

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

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22nd meeting of the Committee of the Whole

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85. Moreover, his delegation had voted in that manner on the understanding that the host State would not unduly impede, or interfere with, the principle of international co-operation and accordingly would not object to the exercise of any professional activity by one of its own nationals forming part of a foreign mission without just and reasonable grounds.

Article 40 (End of the functions of the head of mission or a member of the diplomatic staff) (A/CONF.67/4)

86. The CHAIRMAN observed that no amendment had been proposed to article 40.

Article 40 was adopted unanimously.

The meeting rose at 6.15 p.m.

22nd meeting

Thursday, 20 February 1975, at 3.25 p.m.

Chairman: Mr. NETTEL (Austria).

Organization of work

1. The CHAIRMAN requested delegations to submit, by noon on Friday, 21 February, amendments to articles 58 to 65 proposed by the International Law Commission (ILC) (see A/CONF.67/4), and to any articles of the annex discussion of which might, in the view of delegations, be possible together with those articles.

2. Mr. MAAS GEESTERANUS (Netherlands) said that he respectfully objected to the time-limit established by the Chairman for the submission of amendments to articles of the annex. His delegation would be unable to prepare its amendments in the time allowed.

3. The CHAIRMAN said that, in view of the decision taken by the Conference that morning (5th plenary meeting), he regretted that he had no choice but to establish that time-limit for the submission of amendments to the articles he had indicated.

4. Mr. SURENA (United States of America) said that there was a matter which was a source of concern to his delegation. It was possible that some delegations would consider it appropriate to deal with certain provisions of the annex together with the corresponding provisions of articles 58 to 65 of part III and would therefore submit amendments to those provisions of the annex by the time-limit established for the submission of amendments to articles 58 to 65. It was also possible that other delegations, while wishing to submit amendments to the same provisions of the annex, would not consider that they should be dealt with together with articles 58 to 65 and therefore would not submit amendments to them by the established time-limit. How would delegations which did not consider it appropriate to deal with the two provisions together be able to submit their written amendments to the articles in the annex in time for them to be discussed by the Committee?

5. The CHAIRMAN said that he shared the misgivings of the United States representative but it would be for the Committee to decide how the situation was to be dealt with.

6. Mr. MAAS GEESTERANUS (Netherlands) said that it was the desire of his delegation to facilitate the task of the Chairman and enable the Committee of

the Whole to discharge its responsibilities. The time being allowed was, however, too short and he wished to appeal against the Chairman's ruling in the matter.

7. The CHAIRMAN, referring to the provisions of rule 22 of the rules of procedure, said that he had ruled that amendments to articles 58 to 65 of the draft articles and to any articles of the annex discussion of which might, in the view of delegations, be possible together with those articles should be submitted by noon on Friday, 21 February. The representative of the Netherlands had appealed against that ruling in so far as concerned with submission of amendments to articles of the annex.

8. He put to the vote the Netherlands appeal against the ruling of the Chairman.

The appeal was rejected by 21 votes to 15, with 22 abstentions.

9. Sir Vincent EVANS (United Kingdom) said that he wished to explain why he had voted in favour of the appeal. Normally it was the custom of his delegation fully to support the Chairman, and he quite understood the reason why the Chairman had ruled that amendments to the articles in question should be submitted not later than noon on the following day. An important consideration to be taken into account, however, was that the articles concerned were among the most difficult and controversial of the articles in part III. That was also true of the corresponding articles in the annex. There was the added complication that the text prepared by the ILC for the articles in the annex corresponding to the relevant articles in part III differed very considerably. In the circumstances to require that all the amendments to those articles should be submitted by noon on the following day would cause great difficulty to many delegations and he could not believe that such a requirement was in the best interests of the success of the Conference.

10. Mr. ZEMANEK (Austria), referring to the questions put by the representative of the United States, asked the Chairman whether he would allow those delegations which did not consider that the provisions in the annex could be dealt with together with the corresponding provisions of the articles of part III to submit oral amendments to the articles in the annex.

Alternatively, in such cases, would the Chairman extend the time-limit for the submission of written amendments?

11. The CHAIRMAN said that he would allow delegations to submit oral amendments. If the time-limit for the submission of written amendments were extended, however, the rhythm of the Committee's work would be disrupted.

12. Mr. ZEMANEK (Austria) asked whether the Committee would be prepared to accept very long oral amendments.

13. The CHAIRMAN said that two very long oral amendments had already been submitted and had been accepted by the Committee.

14. Mr. MAAS GEESTERANUS (Netherlands), observing that there were provisions in the annex corresponding to articles 42 to 58 of the draft articles, asked whether amendments to those provisions also had to be submitted by noon on the following day.

15. The CHAIRMAN replied in the negative. A few days previously it had been decided that amendments to articles up to and including article 57 should be submitted by Wednesday, 19 February. Accordingly, he would not consider it appropriate that provisions in the annex corresponding to the provisions of articles 42 to 58 should be considered together with those articles.

16. Mr. SUREMA (United States of America) said that, in view of the decision taken by the Conference meeting in plenary session, his delegation fully understood why the Chairman of the Committee of the Whole had made his ruling. He wished it to be noted, however, that for his delegation it would be very difficult and perhaps impossible, to give to the remaining articles the meaningful consideration which he believed the Conference was obliged to give them.

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 37 (Nationals of the host State and persons permanently resident in the host State) (concluded) (A/CONF.67/C.1/4, A/CONF.67/C.1/L.79)

17. The CHAIRMAN reminded members that at the previous meeting they had decided to defer their decision on article 37 until the present meeting. The amendment to article 37 which the French delegation had submitted orally at the previous meeting was now to be found in document A/CONF.67/C.1/L.79.

18. Mr. RAOELINA (Madagascar) said that his delegation had studied very carefully the French amendment, which had been introduced orally at the previous meeting and was now to be found in document A/CONF.67/C.1/L.79. The Commission's text seemed to make it possible for any country to act as it saw fit in the matter. There was, of course, no doubt about the sovereignty of the host State. He wished,

however, to draw attention to the fact that it had become the practice of some countries, even in bilateral diplomacy, to refuse to grant privileges and immunities to the administrative and technical staff of missions. Perhaps the Commission had based itself on that practice when preparing the article. In the opinion of his delegation, however, the Commission's text should be much more explicit and precise. For those reasons, he was inclined to support the French amendment: the administrative and technical staff of missions should enjoy immunity in respect of acts performed in the exercise of their functions.

19. Sir Vincent EVANS (United Kingdom) said that the place of the word "only" in the English text of the French amendment was important. As it stood, the English text meant that members of the mission who were nationals or permanently resident in the host State enjoyed inviolability only in respect of official acts, but they would also enjoy all other privileges. He suspected that what the text was intended to mean was that such persons "shall enjoy only immunity in respect of acts performed in the exercise of their functions". He would be grateful if the French delegation could confirm that that was what the text was intended to mean.

20. Mr. BIGAY (France) agreed that the French text intended to convey the meaning suggested by the representative of the United Kingdom. He could not provide any other information because the head of delegation, who had drafted the text, was not present.

21. Sir Vincent EVANS (United Kingdom) thanked the French representative for clearing up that point. He was, however, a little worried about the amendment. His delegation had not had the opportunity to consider its implications very carefully, but, so far as he could judge, it did depart very considerably from precedents in the matter, and he would be very reluctant to vote for or against it without considering very carefully what would be the implications of departing from those precedents. Those implications might be quite serious so far as the acceptability of the article to his country's authorities was concerned.

22. Mr. BIGAY (France) said that the French delegation could fully endorse the statement just made by the representative of the United Kingdom.

23. The CHAIRMAN put to the vote the amendment to Article 37 proposed by France (A/CONF.67/C.1/L.79), with the drafting change in the English version suggested by the representative of the United Kingdom.

The amendment was adopted by 26 votes to 13, with 22 abstentions.

Article 37, as a whole, as amended, was adopted by 45 votes to none, with 17 abstentions.

Article 41 (Protection of premises, property and archives) (A/CONF.67/4, A/CONF.67/C.1/L.70)

24. Mr. VON KESSEL (Federal Republic of Germany), introducing his delegation's amendment to paragraph 1 of article 41 (A/CONF.67/C.1/L.70), said that the ILC had rightly pointed out in paragraph 1 of the commentary to article 41 (see A/CONF.67/4)

that an unjustified burden might be placed on the host State if it was required to provide, for an unlimited period, special guarantees concerning the premises, archives and property of a mission which had been recalled. In order to avoid such a situation, his delegation considered that, in the present case of trilateral relations, the organization might be a neutral and appropriate custodian for the premises, property and archives of a mission temporarily or finally recalled. Its amendment was intended to give the sending State a choice between a third State and the organization as the custodian of the property of its mission.

25. Mrs. THAKORE (India), referring to the amendment proposed by the Federal Republic of Germany, said that her delegation was of the opinion that it would be more appropriate for a third State to provide guarantees concerning the premises, archives and property of a mission which had been recalled either temporarily or definitively. Third States had traditionally assumed that responsibility in respect of diplomatic missions and provision was made for the same in article 45, subparagraph (b), of the Vienna Convention on Diplomatic Relations.¹ In the opinion of her delegation, such a function could create real practical difficulties for an organization and her delegation was not aware of any precedents for the performance of that function by organizations. She requested the Expert Consultant to provide some clarification on the matter.

26. Mr. ABDALLAH (Tunisia) said that he did not understand the purpose of the amendment proposed by the Federal Republic of Germany and wished to know why the words "as appropriate" had been included in it. He also requested the Expert Consultant to explain the meaning of the words "acceptable to the host State" appearing at the end of paragraph 1 of the Commission's text. If, as he expected, the ILC had included those words in order to reach a compromise solution, his delegation would propose that they should be deleted.

27. Mr. EL-ERIAN (Expert Consultant), replying to the question of the Tunisian representative concerning the meaning of the words "acceptable to the host State", said that, as the representative of India had pointed out, it was established practice for a sending State whose mission had been temporarily or finally recalled to entrust the protection of its premises, property and archives to a third State which was acceptable to the receiving State. The ILC had therefore considered it necessary to reflect that practice in article 41. Moreover, it should not be difficult for the sending State to find a third State acceptable to the host State and the ILC had not thought that that provision would cause any problem.

28. Mr. UNGERER (Federal Republic of Germany), replying to the Tunisian representative's question concerning the purpose of his delegation's amendment, said that it was intended to increase the sending State's practical possibilities when it was in the position of having to ensure the protection of the premises, prop-

erty and archives of its mission. He did not agree with the Expert Consultant that practice in such situations was well established and pointed out that there could be cases where the sending State would find it useful to be able to entrust the custody of its property to the organization rather than to a third State.

29. Mr. CALLE Y CALLE (Peru) said that his delegation was of the opinion that, since the organization was a legal entity, it could not assume such a responsibility unless a special decision had been taken authorizing one of its organs to represent the material interests of a State which had withdrawn its mission.

30. Referring to the question of the representative of Tunisia, he said that article 41 was based on article 45 of the Vienna Convention on Diplomatic Relations, which provided for cases when two States broke off their diplomatic relations and the sending State entrusted the custody of the premises, property and archives of its mission to a third State, which, for obvious reasons, had to be acceptable to the receiving State.

31. His delegation understood the intention of the amendment proposed by the Federal Republic of Germany, but felt that it would create legal and procedural difficulties for the organization. It would therefore support the text of article 41 prepared by the ILC.

32. Mr. EUSTATHIADES (Greece) said that the amendment proposed by the Federal Republic of Germany had the advantage of giving the sending State an additional possibility for ensuring the protection of its property when its mission was temporarily or finally recalled and of taking account of difficulties that might arise for a sending State which found itself in such a situation. His delegation could therefore support the proposal by the Federal Republic of Germany. The organization must, however, be able to ensure such protection and consent to do so. The amendment would therefore be clearer if it included a reference to the organization's consent and his delegation suggested that the words "as appropriate" in the amendment of the Federal Republic of Germany should be deleted and that the words "if it so agrees, or" should be inserted after the words "to the Organization".

33. The second sentence of paragraph 1 of the article provided that the sending State must take all appropriate measures to terminate the special duty of the host State within a reasonable time, but the words "within a reasonable time" were too vague and his delegation therefore suggested that they should be replaced by the words "as soon as possible".

34. Mr. KUZNETSOV (Union of Soviet Socialist Republics) said that, for the reasons given by the representative of Peru, his delegation considered the text prepared by the ILC to be perfectly acceptable and would therefore vote against the amendment proposed by the Federal Republic of Germany.

35. Mr. SMITH (United States of America) said that the amendment proposed by the Federal Republic of Germany would be a useful addition to the text of paragraph 1. Since the proposed convention would apply to several different organizations and headquarters sites, it was conceivable that the situation might arise in which the organization itself was best equipped

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

to protect the archives and property of the mission of a sending State. That would be particularly true in a case where the headquarters of the organization was situated away from the capital of the country and the staff of the embassies of third States were not available to assume responsibility for the protection of the property of the mission which had been recalled.

36. The amendment proposed by the Federal Republic of Germany should not cause any particular difficulties for the organization since it used the words "as appropriate", which did not impose an absolute obligation, and his delegation would therefore support the amendment. It could also vote in favour of the oral amendment to the second sentence of paragraph 1 proposed by the representative of Greece.

37. Mr. UNGERER (Federal Republic of Germany) said that his delegation could accept the oral sub-amendment proposed by the representative of Greece to delete the words "as appropriate" and to add the words "if it so agrees, or" after the words "to the Organization". It could also support the oral amendment proposed by the representative of Greece to the second sentence of paragraph 1.

38. Mr. TAKEUCHI (Japan) said that his delegation supported the amendment proposed by the Federal Republic of Germany, as orally revised by the representative of Greece, because it would introduce an element of tripartite principle, and would also vote in favour of the Greek amendment to the second sentence of paragraph 1.

39. Mr. SUY (Legal Counsel of the United Nations), speaking as the representative of the Secretary-General, drew attention to the fact that the United Nations did not have the material means or the legal jurisdiction outside the seat of the United Nations to perform the task proposed in the amendment of the Federal Republic of Germany, as orally revised by Greece.

40. Mr. ABDALLAH (Tunisia) said that he agreed with the Legal Counsel, representative of the Secretary-General, that the United Nations was neither materially nor legally able to perform the task provided for in the amendment proposed by the Federal Republic of Germany, as orally revised by Greece.

41. Mr. SURENA (United States of America), referring to the point raised by the representative of the Secretary-General, said that the question of legal jurisdiction would also arise with regard to the third State. In view of the way in which the amendment of the Federal Republic of Germany had been orally revised by the representative of Greece, the situation was flexible and no difficulties would arise if the organization had proper jurisdiction and agreed to take custody of the property and archives of a mission which had been temporarily or finally recalled. His delegation could therefore continue to support the amendment proposed by the Federal Republic of Germany, as orally revised by Greece.

42. The CHAIRMAN put to the vote the Greek oral amendment to replace the phrase "within a reasonable time" by the words "as soon as possible" at the end of the second sentence of paragraph 1.

The amendment was adopted by 34 votes to 13, with 18 abstentions.

43. The CHAIRMAN put to the vote the amendment proposed by the Federal Republic of Germany (A/CONF.67/C.1/L.70), as orally revised, to insert the phrase "to the Organization, if it so agrees, or" after the words "archives of the mission" in the third sentence of paragraph 1.

The amendment of the Federal Republic of Germany, as orally revised, was adopted by 32 votes to 14, with 18 abstentions.

Paragraph 1, as amended, was adopted by 44 votes to none, with 20 abstentions.

Article 41, as a whole, as amended, was adopted by 48 votes to none, with 16 abstentions.

*New article proposed by the Swiss delegation
(A/CONF.67/C.1/L.77)*

44. Mr. RITTER (Switzerland), introducing his delegation's proposal (A/CONF.67/C.1/L.77) to insert a new article at the beginning of part III of the convention, said that the International Law Commission's task had been complicated by the diversity of cases covered in part III. They ranged from long, important political conferences to short meetings of small committees and expert groups. The draft text was well-suited to meetings of the first category but ill-suited to the others. It was apparent that high-ranking officials attending a political conference lasting many months required facilities with regard to housing, transport and the import of goods which were not needed by an expert spending a few days in a hotel. The gravamen of the criticism of part III in the written comments of States (A/CONF.67/WP.6, pp. 92 *et seq.*) was in fact that every expert would be accorded the status of an ambassador, as it were.

45. His delegation had endeavoured to find criteria to distinguish between different types of meetings. The word "important" had no legal significance and it would be absurd to determine the status of a conference merely by its duration. It had finally been concluded that the solution lay in the existing practice in conference towns such as Geneva whereby an agreement was reached beforehand between the participants and the host State with regard to the régime applicable to major conferences. Although Switzerland had not ratified the Convention on Special Missions, it had applied its provisions, under such agreements, to a number of long conferences where delegations had required greater privileges and immunities.

46. In his view, the provisions of the convention under consideration with regard to permanent missions were perfectly adapted to the requirements of conferences of that type. They provided a very appropriate solution for such cases which could be applied by special agreements to be concluded with the host State. Part III of the convention could then be confined to the requirements of minor conferences and meetings of committees. The text could be much simplified: articles such as that relating to social security could be deleted and the provisions with regard to privileges and immunities could be modified to suit more limited require-

ments. Such a course would meet the point of those who had criticized the present draft of part III.

47. Turning to the text of his proposal (A/CONF.67/C.1/L.77), he explained that the phrase "prior to or during the session of an organ or a conference" had been inserted to cover the point that conferences sometimes lasted longer than had been anticipated. There was a reference to agreement between the organization and the host State or between the States concerned; the general rule was that the organization would negotiate the agreement with the host State because in the case of conference with world-wide participation, the States concerned were too numerous to negotiate individually. However, in the case of important conferences with a limited number of participants, the States concerned could negotiate directly with the host State.

48. Mr. PASZKOWSKI (Poland) said that his delegation could not support the Swiss proposal, which changed the whole concept of part III of the convention. The sum had been to provide uniform rules for the status of delegations. It was sometimes contended that the privileges and immunities of delegations should be differentiated according to the importance of the organ or the conference, but it must be borne in mind that what was not important in the view of one State might be important in the view of another. In any case, delegations were always representatives of States—which was the reason for according them a certain status. The Committee should not depart from the basic idea underlying part III of the convention.

49. Mr. EUSTATHIADES (Greece) said that although he understood the practical advantage of the Swiss proposal, he wondered whether it was within the competence of the Committee to discuss it.

50. The CHAIRMAN said that in his view, the Swiss proposal could be regarded as an amendment, since it was a proposal to make an addition to the International Law Commission's text.

51. Mr. UNGERER (Federal Republic of Germany) said that an examination of part III (Delegations to organs and to conferences) of the draft showed that far too many divergent cases of delegations and delegates had been placed in the same basket. It did not seem appropriate to his delegation to lump together two very different types of delegates: the high-level delegate to a political or diplomatic conference lasting a long time and a delegate who attended a two- or three-day meeting of a small technical body. Clearly, the needs of the former type of delegate were much greater in respect of privileges and immunities. A representative attending a very short technical meeting would not require privileges relating to his residence and to the import of articles for his own use and for purposes of representation; he would normally live in a hotel and very often the organization concerned might not even know where he was staying.

52. For those reasons, his delegation whole-heartedly supported the Swiss proposal for a new article (A/CONF.67/C.1/L.77), the adoption of which would make it easier for the Government of the Federal Republic of Germany to accept the convention that would emerge from the present conference.

53. Mr. MAAS GEESTERANUS (Netherlands) also supported the Swiss proposal but felt that its wording was in part somewhat obscure. He suggested that the Drafting Committee should carefully review the language of the proposed provision if it was adopted.

54. Mr. KUZNETSOV (Union of Soviet Socialist Republics) said that the Swiss amendment purported to graft an entirely new rule onto the draft. Some delegations, like his own, might not be in a position to discuss a proposal to introduce into the draft a provision not originally contemplated; in many cases, they would need to request additional instructions from their Government. He therefore urged that consideration of the proposal should be deferred until a later stage of the work of the Committee.

55. Mr. RITTER (Switzerland), after a procedural discussion in which Mr. UNGERER (Federal Republic of Germany), Mr. WERSHOF (Canada) and Mr. KUZNETSOV (Union of Soviet Socialist Republics) took part, suggested that the discussion of his proposal (A/CONF.67/C.1/L.77) should be deferred to the twenty-fourth meeting in order to give delegations more time to consider it; the Committee could meanwhile proceed with the examination of articles 42, 43 and 44, the text of which would not be materially affected by the adoption of the proposed new article.

56. The CHAIRMAN said that, if there was no objection, he would take it that the Committee agreed to adopt that procedural suggestion.

It was so decided.

Article 42 (Sending of delegations) (A/CONF.67/4, A/CONF.67/C.1/L.75)

57. Mrs. DE MÉRIDA (Guatemala), introducing the joint amendment contained in document A/CONF.67/C.1/L.75), said that she was speaking on behalf of all the sponsors, since she had been requested by the Ivory Coast delegation to speak on its behalf and since she was representing El Salvador as well as Guatemala at the present Conference.

58. The purpose of the amendment was to add a second paragraph to article 42 in order to permit two or more States to send the same delegation to an organ or to a conference. With respect to Central America, and in the present case particularly with respect to Guatemala and El Salvador, there existed grounds of economic, social and cultural integration in support of the joint amendment, which was based on the firm belief in Central America in the value of a strong and enduring union that would enable the countries of that area to overcome the problems facing them.

59. In that connexion, she wished to inform the Conference that trade regulations were now in the process of formulation which would enable El Salvador and Guatemala to establish joint consular posts to look after the interests of both countries.

60. In its consideration of article 8 (Multiple accreditation or appointment), the Committee had adopted at its 9th meeting an oral amendment submitted by the Ivory Coast to insert into that article wording which would allow two or more States to accredit the same person as head of mission to one or more international

organizations. In line with that approach, she now expressed the earnest hope that the Committee would adopt the joint amendment she had introduced and permit countries like El Salvador and Guatemala to send a joint delegation to an organ or to a conference.

61. Mr. EL-ERIAN (Expert Consultant) said that the ILC had discussed very thoroughly the problem involved in the amendment just introduced (A/CONF.67/C.1/L.75). He himself, as Special Rapporteur, had dealt with the subject in this third report,² since certain international organizations admitted the practice of joint delegations representing two or more States. The Commission, however, had decided at its twenty-second session in 1970 to include in its draft articles a provision to the effect that a delegation to an organ or to a conference could represent only one State (article 83 of the provisional draft).³ When that decision was taken, some members of the Commission had expressed reservations concerning the article and had asked that the Commission should review the matter at the second reading of the draft in the light of the observations which had been received from Governments and organizations.

62. In their written comments, a number of Governments and international organizations had suggested that the article on the principle of single representation should be redrafted so as not to exclude double representation in certain cases or that the article should be deleted altogether. Reference was made, in support of that suggestion, to a number of international conventions and constituent instruments of international organizations where representation of two or more States by a single delegation was envisaged (see A/CONF.67/4, foot-note 137).

63. In the United Nations family, the tendency appeared to be to discourage the practice in question. For that reason, the ILC, in the final text of article 42, had not included any provision on the subject. As a result, the matter was left to be governed by the internal law of each organization.

² See *Yearbook of the International Law Commission, 1968*, vol. II, document A/CN.4/203 and Add.1-5, Special Rapporteur's draft article 48 (Appointment of a joint delegation to two or more organs or conferences) p. 160.

³ See *Yearbook of the International Law Commission, 1970*, vol. II, document A/8010/Rev.1, article 83, p. 286.

64. It would thus be for the organizations concerned to take such decisions or adopt such regulations in the matter as they saw fit. Article 3 (Relationship between the present articles and the relevant rules of international organizations or conferences) of the present draft would apply.

65. He stressed the fact that the ILC had decided not to include in its draft any residual rule on which to fall back should a particular organization not have any specific rule on the subject—a rule which would of course in any case prevail under article 3.

66. Mr. ESSY (Ivory Coast), speaking as a sponsor of the joint amendment, urged the Committee, following the adoption of his oral amendment to article 8, to adopt now the proposal contained in document A/CONF.67/C.1/L.75, which would do for delegations what article 8 had done for permanent missions. If a head of mission could, under article 8, represent more than one State at one or several international organizations, it was quite normal and logical that the same head of mission should, when leading or forming part of that same joint delegation, be allowed to continue to defend the interests of those States at a conference or in an organ of the organization if the States so wished.

67. The adoption of the joint amendment would be of great benefit to small States with limited resources in personnel and money; joint representation would help those States to overcome the difficulties resulting from those deficiencies and thus further the cause of co-operation among them and their participation in the maintenance of peaceful relations in the world community.

68. Mr. MAAS GEESTERANUS (Netherlands) said that his delegation understood the special needs of certain groups of countries in some areas. In practice, it was possible in certain organizations to have one delegation jointly representing two or more States. Some organizations had rules on the subject, while others had not.

69. His delegation would be in a position to support the idea embodied in the proposal (A/CONF.67/C.1/L.75) provided it was reworded on the following lines: "Where the rules and decisions of the Organization explicitly so permit, two or more States may send the same delegation to an organ or to a conference."

The meeting rose at 5.50 p.m.

23rd meeting

Friday, 21 February 1975, at 10.50 a.m.

Chairman: Mr. NETTEL (Austria).

Organization of work

1. The CHAIRMAN suggested, in response to a request from the Swiss delegation, that the new article proposed by Switzerland (A/CONF.67/C.1/L.77) should be dealt with after article 50 proposed by the

International Law Commission (ILC) (see A/CONF.67/4), and not the necessarily at the 24th meeting as previously decided, and that consideration of article 42 should be resumed.

It was so decided.