

Document:-  
**A/CN.4/L.87**

**Provisions proposed by Mr. Jiménez de Aréchaga for insertion in the draft articles on diplomatic intercourse and immunities prepared by the International Law Commission at its tenth session**

Topic:  
**Special missions**

Extract from the Yearbook of the International Law Commission:-  
**1960, vol. II**

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Modes of termination of the function of an itinerant envoy or the head of special mission

*Article 4*

The function of an itinerant envoy or the head of a special mission comes to an end in respect of a receiving country, *inter alia*:

(a) When the transactions which have been the aim of the itinerant envoy or the mission have been brought to an end or have been interrupted;

(b) On notification by the Government of the sending State to the Government of the receiving State that the function of the itinerant envoy or the head of the mission has come to an end (recall);

(c) On notification by the receiving State, given in accordance with article 8 of the 1958 draft, that it considers the functions of the itinerant envoy or the head of the special mission to be terminated.

CHAPTER II. DIPLOMATIC CONGRESSES AND CONFERENCES

Articles 1-7 the same as in alternative I.

Delegation premises, residences of delegates and staff, privileges and immunities

*Article 8*

The provisions referred to in article 8 of Chapter I shall receive analogous application in respect of the delegation's premises, archives, documents and correspondence, the privileges and immunities of the delegates and the auxiliary staff and the members of their families, the treatment of their private servants, the duties of third States, and in general all other matters treated in that article.

In the application of this article the head of the delegation shall be considered to be in the same category as the head of a mission, the other delegates in the same category as diplomatic agents, and the different groups of the auxiliary staff in the same categories as the groups of staff belonging to a mission to which they most closely correspond.

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**Provisions proposed by Mr. Jiménez de Aréchaga for insertion in the draft articles on diplomatic intercourse and immunities prepared by the International Law Commission at its tenth session<sup>1</sup>**

[Original text : English]  
[15 June 1960]

1. In article 1, insert after sub-paragraph (e) the following :

"(e bis) A 'special mission' is a diplomatic mission sent by one State to another State or States for a specific assignment."

2. In article 41, insert after subparagraph (c) the following :

"(d) In the case of a special mission, when the functions which have been the aim of the mission have come to an end."

3. After article 43, section IV, insert the following :

"SECTION IVa. DIPLOMATIC RELATIONS BY SPECIAL MISSIONS

*Article 43a*

If a State has agreed to receive a special mission from another State, the provisions of this Convention shall apply to such mission."

<sup>1</sup> *Yearbook of the International Law Commission, Volume II* (United Nations publication, Sales No.: 58.V.1, vol.II) document A/3859, chap III.

**DOCUMENT A/CN.4/L.88**

**Memorandum by Mr. Jiménez de Aréchaga in explanation of his proposal concerning *ad hoc* diplomacy (A/CN.4/L.87)**

[Original text : English]  
[15 June 1960]

1. The submission of new provisions on *ad hoc* diplomacy (A/CN.4/L.87) has been prompted by certain observations and suggestions made by the Special Rapporteur in his report on the subject (A/CN.4./129).

2. In paragraphs 46, 47 and 48 of his report, the Special Rapporteur suggested that the General Assembly might dispense with the application of article 22

of the Statute of the International Law Commission in order to deal with the draft which might emerge from the Commission's deliberations at the present session.

3. This procedure might be acceptable for the General Assembly, provided that the draft articles on *ad hoc* diplomacy approved by the International Law Commission constitute a short and uncontroversial addendum to the 1958 Draft on Diplomatic Intercourse