



INTERNATIONAL LAW COMMISSION
Nineteenth session
Item 1 of the agenda

SPECIAL MISSIONS

Modifications proposed by the Drafting Committee to the
text of articles 27 and 32 which had been referred back
to the Committee by the Commission (*)

Article 27

Waiver of Immunity

1. Delete paragraph 5.
2. Insert a new article reading:

"Article 27 bis

Settlement of civil claims

The sending State shall waive the immunity of one of the members of the special mission in respect of civil claims of persons in the receiving State when this can be done without impeding the performance of the functions of the special mission, and when immunity is not waived, the sending State shall use its best endeavours to bring about a just settlement of the claims."

(*) The Drafting Committee also examined the text of article 31. In view of the modification suggested for article 32, the Committee decided to recommend to the Commission no change in article 31.

Article 32

Administrative and technical staff

Amend article 32 to read as follows:

"Members of the administrative and technical staff of the special mission shall enjoy the privileges and immunities specified in articles 24 to 30, except that the immunity from civil and administrative jurisdiction of the receiving State specified in paragraph 2 of article 26 shall not extend to acts performed outside the course of their duties. They shall also enjoy the privileges mentioned in paragraph 1 of article 31 in respect of articles imported at the time of their first entry into the receiving State."