



INTERNATIONAL LAW COMMISSION  
Nineteenth session  
Item 1 of the agenda

SPECIAL MISSIONS

Text of articles 40, 41, 42 and 44 adopted by the  
Drafting Committee

Article 40

Obligation to respect the laws and regulations  
of the receiving State

1. Without prejudice to their privileges and immunities, it is the duty of all persons belonging to special missions and enjoying these privileges and immunities to respect the laws and regulations of the receiving State. They also have a duty not to interfere in the internal affairs of that State.
2. The premises of the special mission must not be used in any manner incompatible with the functions of the special mission.

Article 41

Organ of the receiving State with which official  
business is conducted

All official business with the receiving State entrusted to the special mission by the sending State shall be conducted with or through the Ministry for Foreign Affairs or with such

other organ of the receiving State as may be agreed.

Article 42

Professional activity

The representatives of the sending State in the special mission and the members of its diplomatic staff shall not practise for personal profit any professional or commercial activity in the receiving State.

Article 44

Consequences of the cessation of the functions of the special mission

1. When the functions of a special mission come to an end, the receiving State must respect and protect the premises of the special mission so long as they are allocated to it, as well as the property and archives of the special mission. The sending State must withdraw that property and those archives within a reasonable time.
2. In case of absence or breach of diplomatic or consular relations between the sending State and the receiving State and if the functions of the special mission have come to an end, the sending State, even if there is an armed conflict, may entrust the custody of the property and archives of the special mission to a third State acceptable to the receiving State.