

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

Vienna, Austria
4 February - 14 March 1975

Documents:-

A/CONF.67/12, A/CONF.67/13 and Add.1 and A/CONF.67/14

**Texts submitted by the Drafting Committee in accordance with the
decisions taken by the Conference at its 5th plenary meeting**

Extract from Volume II of the *Official Records of the United Nations Conference on the Representation of States in Their Relations with International Organizations (Documents of the Conference)*

D. TEXTS SUBMITTED BY THE DRAFTING COMMITTEE IN ACCORDANCE WITH THE DECISIONS TAKEN BY THE CONFERENCE AT ITS 5th PLENARY MEETING

1. Title and preamble of the Convention

DOCUMENT A/CONF.67/12

[Original: English/French/Russian/Spanish]
[10 March 1975]

A. Title of the Convention

1. The Drafting Committee submits the following title for the Convention:

"Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character"

B. Preamble of the Convention

2. The Drafting Committee submits the following text for the preamble of the Convention:

"The States Parties to the present Convention,

"Recognizing the increasingly important role of multilateral diplomacy in relations between States and the responsibilities of the United Nations, its specialized agencies and other international organizations of a universal character within the international community,

"Having in mind the purposes and principles of the Charter of the United Nations concerning the sovereign equality of States, the maintenance of international peace and security and the promotion of friendly relations and co-operation among States,

"Recalling the work of codification and progressive development of international law applicable to bilateral relations between States which was achieved by the Vienna Convention on Diplomatic Relations of 1961,¹ the Vienna Convention on Consular Relations of 1963,² and the Convention on Special Missions of 1969,³

"Believing that an international convention on the representation of States in their relations with international organizations of a universal character would contribute to the promotion of friendly relations and co-operation among States, irrespective of their political, economic and social systems,

"Recalling the provisions of Article 105 of the Charter of the United Nations,

"Recognizing that the purpose of privileges and immunities contained in the present Convention is not to benefit individuals but to ensure the efficient performance of their functions in connexion with organizations and conferences,

"Taking account of the Convention on the Privileges and Immunities of the United Nations of 1946,⁴ the Convention on the Privileges and Immunities of the Specialized Agencies of 1947,⁵ and other agreements in force between States and between States and international organizations,

"Affirming that the rules of customary international law continue to govern questions not expressly regulated by the provisions of the present Convention,

"Have agreed as follows:"

2. Final Act

DOCUMENT A/CONF.67/13 and Add.1*

[Original: English/French/Russian/Spanish]
[10 March 1975]

The Drafting Committee submits the following text for the Final Act of the Conference:

"Final Act of the United Nations Conference on the Representation of States in Their Relations with International Organizations

"1. The General Assembly of the United Nations, by resolution 2966 (XXVII) of 14 December 1972, decided to convene an international conference of plenipotentiaries to consider the question of the representation of States in their relations with international organizations and to embody the results of its work in an international convention and such other instruments as it might deem appropriate. Subsequently, the General Assembly, noting that an invitation had been extended by the Government of Austria, decided, by resolution 3072 (XXVIII) of 30 November 1973, that the Conference would be held early in 1975 at Vienna.

"2. The United Nations Conference on the Representation of States in Their Relations with International Organizations met at the Neue Hofburg in Vienna, Austria, from 4 February to 14 March 1975.

"3. The General Assembly, by resolution 3247 (XXIX) of 29 November 1974, decided to invite all States to participate in the Conference.

"The Governments of the following 81 States participated in the Conference: Argentina; Australia; Austria; Bangladesh; Belgium; Brazil; Bulgaria; Byelorussian Soviet Socialist Republic; Canada; Chile; Colombia; Cuba; Czechoslovakia; Democratic Peo-

¹ United Nations, *Treaty Series*, vol. 500, No. 7310, p. 95.

² *Ibid.*, vol. 596, No. 8638, p. 261.

³ General Assembly resolution 2530 (XXIV), annex.

* Document A/CONF.67/13/Add.1, of 13 March 1975, was issued to add the European Economic Community under the heading "Other intergovernmental organizations".

⁴ General Assembly resolution 22 A (I).

⁵ General Assembly resolution 179 (II).

ple's Republic of Korea; Democratic Republic of Viet-Nam; Denmark; Ecuador; Egypt; El Salvador; Finland; France; German Democratic Republic; Germany, Federal Republic of; Greece; Guatemala; Holy See; Hungary; India; Indonesia; Iraq; Ireland; Israel; Italy; Ivory Coast; Japan; Khmer Republic; Kuwait; Lebanon; Liberia; Libyan Arab Republic; Luxembourg; Madagascar; Malaysia; Mali; Mexico; Mongolia; Morocco; Netherlands; Niger; Nigeria; Norway; Oman; Pakistan; Panama; Peru; Philippines; Poland; Qatar; Republic of Korea; Republic of Viet-Nam; Romania; Saudi Arabia; Senegal; Spain; Sweden; Switzerland; Syrian Arab Republic; Thailand; Tunisia; Turkey; Ukrainian Soviet Socialist Republic; Union of Soviet Socialist Republics; United Kingdom of Great Britain and Northern Ireland; United Republic of Cameroon; United Republic of Tanzania; United States of America; Uruguay; Venezuela; Yemen; Yugoslavia and Zaire.

"The Governments of the following two States were represented by observers: Iran and Portugal.

"4. The General Assembly, by resolution 3072 (XXVIII) of 30 November 1973, invited the specialized agencies, the International Atomic Energy Agency and other interested intergovernmental organizations to send observers to the Conference. The following intergovernmental organizations accepted this invitation:

Specialized and related agencies

- International Labour Organisation
- Food and Agriculture Organization of the United Nations
- United Nations Educational, Scientific and Cultural Organization
- International Bank for Reconstruction and Development
- World Health Organization
- Universal Postal Union
- International Atomic Energy Agency

Other intergovernmental organizations

- Council of Europe
- European Economic Community
- League of Arab States

"5. The General Assembly, by resolution 3247 (XXIX) of 29 November 1974, decided to invite also the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States in their respective regions to participate in the Conference as observers. The following national liberation movements accepted this invitation:

- Movement for the National Liberation of Comoro
- National Liberation Front of Angola
- Palestine Liberation Organization
- Pan Africanist Congress of Azania
- People's Movement for the Liberation of Angola
- South West African People's Organization
- Zimbabwe African People's Union

"6. The Conference elected Mr. José Sette-Câmara (Brazil) as President.

"7. The Conference elected as Vice-Presidents the representatives of the following participating States: Bulgaria, Chile, Egypt, France, India, Italy, Japan, Lebanon, Liberia, Libyan Arab Republic, Malaysia, Mali, Madagascar, Mexico, Netherlands, Panama, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela and Yugoslavia.

"8. The following committees were set up by the Conference:

General Committee

Chairman: The President of the Conference

Members: The President and Vice-Presidents of the Conference, the Chairman of the Committee of the Whole and the Chairman of the Drafting Committee.

Committee of the Whole

Chairman: Mr. Erik Nettel (Austria)

Vice-Chairman: Mr. Max Wershof (Canada)

Rapporteur: Mr. Alfons Klafkowski (Poland)

Drafting Committee

Chairman: Mr. Solomon Sogbetun (Nigeria)

Members: The Chairman of the Drafting Committee, Argentina, France, Iraq, Morocco, Netherlands, Pakistan, Peru, Switzerland, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and *ex officio* in accordance with rule 48 of the Rules of Procedure of the Conference, the Rapporteur of the Committee of the Whole.

Credentials Committee

Chairman: Mr. José Plana (Philippines)

Members: Belgium, Ecuador, Guatemala, Hungary, Ivory Coast, Philippines, Thailand, United Republic of Cameroon and United States of America.

"9. Mr. Abdullah El-Erian, Special Rapporteur of the International Law Commission on the topic of relations between States and international organizations, acted as Expert Consultant.

"10. The Secretary-General of the United Nations was represented by Mr. Erik Suy, Under-Secretary-General, The Legal Council. Mr. Yuri M. Rybakov, Director of the Codification Division of the Office of Legal Affairs of the United Nations, acted as Executive Secretary.

"11. The General Assembly, by resolution 3072 (XXVIII) of 30 November 1973, referred to the Conference as the basic proposal for its consideration the draft articles on the representation of States in their relations with international organizations adopted by the International Law Commission at its twenty-third session.⁶

⁶ See section B above.

"12. The Conference also had before it the comments and observations on the draft articles on the representation of States in their relations with international organizations submitted by States and intergovernmental organizations pursuant to General Assembly resolutions 2780 (XXVI)⁷ and 3072 (XXVIII),⁸ as well as other relevant documentation prepared by the Secretariat of the United Nations.

"13. The Conference assigned to the Committee of the Whole the consideration of the draft articles on the representation of States in their relations with international organizations adopted by the International Law Commission. The Drafting Committee, in addition to its responsibilities for drafting and for co-ordinating and reviewing all the texts adopted, was entrusted by the Conference with the preparation of the title, preamble and final clauses of the Convention, and the Final Act of the Conference.

"14. On the basis of the deliberations recorded in the records of the Conference (A/CONF.67/S.R.1 to SR...) and the records (A/CONF.67/C.1/SR.1 to SR...) and report (A/CONF.67/...) of the Committee of the Whole, the Conference drew up the following Convention:

Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character.

"15. The foregoing Convention, which is subject to ratification, was adopted by the Conference on 14 March 1975, and opened for signature on — March 1975, in accordance with its provisions, until 30 September 1975, at the Federal Ministry for Foreign Affairs of the Republic of Austria and, subsequently, until 30 March 1976 at United Nations Headquarters in New York. The same instrument was also opened for accession in accordance with its provisions.

"16. After 30 September 1975, the closing date for signature at the Federal Ministry for Foreign Affairs of the Republic of Austria, the Convention will be deposited with the Secretary-General of the United Nations.

"17. The Conference also adopted the following resolutions, which are annexed to this Final Act:

"...

"IN WITNESS WHEREOF the representatives have signed this Final Act.

"DONE AT VIENNA, this . . . day of March, one thousand nine hundred and seventy-five, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. By unanimous decision of the Conference, the original of this Final Act shall be deposited in the archives of the Federal Ministry for Foreign Affairs of the Republic of Austria."

⁷ A/8753 and Add.1-3.

⁸ A/CONF.67/6. An analytical compilation of all comments and observations referred to in documents A/8753 and Add. 1-3 and A/CONF.67/6 is contained in document A/CONF.67/WP.6.

ANNEX

Resolutions adopted by the United Nations Conference on the Representation of States in Their Relations with International Organizations

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3. Final clauses of the Convention and consequential change in paragraph 1 of article 2 of the Convention

DOCUMENT A/CONF.67/14

[Original: English/French/Russian/Spanish]
[13 March 1975]

A. In the light of the text proposed for the final clauses of the Convention, the Drafting Committee proposes to replace at the end of paragraph 1 of article 2 (Scope of the present Convention) (see A/CONF.67/11), the words "... when the Convention has been accepted by the Organization and by the host State in respect of that organization." by the words:

"... when the Convention has been accepted by the host State in respect of that organization and the Organization has completed the procedure envisaged by article [V]."

B. Title of part VI of the Convention and titles and texts for the final clauses:

"PART VI. FINAL CLAUSES

"Article [I]

"Signature

"The present Convention shall be open for signature by all States until 30 September 1975 at the Federal Ministry for Foreign Affairs of the Republic of Austria and subsequently, until 30 March 1976, at United Nations Headquarters in New York.

"Article [II]

"Ratification

"The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

"Article [III]

"Accession

"The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

"Article [IV]

"Entry into force

"1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the thirty-fifth instrument of ratification or accession.

"2. For each State ratifying or acceding to the

Convention after the deposit of the thirty-fifth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

"Article [V]

"Implementation by organizations

"After the entry into force of the present Convention, the competent organ of an international organization of a universal character may adopt a decision to implement the relevant provisions of the Convention. The Organization shall communicate the decision to the host State and to the depositary of the Convention.

"Article [VI]

"Notifications by the depositary

"1. As depositary of the present Convention, the Secretary-General of the United Nations shall inform all States:

"(a) of signatures to the Convention and of the

deposit of instruments of ratification or accession, in accordance with articles [I], [II] and [III];

"(b) of the date on which the Convention will enter into force, in accordance with article [IV];

"(c) of any decision communicated in accordance with article [V].

"2. The Secretary-General of the United Nations shall also inform all States, as necessary, of other acts, notifications or communications relating to the present Convention.

"Article [VII]

"Authentic texts

"The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

"IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

"DONE AT VIENNA, this fourteenth day of March, one thousand nine hundred and seventy-five."