment (A/CONF.67/C.1/L.122) to article F of the annex.

51. Mr. YÁÑEZ-BARNUEVO (Spain) proposed that subparagraph (a) of paragraph 1 of article F should be brought into line with subparagraph (a) of paragraph 1 of article 47 by the insertion of the words "including the position, title and order of the precedence of the members of the delegation" after the words "the composition of the observer delegation".

52. Mr. KUZNETSOV (Union of Soviet Socialist Republics) said that his delegation had not proposed an amendment to article F because, in its opinion, the Commission's text relating to notifications concerning observer delegations was adequate. He would like, however, to know why article F was shorter than the corresponding article in part III and what had been the Commission's intention in that regard.

53. Mr. EL-ERIAN (Expert Consultant) said that the ILC had not wanted to place observer delegations on the same footing as other delegations.

54. Mr. WERSHOF (Canada) said that, although it was opposed to the very principle of the annex, his delegation considered that if there had to be an article F, the text proposed by the ILC was entirely adequate. He agreed with the representative of the Soviet Union that it was not necessary to expand the article as the representative of Spain proposed.

55. Sir Vincent EVANS (United Kingdom) said that he shared the point of view of the Spanish representa-

tive, because he considered there was some interest in knowing the position, title and order of precedence of members of the observer delegation.

56. Mr. VON KESSEL (Federal Republic of Germany) said that he disapproved of the text of article F and would vote against that article.

57. The CHAIRMAN invited the Committee to vote on the Spanish oral amendment whereby the text of subparagraph (a) of paragraph 1 of article F would be brought into line with the corresponding provision of article 47. After that the Committee would vote on the article.

The amendment was adopted by 34 votes to 3, with 15 abstentions.

Article F, as amended, was adopted by 36 votes to 1, with 20 abstentions.

New article F bis (Acting head of observer delegation) (A/CONF.67/C.1/L.111)

58. The CHAIRMAN invited the Committee to consider a proposal by Bulgaria, the Byelorussian SSR, Cuba, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian SSR and the Union of Soviet Socialist Republics (A/CONF.67/C.1/L.111) to insert a new article F bis entitled "Acting head of observer delegation" after article F of the annex.

59. Sir Vincent EVANS (United Kingdom) said that he had never heard of an "acting observer".

60. Mr. TODOROV (Bulgaria) pointed out that it was not a case of an acting observer but of an "acting head" of the observer delegation.

61. Mr. SURENA (United States of America) asked whether the 10-Power proposal was consistent with the spirit in which the annex had been envisioned.

62. Mr. EL-ERIAN (Expert Consultant) repeated that the Commission had wanted to simplify the articles of the annex because of the difference that existed between the functions of the observer delegation and those of other delegations.

63. Mr. HELLNERS (Sweden) wondered whether, bearing in mind the Spanish oral amendment to article F of the annex already adopted, article F bis was really necessary.

64. Mr. KUZNETSOV (Union of Soviet Socialist Republics) said that the 10-Power proposal fitted in with practical considerations and was a logical outcome of the articles already adopted. If the head of delegation was unable to perform his functions, it was necessary to know who would replace him.

65. Mr. YÁÑEZ-BARNUEVO (Spain) pointed out that the 10-Power proposal only reproduced paragraph 1 of article 48. He considered that paragraph 2 of article 48 should, perhaps, also be reproduced because the two articles were parallel.

66. Mr. GÜNEY (Turkey) requested the sponsors of the amendment in document A/CONF.67/C.1/L.111 to withdraw their proposal in view of the differences of opinion to which it gave rise and of the fact that the Spanish amendment to subparagraph (a) of

paragraph 1 of article F took account of the considerations which had motivated the proposal for a new article F bis.

67. The CHAIRMAN invited the Committee to vote on the Spanish oral subamendment, whereby a paragraph 2 corresponding to paragraph 2 of article 48 would be added to article F bis proposed by the 10 Powers (A/CONF.67/C.1/L.111). After that the Committee would vote on the new article.

The subamendment was adopted by 15 votes to 9, with 30 abstentions.

Article F bis, as amended, was adopted by 23 votes to 7, with 23 abstentions.

Article G of the annex (Precedence) (A/CONF.67/4)

Article G was adopted by 35 votes to 2, with 17 abstentions.

Statement by the representative of Egypt

68. Mr. OSMAN (Egypt) informed the Committee

that his delegation and almost a score of other delegations intended to submit a working paper containing an idea to which they attached great importance and which they would like to see reflected in the new convention. The exact content of that idea and the final form it was to take could be embodied in different formulae.

69. Being anxious not to delay the work of the Committee, but, on the contrary, wishing to facilitate it so far as possible, the delegations concerned had started consultations with other delegations in order to arrive at a solution acceptable to the Conference. He hoped that that constructive attitude would be met with the same spirit on the part of the other members of the Committee.

70. The Egyptian delegation therefore reserved the right to present that working paper at the appropriate time and to make a statement summing up the situation as it appeared at that time.

The meeting rose at 5.35 p.m.

36th meeting

Monday, 3 March 1975, at 10.50 a.m.

Chairman: Mr. NETTEL (Austria).

Consideration of the question of the representation of States in their relations with international organizations in accordance with resolutions 2966 (XXVII), 3072 (XXVIII) and 3247 (XXIX) adopted by the General Assembly on 14 December 1972, 30 November 1973 and 29 November 1974 (continued)

Article H of the annex (General facilities) (A/CONF.67/4)

1. Mr. YANEZ-BARNUEVO (Spain) recalled that, during the discussion of other articles of the annex, his delegation had advocated complete parallelism of wording with the corresponding articles in part III, with the aim of facilitating at a later stage the merger of the two groups of articles into one. From his informal discussions with other delegations holding differing views on the draft articles, he had arrived at the conclusion that it would be extremely difficult to achieve that objective. Therefore his delegation, although it was convinced that the merger in question constituted the ideal solution, had decided not to press its amendments to a number of articles of the annex that had been introduced precisely with that aim in view.

2. His delegation would nevertheless support the Netherlands amendment (A/CONF.67/C.1/L.138) which would modify paragraphs 1 (9) and 1 (10) of article 1 (Use of terms) in such a way as to make all the provisions of part III applicable to observer delegations. He hoped that that amendment would be adopted and that it would thus be possible to do away with the articles of the annex altogether.

3. In the future, his delegation would abstain from voting on the articles of the annex because his delega-

tion did not believe in its usefulness as a separate series of provisions.

4. Mr. ZEMANEK (Austria) suggested that, in order to bring the terms of article H into line with those of article 51 as adopted by the Committee, two changes should be made in the first sentence. The first would introduce the word "all" before the words "the facilities required for the performance . . .". The second would replace the concluding word of the first sentence "task" by the same word in the plural: "tasks".

5. The CHAIRMAN said that those two points should perhaps be left to the Drafting Committee.

6. Mr. WERSHOF (Canada) said that the question was one of substance and should not be left to the Drafting Committee. His delegation firmly believed that the fact that a change had been made in respect of an article in part III was not a sufficient justification for automatically copying that change for the purposes of the corresponding article of the annex.

7. Mr. ZEMANEK (Austria) formally proposed that the first sentence of article H should be amended in the manner he had suggested in his earlier statement.

8. He would have understood the point raised by the Canadian representative if in relation to observer delegations a provision totally different from the corresponding one in part III had been put forward, on the ground that the functions of an observer delegation were totally different from those of a delegation covered by part III. As far as article H was concerned, however, the wording prepared by the International Law Commission (ILC) (see A/CONF.67/4) was almost identical with that of article 51, and the adoption