

**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/L.1 and Add.1, A/CONF.67/ L.2 and Add.1, A/CONF.67/L.3 to L.8

Proposals and amendments submitted to the Conference in 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)*

E. PROPOSALS AND AMENDMENTS SUBMITTED TO THE CONFERENCE IN PLENARY MEETING ¹

1

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

Cuba, Egypt, Indonesia, Iraq, Ivory Coast, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Morocco, Niger, Nigeria, Oman, Qatar, Romania, Syrian Arab Republic, Tunisia, United Republic of Cameroon, United Republic of Tanzania, Yemen, Yugoslavia and Zaire: working paper

[Original: English]
[7 March 1975]

The undersigned delegates wish to draw the attention of the Conference to a recent and important practice in present day international relations, and in particular, with regard to international organizations and conferences, relevant to the work of this Conference.

In its resolution 3247 (XXIX) of 29 November 1974 (operative paragraph 2) the General Assembly of the United Nations decided to invite national liberation movements recognized by the Organization of African Unity and/or the League of Arab States to participate in the United Nations Conference on the Representation of States in their Relations with International Organizations in the capacity of observer in accordance with the practice of the United Nations.

In so deciding, the General Assembly confirmed the practice evolved recently and in accordance with which national liberation movements recognized by the Organization of African Unity and/or the League of Arab States were invited to participate as observers in international conferences convened by different agencies of the United Nations.

Since the General Assembly confirmed "the legality of the peoples' struggle for self-determination and liberation from colonial and foreign domination and alien subjugation, notably in southern Africa and in particular that of the peoples of Zimbabwe, Namibia, Angola, Mozambique . . . , as well as of the Palestinian people" (resolution 2787 (XXVI) of 6 December 1971), national liberation movements of the peoples mentioned were invited to participate as observers in the deliberations of international conferences, such as the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held in Geneva in 1974;

* Document A/CONF.67/L.1/Add.1, of 10 March 1975, was issued to add Romania to the list of sponsors of the document.

¹ The texts of proposals and amendments submitted in the Committee of the Whole will be found in the report of that Committee (A/CONF.67/17) under the article concerned.

the World Population Conference, held in Bucharest in 1974; the World Food Conference, held in Rome in 1974; and the Third United Nations Conference on the Law of the Sea, held in Caracas in 1974. Moreover, the General Assembly invited the Palestine Liberation Organization (PLO) to participate in the sessions and work of the General Assembly and also of all international conferences convened under the auspices of the General Assembly; and has considered that the PLO is entitled to participate in the sessions and work of all international conferences convened under the auspices of other organs of the United Nations; always according the PLO the status of observer (General Assembly resolution 3237 (XXIX) of 22 November 1974).

The United Nations Educational, Scientific and Cultural Organization invited the PLO to participate in its sessions and work in the capacity of observer, in accordance with its practice. The World Health Organization and the Food and Agriculture Organization of the United Nations have also invited the PLO to participate in their sessions in the capacity of observer.

Inasmuch as the consolidation of this practice took place at a date following the adoption of the draft articles by the International Law Commission in 1971;

While welcoming the fact that these National Liberation Movements have already participated in the capacity of observer in various international organizations and conferences;

It is the considered opinion of the delegations submitting this paper that:

In order to complete the draft articles relating to observer missions and observer delegations,

Provisions should be included to make the draft articles, and in particular articles relating to privileges and immunities, applicable, *mutatis mutandis*, to observer missions and observer delegations sent by national liberation movements recognized by the Organization of African Unity and/or the League of Arab States, to which the status of observer has been accorded by the organization concerned, in accordance with its respective practice.

ANNEX

List of resolutions adopted by the United Nations, its specialized agencies and international conferences inviting the national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States to participate in the capacity of observer.

I. GENERAL ASSEMBLY RESOLUTION 3102 (XXVIII) OF 12 DECEMBER 1973

"Respect for human rights in armed conflicts

"The General Assembly,

". . .

"2. Urges that the national liberation movements recognized by the various regional intergovernmental organizations concerned be invited to participate in the Diplomatic Conference as observers in accordance with the practice of the United Nations."

II. GENERAL ASSEMBLY RESOLUTION 3118 (XXVIII) OF 12 DECEMBER 1973

"Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations"

"The General Assembly,

" . . .

"7. Requests the specialized agencies and other organizations within the United Nations system, in consultation with the Organization of African Unity and the Special Committee, to take all necessary measures to ensure that the peoples of the colonial Territories in Africa are represented by their national liberation movements, in an appropriate capacity, when dealing with matters pertaining to those Territories."

III. ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1835 (LVI) OF 14 MAY 1974

"Population questions"

"The Economic and Social Council,

" . . .

"3. Requests the Secretary-General of the World Population Conference, 1974, to invite representatives of the liberation movements now recognized by the Organization of African Unity and/or by the League of Arab States to participate in the Conference without the right to vote."

IV. ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1840 (LVI) OF 15 MAY 1974

"Preparations for the World Food Conference"

"The Economic and Social Council,

" . . .

"2. Requests the Secretary-General to invite:

" . . .

"(b) The representatives of the liberation movements now recognized by the Organization of African Unity and/or by the League of Arab States to participate in the Conference without the right to vote."

V. RESOLUTION 13/73 OF 26 NOVEMBER 1973 OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

"African Liberation Movements"

"The Conference,

"Noting with satisfaction that, in keeping with its requests as expressed in its Resolution 8/71, and Resolution 1804 (LV) of 7 August 1973 of the Economic and Social Council of the United Nations, the Director-General had pursued his efforts "to implement the relevant General Assembly Resolutions within the mandates of FAO, and to make periodic reports to the council . . . ,"

"Welcoming the participation of African Liberation Movements in FAO meetings, seminars and training centres and other activities undertaken or sponsored by FAO/WFP,

"Affirming that participation of African Liberation Movements in FAO/WFP meetings and other activities undertaken by FAO/WFP would ultimately contribute to the economic and social development of the territories liberated or under the control of the liberation movements in Africa,

"1. Decides to request the Director-General to make the necessary arrangements through the Organization of African Unity to facilitate the participation of representatives of the liberation movements in Africa, with immediate effect,

"2. Authorizes the Director-General to invite, through the Organization of African Unity, representatives of African

Liberation Movements to attend regional and technical conferences and consultations convened in Africa under Article VI-5 of the Constitution including the African Regional Conference and to participate in the deliberations on items dealt with at such conferences and consultations that may be of direct concern to the liberation movements,

"3. Invites the Director-General to report to the Council periodically on the measures taken in collaboration with the Organization of African Unity, to facilitate the participation of liberation movements in meetings convened, and related activities undertaken or sponsored by FAO/WFP."

VI. WORLD HEALTH ORGANIZATION RESOLUTION WHA27.37 OF 21 MAY 1974

"Activities of the World Health Organization with regard to assistance to liberation movements in southern Africa pursuant to United Nations General Assembly resolution 2918 (XXVII) and Economic and Social Council resolution 1804 (LV)"

"The Twenty-seventh World Health Assembly,

"Recalling United Nations General Assembly resolution 3118 (XXVIII) requesting the specialized agencies to take the necessary steps to ensure the representation of the national liberation movements in meetings of the specialized agencies,

"Recalling, further, resolution 13/73 of the FAO Conference, requesting the Director-General of FAO to make the necessary arrangements, through the Organization of African Unity, to facilitate the immediate participation of representatives of the national liberation movements in its meetings,

"Convinced that the participation of the national liberation movements in meetings and other activities undertaken by WHO would ensure to the people in the liberated areas an improvement in their health and nutritional standards,

"Mindful that this participation would ultimately contribute to the economic and social development of the liberated territories under the control of these liberation movements,

"Noting paragraph 4 of resolution EB53.R58 of the fifty-third session of the Executive Board,

"Requests the Director-General of WHO to take the necessary steps to invite the representatives of the national liberation movements recognized by the Organization of African Unity or by the League of Arab States to attend the meetings of WHO in an observer capacity.

VII. RESOLUTION 17.2 ADOPTED BY THE GENERAL CONFERENCE OF THE UNITED NATIONS EDUCA- TIONAL, SCIENTIFIC AND CULTURAL ORGANIZA- TION ON 25 OCTOBER 1974

"Liberation movements recognized by the Organization of African Unity"

"The General Conference,

"Having decided, by resolution 10.1 adopted at its seventeenth session, to associate with the Organization's activities, including those of the General Conference, the representatives of the African liberation movements recognized by the Organization of African Unity,

"Noting the recommendations formulated in this connexion by the Executive Board in its 93 EX/Decision 6.5,

"Noting the report of the Legal Committee on the proposed amendments to the Rules of Procedure of the General Conference contained in the above-mentioned decision,

"Decides to make the following alterations to its Rules of Procedure:

"Section I. Sessions"

"Rule 6"

"(a) Insert between paragraphs 4 and 5 a new paragraph worded as follows:

"5. The Executive Board shall before each session of the General Conference include in the appropriate list the African liberation movements recognized by the Organization of African Unity which are to be invited to send observers to that session. The Director-General shall notify the liberation

movements which appear on this list of the convening of the session and shall invite them to send observers.'

"(b) Renumber paragraph 5 accordingly.

"Section XIII. Right to speak

"Insert a new rule worded as follows:

"Rule 67A Liberation movements recognized by the Organization of African Unity: Observers from African liberation movements recognized by the Organization of African Unity may make oral or written statements in plenary meetings and in meetings of committees, commissions and subsidiary bodies, with the consent of the presiding officer."

VIII. RESOLUTION 17.3 ADOPTED BY THE GENERAL CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION ON 25 OCTOBER 1974

"Palestine Liberation Organization recognized by the League of Arab States

"The General Conference,

"Noting the recommendations formulated by the Executive Board in its 95 EX/Decisions 7.7 and 7.8,

"Noting the report of the Legal Committee on the proposed amendments to the Rules of Procedure of the General Conference contained in the above-mentioned decision,

"Decides to make the following alterations to its Rules of Procedure:

"Section 1. Sessions

"Rule 6

"(a) Insert after new paragraph 5 a new paragraph worded as follows:

"6. The Executive Board shall before each session of the General Conference include the Palestine Liberation Organization, recognized by the League of Arab States, in the appropriate list for it to send observers to that session. The Director-General shall notify the Palestine Liberation Organization of the convening of the session and shall invite it to send observers.'

"(b) Renumber final paragraph accordingly.

"Section XIII. Right to speak

"Insert after Rule 67A a new rule worded as follows:

"Rule 67B The Palestine Liberation Organization: Observers from the Palestine Liberation Organization, recognized by the League of Arab States, may make oral or written statements in plenary meetings and in the meetings of committees, commissions and subsidiary bodies, with the consent of the presiding officer."

IX. GENERAL ASSEMBLY RESOLUTION 3237 (XXIX) OF 22 NOVEMBER 1974

"Observer status for the Palestine Liberation Organization
The General Assembly,

"Having considered the question of Palestine,

"Taking into consideration the universality of the United Nations prescribed in the Charter,

"Recalling its resolution 3102 (XXVIII) of 12 December 1973,

"Taking into account Economic and Social Council resolutions 1835 (LVI) of 14 May 1974 and 1840 (LVI) of 15 May 1974,

"Noting that the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, the World Population Conference and the World Food Conference have in effect invited the Palestine Liberation Organization to participate in their respective deliberations,

"Noting also that the Third United Nations Conference on the Law of the Sea has invited the Palestine Liberation Organization to participate in its deliberations as an observer,

"1. Invites the Palestine Liberation Organization to par-

ticipate in the sessions and the work of the General Assembly in the capacity of observer;

"2. Invites the Palestine Liberation Organization to participate in the sessions and the work of all international conferences convened under the auspices of the General Assembly in the capacity of observer;

"3. Considers that the Palestine Liberation Organization is entitled to participate as an observer in the sessions and the work of all international conferences convened under the auspices of other organs of the United Nations;

"4. Requests the Secretary-General to take the necessary steps for the implementation of the present resolution."

X. GENERAL ASSEMBLY RESOLUTION 3247 (XXIX) OF 29 NOVEMBER 1974

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

"The General Assembly,

". . .

"2. Decides 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, in accordance with the practice of the United Nations."

2

DOCUMENT A/CONF.67/L.2 and Add.1 *

Bangladesh, Cuba, Democratic People's Republic of Korea, Egypt, India, Indonesia, Iraq, Ivory Coast, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Morocco, Niger, Nigeria, Oman, Qatar, Romania, Syrian Arab Republic, Tunisia, United Republic of Cameroon, United Republic of Tanzania, Yemen, Yugoslavia and Zaire: draft resolution

[Original: French]

[11 March 1975]

OBSERVER STATUS OF NATIONAL LIBERATION MOVEMENTS RECOGNIZED BY THE ORGANIZATION OF AFRICAN UNITY AND/OR BY THE LEAGUE OF ARAB STATES
The Conference,

Recalling that, by its resolution 3072 (XXVIII) of 30 November 1973, the General Assembly referred to the Conference 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;

Noting that the draft articles adopted by the Commission deal only with the representation of States in their relations with international organizations;

Recalling further that, by its resolution 3247 (XXIX) of 29 November 1974, the General Assembly decided to invite 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, in accordance with the practice of the United Nations;

Noting the current practice of inviting the above-

* Document A/CONF.67/L.2/Add.1 of 12 March 1975 was issued to add Bangladesh, the Democratic People's Republic of Korea and India to the list of sponsors.

mentioned national liberation movements to participate as observers in the sessions and work of the General Assembly of the United Nations, in conferences held under the auspices of the General Assembly or under the auspices of other United Nations organs, and in meetings of the specialized agencies and other organizations of the United Nations family;

Convinced that the participation of the above-mentioned national liberation movements in the work of international organizations helps to strengthen international peace and co-operation;

Desirous of ensuring the effective participation of the above-mentioned movements as observers in the work of international organizations and of regulating, to that end, their status and the facilities, privileges and immunities necessary for the performance of their tasks;

1. *Requests* the General Assembly of the United Nations at its thirtieth regular session to examine this question without delay;

2. *Recommends*, in the meantime, the States concerned to accord to delegations of national liberation movements which are recognized by the Organization of African Unity and/or by the League of Arab States in their respective regions and which have been granted observer status by the international organization concerned, the facilities, privileges and immunities necessary for the performance of their tasks and to be guided therein by the pertinent provisions of the Convention adopted by this Conference;

3. *Decides* to include the present resolution in the Final Act of the Conference.

3

DOCUMENT A/CONF.67/L.3

Argentina, Brazil, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Mexico, Peru and Venezuela: draft resolution

[Original: Spanish]
[10 March 1975]

Considering that the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character will help to improve relations between States within the framework of international organizations and at conferences convened by, or under the auspices of, such organizations,

Bearing in mind that the above-mentioned Convention will help to prevent disputes between sending States and host States,

Recommends to the General Assembly of the United Nations that a suitable request should be made to the Secretary-General to inform Member States whether States that have asked to be hosts of future international organizations of a universal character or of conferences convened by, or under the auspices of, international organizations of a universal character have duly ratified or have acceded to the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character and whether they have entered reservations to it.

4

DOCUMENT A/CONF.67/L.4

Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic People's Republic of Korea, German Democratic Republic, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, and Yugoslavia: proposal for the final clauses of the Convention

[Original: Russian]
[13 March 1975]

Introduce the following provision into the final part of the Convention:

"No reservation shall be permitted which would affect the provisions of articles 72 and 73 and part IV of the Convention as a whole and which would place observer delegations to organs and to conferences in a discriminatory position by comparison with delegations to organs and to conferences."

5

DOCUMENT A/CONF.67/L.5

Argentina, Austria, Brazil, France, Mali, Mexico and Switzerland: proposal to reconsider and amend article 60

[Original: French]
[13 March 1975]

Replace article 60 by the following:

Article 60. Inviolability of premises and property

1. The premises of the delegation shall be inviolable. The agents of the host State may not enter them, except with the consent of the head of delegation.

2. Where the circumstances are such that a delegation requires special protection, the host State shall take all appropriate steps to protect the premises of that delegation against any intrusion or damage and to prevent any disturbance of the peace of the delegation or impairment of its dignity.

3. The premises of the delegation, their furnishings and other property thereon and the means of transport of the delegation shall be immune from search, requisition, attachment or execution.

4. The papers, correspondence and, except as provided in paragraph 2 of article 61, the property of the head of delegation and of other delegates or members of the diplomatic staff of the delegation shall also enjoy inviolability.

6

DOCUMENT A/CONF.67/L.6

Argentina, Austria, Finland, Guatemala, India, Ireland, Ivory Coast, Mexico, Morocco and Poland: draft resolution

[Original: English]
[13 March 1975]

TRIBUTE TO THE INTERNATIONAL LAW COMMISSION

The United Nations Conference on the Representa-

tion of States in Their Relations with International Organizations,

Having adopted the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character on the basis of the draft articles prepared by the International Law Commission,

Resolves to express its deep gratitude to the International Law Commission for its outstanding contribution to the codification and progressive development of the rules of international law on the representation of States in their relations with international organizations of a universal character.

7

DOCUMENT A/CONF.67/L.7

France, Hungary, India, Libyan Arab Republic, Mexico, Peru, Poland, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon and United States of America: draft resolution

[Original: English]
[13 March 1975]

TRIBUTE TO THE FEDERAL GOVERNMENT AND
PEOPLE OF THE REPUBLIC OF AUSTRIA

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

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

Expresses its deep appreciation to the Federal Gov-

ernment and people of the Republic of Austria for making possible the holding of the Conference in Vienna and for their generous hospitality and great contribution to the successful completion of the work of the Conference.

8

DOCUMENT A/CONF.67/L.8

Argentina, Canada, India, Mexico, Nigeria, Poland and Tunisia: draft resolution

[Original: English]
[13 March 1975]

TRIBUTE TO THE EXPERT CONSULTANT

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

Having adopted the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character on the basis of the draft articles prepared by the International Law Commission,

Resolves to express to Mr. Abdullah El-Erian its deep appreciation of the invaluable contribution he has made to the codification and progressive development of the rules of international law on the representation of States in their relations with international organizations, in his capacity both as Special Rapporteur of the International Law Commission and as Expert Consultant to the Conference.