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**Report on seventh session of the European Committee on Legal Cooperation by  
Mustafa Kamil Yasseen, Observer for the Commission**

Topic:  
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Report on the work of the seventh session of the European Committee on Legal Co-operation (Strasbourg, 10-14 April 1967)  
by Mr. Mustafa Kamil Yasseen, Observer for the Commission

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[14 August 1967]

1. In virtue of the working relations between the International Law Commission and the European Committee on Legal Co-operation, the Commission was invited, through the United Nations Legal Counsel, to send an observer to the Committee's seventh session, to be held at Strasbourg from 10 to 14 April 1967, in order to attend the meetings dealing with matters relating to the work of the International Law Commission. As Chairman of the Commission, I had the pleasure of accepting that invitation.

2. The agenda for the seventh session included two items related to the International Law Commission's work, namely, item 5 (b), Privileges and immunities of international organizations, and item 9 (c), Work of the International Law Commission of the United Nations in the field of the law of treaties.

### I. PRIVILEGES AND IMMUNITIES OF INTERNATIONAL ORGANIZATIONS

3. A Sub-Committee of Experts on the privileges and immunities of international organizations and persons connected with them held its second session from 20-24 February 1966 under the chairmanship of Mr. Vincent Evans (United Kingdom). It resumed its comparative study of the privileges, immunities and facilities accorded to the United Nations, the Council of Europe, the European Launcher Development Organization and the European Space Research Organization, particularly their financial and fiscal privileges, and agreed that, at its next session, its preliminary conclusions should be given a second reading. It also considered that at its third session it should also examine the following questions:

(1) The status of the various categories of representatives attending meetings of the Council of Europe.

(2) The application of social security laws to the staff of international organizations.

(3) The application to international organizations of the labour laws of the State where they have their seat.

4. In view of, *inter alia*, the International Law Commission's programme of work, the Sub-Committee

considered that it should complete its study by 1968 at the latest.

5. In this connexion, I pointed out that the question of "Relations between States and inter-governmental organizations" was on the International Law Commission's agenda. The Commission had discussed certain aspects of that question on the basis of a report submitted in 1965 by its Special Rapporteur. The privileges and immunities of international organizations certainly formed one of those aspects, and the Commission might begin to discuss them in the near future. The work of the Committee on Legal Co-operation in that field could be very useful, the work already accomplished by the Sub-Committee was of undoubted value, and the comparative study which had already been started threw light on certain points and on the desirability of certain rules. I assured the Committee that when the International Law Commission came to take up that item it would not fail to take due account of the views of the Committee on Legal Co-operation, and in that connexion, I expressed my gratification that, in view of the International Law Commission's programme of work, the Sub-Committee had decided to complete its study by 1968 at the latest.

### II. WORK OF THE INTERNATIONAL LAW COMMISSION ON THE LAW OF TREATIES

6. After noting that the International Law Commission had completed its work on the law of treaties and that the General Assembly of the United Nations had adopted resolution 2166 (XXI) of 5 December, 1966 convening an international conference of plenipotentiaries to study the Commission's draft articles on the Law of Treaties, the Committee on Legal Co-operation concluded that it was desirable that the Council of Europe should organize an *ad hoc* meeting in January 1968, in preparation for the above mentioned international conference.

7. The meeting would discuss the broad lines of the International Law Commission's draft, in particular in the light of the written observations submitted by the governments of Council of Europe member States. It would provide an opportunity for member States to get to know each other's views. Since, in the opinion of the

Committee on Legal Co-operation, it would be inappropriate for the meeting to come to formal conclusions, the final position adopted by each State at the United Nations conference would be in no way affected.

8. To ensure the success of the *ad hoc* meeting, it was decided that governments should, if possible, send to it the head or—at least—one of the principal members of their delegations to the international conference. One delegation stressed the importance of not leaving non-member States with the impression that the purpose of the meeting was to further special European interests.

9. The Committee on Legal Co-operation consequently recommended that the Committee of Ministers authorize the convening of a three-day *ad hoc* meeting early in 1968. An expert from each of the member States, as well as from Finland and Spain, would be invited to attend.

10. I described the work that the International Law Commission had done on the law of treaties and empha-

sized how important and helpful was the decision of the Council of Europe to organize a meeting of that kind which would help to clarify the views of member States of the Council with regard to the Commission's draft. The European delegations will certainly approach the question in a constructive spirit. They will certainly not endeavour to secure the acceptance of the views of one particular group of States, but rather to co-operate, on the basis of the draft, in reaching a compromise which can be accepted by all States.

11. In conclusion, I wish to thank the European Committee on Legal Co-operation for its kindness and particularly Professor R. Monaco, the retiring Chairman, and Mr. H. Blin, the Chairman elect. I also extend my warm thanks to Mr. P. Smithers, the Secretary-General of the Council of Europe, to Mr. P. Modinos, the Deputy Secretary-General, and to Mr. H. Golsong, Director of Legal Affairs, for their kindness.

*Mustafa Kamil Yasseen*