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Articles 0, 51, 52, 52bis, 53
and 54 and Note

Relations between States and international organizations

DRAFT ARTICLES ON REPRESENTATIVES OF STATES TO
INTERNATIONAL ORGANIZATIONS

Part III - Permanent observer missions to international
organizations

Text of articles 0, 51, 52, 52bis, 53 and 54 adopted by
the Drafting Committee and decision of the Committee on
the suggestion made by the Special Rapporteur in paragraph 3
of his "Note on assignment to two or more international
organizations or to functions unrelated to permanent missions"
(A/CN.4/227, p. 19)

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(3 p.)

Article 0

Use of terms

For the purposes of the present articles:

- (a) a "permanent observer mission" is a mission of representative and permanent character sent to an international organization by a State not member of that organization;
- (b) the "permanent observer" is the person charged by the sending State with the duty of acting as the head of the permanent observer mission.

Article 51

Establishment of permanent observer missions

Non-member States may establish in accordance with the rules or practice of the Organization permanent observer missions for the performance of the functions set forth in article 52.

Article 52

Functions of a permanent observer mission

The functions of a permanent observer mission consist inter-alia in maintaining liaison and promoting co-operation between the sending State and the Organization, ascertaining activities and developments in the Organization and reporting thereon to the Government of the sending State, negotiating when required with the Organization, and representing the sending State at the Organization.

Article 52 bis

Accreditation /appointment/ to two or more international organizations or assignment to two or more permanent observer missions

1. The sending State may accredit /appoint/ the same person as permanent observer to two or more international organizations or assign a permanent observer as a member of another of its permanent observer missions.
2. The sending State may accredit /appoint/ a member of the staff of a permanent observer mission to an international organization as permanent observer to other international organizations or assign him as a member of another of its permanent observer missions.

Article 53

Appointment of the members of the permanent observer mission

Subject to the provisions of articles 54 and 56, the sending State may freely appoint the members of the permanent observer mission.

Article 54

Nationality of the members of the permanent observer mission

The permanent observer and the members of the diplomatic staff of the permanent observer mission should in principle be of the nationality of the sending State. They may not be appointed from among persons having the nationality of the host State, except with the consent of that State which may be withdrawn at any time.

NOTE

As regards the suggestion made by the Special Rapporteur in paragraph 3 of his "Note on assignment to two or more international organizations or to functions unrelated to permanent missions" (A/CN.4/227, p. 19), the Committee decided to include in article 9, which deals with accreditation, assignment or appointment of a member of a permanent mission to other functions, a reference to permanent observer missions.