

Document:-
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Summary record of the 1052nd meeting

Topic:
Representation of States in their relations with international organizations

Extract from the Yearbook of the International Law Commission:-
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37. The solution might well be to subdivide the articles on facilities, privileges and immunities into two categories. The first would include those provisions which were applicable as they stood to permanent observer missions; for them, a simple reference on the lines of articles 60 and 61 would be adequate. The second category would consist of the articles which would have to be rewritten so as to adapt them to the needs of permanent observer missions. That had been the method adopted in the Consular Convention for dealing with "honorary consuls".

38. Mr. BEDJAOUI pointed out that there was some inconsistency between paragraph (6) of the commentary to articles 60 and 61, which stressed the difference, both in nature and in scope, between the functions of permanent missions and those of permanent observer missions, and article 60 itself, which fully assimilated observer missions to permanent missions as far as facilities, privileges and immunities were concerned. It was certainly true that the situation in which observer missions had no official status and enjoyed facilities, privileges and immunities only by courtesy of the host State should be brought to an end.

39. If the Commission wished to make a distinction between observers and the members of permanent missions, the place to do so was not in article 60. There was not very much difference between the facilities, privileges and immunities granted to senior international officials and those granted to members of the diplomatic corps and to permanent representatives. Admittedly, the functions of those groups of persons differed, but the same régime was sometimes applied to persons performing different functions. He was therefore in favour of articles 60 and 61 as drafted by the Special Rapporteur. By way of compromise, he could also accept the form of words proposed by Mr. Ramangasoavina. The Commission would not reach a coherent solution by following Mr. Reuter's idea of recognizing two types of mission. As to Mr. Kearney's suggestion that permanent observers should be equated with consuls, he thought there were very considerable differences between the functions of consuls and those of permanent observers.

40. Mr. CASTRÉN said that article 60 was one of the most important provisions of the draft articles on permanent observers, since its purpose was to define the legal status of permanent observer missions and their members. The solution suggested by the Special Rapporteur, which was that such missions and their members should enjoy the same facilities, privileges and immunities as permanent missions and their members, was simple and rather radical. In his commentary the Special Rapporteur admitted that it was an innovation, since there were no precise rules and the practice varied widely. Paragraph (6) of the commentary to articles 60 and 61 showed that, at United Nations Headquarters in New York, observers had generally enjoyed the same facilities as those extended to distinguished visitors, that they had no official status and that whatever facilities they enjoyed were given merely as a gesture of courtesy by the United States authorities. With regard to the United Nations Office at Geneva, paragraph (3) of the

commentary showed that permanent observers at that office in fact enjoyed the same privileges and immunities as permanent representatives.

41. To demonstrate that the permanent missions of member States and permanent observer missions should have the same legal status despite the different nature of their principal functions, the Special Rapporteur had several times invoked the representative character of permanent observer missions. It looked at first sight as though he had been too liberal in his efforts to rectify the present situation of such missions, though that situation ought to be considerably improved. As the means of doing so, he had some doubts about applying the régime in force for consuls, as suggested by Mr. Kearney.

42. He agreed with Mr. Bedjaoui that there was a contradiction between the conclusion in paragraph (6) of the commentary and the text of article 60 itself. The problem could be solved by assimilating observers to delegates to organs of international organizations and to conferences convened by them. There was no great difference between the legal status of such delegates and that of members of permanent missions to organizations, and the permanent character of the functions of members of permanent observer missions might be said to militate in favour of granting them extensive facilities, privileges and immunities.

43. He would be inclined to accept provisionally the text prepared by the Special Rapporteur, on the understanding that the Commission would review it on second reading in the light of the comments made by governments.

44. He had no difficulty in accepting article 61.

The meeting rose at 6 p.m.

1052nd MEETING

Wednesday, 20 May 1970, at 10.10 a.m.

Chairman: Mr. Taslim O. ELIAS

Present: Mr. Ago, Mr. Albónico, Mr. Bartoš, Mr. Bedjaoui, Mr. Castañeda, Mr. Castrén, Mr. El-Erian, Mr. Eustathiades, Mr. Kearney, Mr. Nagendra Singh, Mr. Ramangasoavina, Mr. Reuter, Mr. Rosenne, Mr. Ruda, Mr. Tammes, Mr. Tsuruoka, Mr. Ushakov, Mr. Ustor, Sir Humphrey Waldock, Mr. Yasseen.

Relations between States and international organizations

(A/CN.4/221 and Add.1; A/CN.4/227 and Add.1)

[Item 2 of the agenda]

(continued)

ARTICLE 60 (Facilities, privileges and immunities) (*continued*) and

ARTICLE 61 (Conduct of the permanent observer mission and its members and end of functions) (*continued*)

1. The CHAIRMAN invited the Commission to continue consideration of articles 60 and 61 in the Special Rapporteur's fifth report (A/CN.4/227).
2. Mr. BARTOŠ said that permanent observers should not be accorded all the privileges and immunities enjoyed by permanent representatives, as the Special Rapporteur proposed. Some international organizations, such as the International Office of Epizootics, did not ask that full diplomatic privileges and immunities should be granted to the representatives of their member States, in view of their purely technical character. The Commission had thought that permanent missions of member States to international organizations should, by analogy, be granted the same privileges and immunities as diplomatic missions, and it now wished to grant the same privileges and immunities, again by analogy, to permanent observer missions. But if the Commission accepted the Special Rapporteur's first idea that the establishment of permanent observer missions should not be made subject to any conditions, serious difficulties would arise in practice. For example, to take a hypothetical case, the Republic of China (Taiwan), having a permanent mission to UNESCO, might refuse to return to the French Government the premises of the Embassy of China for use by the People's Republic of China, with which the French Government maintained diplomatic relations. When that permanent mission disappeared, as a result of the re-establishment of the rights of the People's Republic of China, and was replaced by a mere observer mission, nothing could compel it to return the Embassy premises if it enjoyed the same privileges and immunities as a permanent mission and if, as the Special Rapporteur proposed, the establishment of permanent observer missions was not made subject to any conditions. That example showed how dangerous it was to grant unduly extensive rights to shadow States.
3. He had thought it necessary to make those comments in order to show that it would be inadvisable to disregard the objections and submit the Special Rapporteur's proposals to States for their comments straight away. Any text emanating from the Commission had a certain authority and that procedure might quite wrongly give the impression that the Commission had decided in favour of the solution proposed, even if it had reserved the right not to take a final decision until it had received the comments of governments. The Commission should take a definite position before submitting its text to governments. Failing that, it should state clearly in the commentary that the provision had not been finally adopted by the Commission, which reserved the right to take its final decision on the second reading. In any case, the Commission should only adopt a text if it was convinced that it could be recommended from the point of view of international law.
4. Mr. TAMMES said that for the host State the most important point would appear to be the number of per-

sons attached to the permanent observer mission. The Drafting Committee should give particular attention to article 40, on the privileges and immunities of persons other than the permanent representative and the members of the diplomatic staff.¹ The articles following article 40 presented no difficulty, but in drafting articles 22 to 39 the Special Rapporteur had been breaking new ground and it would be advisable to obtain the views of governments on how those articles should apply to permanent observer missions.

5. Mr. USHAKOV said it was self-evident that the corresponding articles concerning permanent missions, articles 22-49, could not be applied unchanged to permanent observer missions, any more than they could be included in the part of the draft relating to those missions simply by means of a reference. He therefore proposed that the Commission should request the Special Rapporteur to prepare the desired texts and commentaries for consideration by the Drafting Committee.

6. Mr. KEARNEY said he had no problem with respect to article 61, which incorporated the substance of articles 45 to 49, but in connexion with article 47 he thought that some reference should be made to the natural termination of the functions of the permanent observer mission, for instance when the sending State became a member of the organization.

7. Mr. ROSENNE, referring to the discussion on the use of the phrase "*mutatis mutandis*", said that that phrase was defined in *The Concise Oxford Dictionary* as meaning "with due alteration of details". He still considered that the Commission should explain what the due alteration of details should be and not leave it to subjective interpretation.

8. Mr. TSURUOKA said he was in favour of applying the functional theory to determine the scope of privileges and immunities. The Commission had unfortunately departed from that theory when it had drafted the articles on the privileges and immunities of permanent missions: for instance article 28 on freedom of movement. It now had an excellent opportunity of recovering itself by adhering strictly to that theory in defining the scope of the privileges and immunities of permanent observers, with due regard to the legitimate interests not only of the sending State and its representatives, but also of the host State. If the Commission was unable to formulate a precise rule, perhaps it should establish a system designed to prevent abuses, for it was abuses which were most detrimental to the interests both of the State whose representative committed them and of other sending States, the host State and even the organization. Only a rule which struck the right balance between all those interests could give general satisfaction.

9. Mr. RUDA said that the theory of functional necessity on which the privileges and immunities of permanent missions were based should obviously also apply, *muta-*

¹ See *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 10*, p. 13.

tis mutandis, to permanent observer missions. Unfortunately, the Commission did not seem to be in agreement about the Special Rapporteur's text for article 52, on the functions of permanent observer missions. That text gave the impression that the functions of permanent observer missions were to a large extent similar to those of permanent missions, but contrary opinions had been expressed during the discussion. If those functions were, in fact, different, it was only reasonable to assume that the privileges and immunities to which permanent observer missions should be entitled would also be different. He himself took the view that although the functions of permanent observer missions might differ from those of permanent missions, the permanent observer mission nevertheless did represent a State and its members should at least be granted certain minimum privileges and immunities.

10. Mr. EUSTATHIADES said that he had no objection to article 61, except the use of the words *mutatis mutandis*, which established a very strict analogy, the justification for which had not been established. Article 60 was one of the most important articles in the whole draft, for there were no precedents and it was therefore an example of the progressive development of international law. The rule to be proposed by the Commission must be based on the most rigorous logic and on the practical considerations that would form the comments of governments. It was not the first time that the Commission was drafting a rule of that kind; but having taken a customary right of diplomatic missions as its starting point, it had allowed itself to be drawn into granting the same right to consular missions, then to special missions and then again to permanent missions, and it was now inclined to grant that right to permanent observer missions as well. But in the last case, logic and practical needs demanded that the essential basis should be the nature of the functions, without too much consideration being given to the permanent and representative character of the mission. It was therefore necessary to determine exactly what those functions were. Article 52, dealing with that point, attributed very extensive functions to permanent observers, and thus went too far. It was clear from the Secretary-General's statement, quoted by the Special Rapporteur himself in his report² in support of the establishment of permanent observer missions, that those functions were confined to contacts and obtaining information on the work of international organizations and the opinions expressed in them.

11. Thus it could be seen that everything depended on the content given to article 52, for if it was accepted that permanent observers had the same functions as permanent representatives, it would be natural to grant them the same privileges and immunities in article 60. He himself did not take that view, however. Many of the articles on permanent missions were not applicable to permanent observer missions; for example article 44, on non-discrimination, and article 28, mentioned by Mr. Tsu-

ruoka. The matter should therefore be referred to the Drafting Committee, which should examine more specifically which of the articles concerning the privileges and immunities of permanent missions were applicable to permanent observer missions. The Commission could, however, adopt forthwith the principle that permanent observer missions and their members enjoyed the facilities, privileges and immunities granted to permanent missions under articles 22 to 44, in so far as they were necessary for the performance of their functions, and amend the present wording of article 60 accordingly, so as to make it quite clear that the article was based on necessities for undisturbed performance of functions and that the Commission was not proposing simply to assimilate permanent observer missions to permanent missions.

12. The CHAIRMAN, speaking as a member of the Commission, said that Mr. Yasseen's suggestion concerning the idea of functional necessity³ seemed to meet with general acceptance. The main difficulty over articles 60 and 61 could be traced to article 52; once that article had been reformulated by the Drafting Committee, the Commission should have a clearer idea of the functions of a permanent observer mission. Mr. Kearney had suggested that, for the purposes of those articles, the position of a permanent observer mission should be equated with that of a consular mission,⁴ but he himself was inclined to agree with the Special Rapporteur that it was more appropriate to regard permanent observer missions as a special kind of permanent mission. He suggested that the Drafting Committee, when considering articles 60 and 61, should pay particular attention to articles 28, 29, 32, 37, 38, 44 and 47. The Drafting Committee should, of course, proceed on the understanding that all the draft articles would eventually have to be brought into alignment. The Commission should also make it clear that its final position on articles 60 and 61 would be taken only on second reading and that those articles would not be submitted to governments before then.

13. Mr. USHAKOV said he did not think the general opinion in the Commission was that the draft articles were based on the theory of functional necessity. Both the present members of the Commission and its former members had always held that the texts it prepared were based on both the representational theory and the functional theory, and that only the representative character of missions, of whatever kind, provided a ground for granting them such privileges as exemption from dues and taxes and exemption from customs duties, which manifestly had no connexion with their functions. Thus the Vienna Conventions and the Convention on Special Missions made it clear that it was the representative character of a mission, over and above its functions, which supplied the basis for the privileges and immunities accorded to it. The Commission itself had definitely recognized that fact in article 1 (d) of the draft on representatives of States to international organiza-

² A/CN.4/227, Section II, General Comments, para. (3).

³ See previous meeting, para. 11.

⁴ *Ibid.*, para. 10.

tions.⁵ He could not see why that notion should be continually called in question.

14. As to the procedure to be followed for articles 60 and 61, it was essential to draft as many articles as necessary on the basis of the corresponding articles on permanent missions, and to provide commentaries; otherwise, the draft on permanent observer missions would be non-existent, not to mention the fact that States could not simply be asked to make the necessary changes themselves when applying to permanent observers articles 22 to 49, to which articles 60 and 61 referred. The Special Rapporteur should therefore be asked to prepare such articles and the necessary commentaries.

15. The CHAIRMAN said it should be left to the Drafting Committee to decide whether the Special Rapporteur should be asked to redraft any or all of the first twenty-eight articles.

16. Mr. EL-ERIAN (Special Rapporteur), summing up the discussion, said that some members appeared to think that governments should be invited to furnish guidelines concerning the functions of permanent observer missions. Mr. Yasseen had emphasized the theory of functional necessity, while Mr. Kearney had suggested that the problem might be solved by assimilating permanent observer missions to consular missions. Incidentally, he wished to thank Mr. Kearney for his information concerning the use of national flags and emblems in New York, and for his interpretation of the *Pappas v. Francini* case.

17. At the present stage, the draft articles were only provisional, but they would have to be submitted to governments to elicit their views. In doing so, the Commission should make it clear that it was entering on new ground, without any guidance from case law or practice, and that it was for governments to say to what extent they were prepared to accept innovations.

18. Mr. Ustor had reminded the Commission that permanent observer missions, unlike diplomatic and consular missions, were actually very few in number and that it was necessary to establish some theoretical basis for them with that fact in mind.

19. He noted that the Commission had rejected his idea that permanent observer missions should be assimilated to permanent missions, but he relied on the Drafting Committee to find some satisfactory wording for article 52.

20. Objection had been made to the expression "*mutatis mutandis*", but he would submit that legislators could not be expected to provide for all contingencies and that some such saving clause was necessary.

21. He drew attention to the fact that article 48, on facilities for departure, did not provide for the case of armed conflict, although that case was referred to in the Convention on Diplomatic Relations.⁶

22. As to article 44 on non-discrimination, he could see no reason why that article should not apply to permanent observer missions as well as to permanent missions.

23. Despite Mr. Kearney's argument, he could not accept the analogy between permanent observer missions and consular missions. Consular missions dealt primarily with business matters and did not really have any representative or political character. A consul could not be compared with an ambassador, who occupied a highly sensitive political position and needed a much fuller measure of protection.

24. With regard to the privileges and immunities of permanent observer missions, the majority of the members seemed to favour a combination of the representative and the functional necessity theories; they took the view that permanent observer missions should, as a general rule, enjoy the same privileges and immunities as permanent missions. The problem could perhaps be solved by including in article 60 some such phrase as "to the extent necessary for the proper performance of their functions".

25. The CHAIRMAN suggested that articles 60 and 61 should be referred to the Drafting Committee, with the request that it take into consideration the different points of view which had been expressed.

*It was so agreed.*⁷

26. Mr. EUSTATHIADES suggested that, if the Drafting Committee had great difficulty in reformulating article 60, the article might be drafted to read:

"The Organization and the State in which its headquarters are situated shall accord to permanent observers the facilities, privileges and immunities necessary for the performance of their functions, taking articles 22 to 44 as a basis."

That wording would make it possible to take due account, in each specific case, of the importance of the permanent observer mission and the basic principles laid down in articles 22 to 44.

27. The CHAIRMAN requested Mr. Eustathiades to submit his proposal in writing; a copy would be sent to the Drafting Committee, which would take it into account.

PART IV. DELEGATIONS TO ORGANS OF INTERNATIONAL ORGANIZATIONS AND TO CONFERENCES CONVENED BY INTERNATIONAL ORGANIZATIONS

28. The CHAIRMAN invited the Commission to take up Part IV in the Special Rapporteur's fifth report (A/CN.4/227/Add.1)

ARTICLES 0 and 62

29.

Article 0

Use of terms

For the purposes of the present articles:

(a) A delegation is the person or body of persons charged with the duty of representing a State at a meeting of an organ of an international organization or at a conference.

⁵ See *Yearbook of the International Law Commission, 1968*, vol. II, p. 196.

⁶ United Nations, *Treaty Series*, vol. 500, p. 122, article 44.

⁷ For resumption of the discussion, see 1064th meeting.

(b) A conference is a meeting of representatives of States for negotiating or concluding a treaty on matters concerning the relations between the States.

Article 62

Composition of the delegation

1. A delegation to an organ of an international organization or to a conference convened by an international organization consists of one or more representatives of the sending State from among whom the sending State may appoint a head.

2. The expression "representatives" shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

3. A delegation to an organ of an international organization or to a conference convened by an international organization may also include administrative and technical staff and service staff.

30. Mr. EL-ERIAN (Special Rapporteur), introducing articles 0 and 62, said that Part IV, in his fifth report, was preceded by some general comments which traced the development of the law on the subject and gave an account of the efforts of the General Assembly to elaborate on the relevant provisions of the Charter. That process had resulted in the adoption of the general Convention on the Privileges and Immunities of the United Nations of 13 February 1946⁸ and the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947.⁹

31. In paragraph (5) of his general comments, he had given examples of the provisions on privileges and immunities in the constitutional instruments of certain regional organizations and had listed in a footnote the corresponding regional conventions on privileges and immunities.

32. Article 0 (Use of terms) was intended to supplement article 1 by introducing two additional sub-paragraphs: sub-paragraph (a) defined the term "delegation" and sub-paragraph (b) the term "conference". In sub-paragraph (a), the words "a meeting of an organ" should perhaps be replaced by "a session of an organ".

33. Article 62 (Composition of the delegation) was modelled on existing rules of procedure and on the provisions of the general Convention on the Privileges and Immunities of the United Nations. Its text had been co-ordinated with that of the articles on the composition of permanent missions in Part II (article 15) and on the composition of permanent observer missions in Part III (article 55).

34. He had explained in paragraph (2) of the commentary to article 62 that the term "secretaries of delegations" as used in paragraph 2 was deemed to refer to diplomatic secretaries only and not to include clerical staff. Paragraph (3) of the commentary referred to the provision in the ICAO Headquarters Agreement which specified that the expression "secretaries of delegations" included "the equivalent of third secretaries of diplomatic mission but not the clerical staff".

35. In paragraph 3 of article 62, it was provided that a delegation might include administrative and technical staff.

36. Mr. CASTRÉN requested that the articles be discussed separately.

37. Mr. ROSENNE urged a more flexible approach; he would find it difficult to discuss the articles separately, in isolation.

38. The CHAIRMAN said that some flexibility would have to be allowed in order to advance the Commission's work. The present discussion was confined to articles 0 and 62, but members could comment on general aspects of the subject.

39. Mr. REUTER said he wished to make a few brief remarks on article 0 (Use of terms). First, the change which the Special Rapporteur had just proposed in sub-paragraph (a), substituting the word "session" for "meeting", seemed to him to be ill-advised; it would be dangerous to make that change because, in the practice of international organizations, meetings were sometimes held apart from sessions. He would favour the broadest possible formulation, namely "... representing a State in an organ of an international organization...". Secondly, while he approved of the distinction which the Special Rapporteur had made between organs of international organizations and conferences, in practice, unfortunately, international organizations did not adhere to that distinction; they often gave the title of "conference" to what was only an organ, as in the case of the United Nations Conference on Trade and Development, and that undoubtedly had administrative consequences. The commentary to article 0 should therefore explain that the use of terms in the draft articles was stricter than it was in practice.

40. In sub-paragraph (b) he doubted whether the term "conference" was broad enough if it was to be linked only with negotiating or concluding treaties, since there were conferences which resulted in something less formal than a treaty, such as recommendations or resolutions. The use of a rather more general expression should therefore be considered. Moreover, he was not sure that it was necessary, in defining a "conference", to specify that the treaty dealt with "matters concerning the relations between the States", unless a very broad interpretation was placed on that phrase; but then the point would have to be explained in the commentary.

41. He also wished to draw the Special Rapporteur's attention to the fact that it was not only representatives of States who took part in the proceedings of organs of international organizations. The case of the International Law Commission and other organs showed that independent persons could take part in such proceedings, and defining their legal status raised awkward questions. The Commission should therefore consider assimilating such persons to representatives of States, or rather to international officials.

42. Mr. USTOR commended the Special Rapporteur on the useful material he had provided. He would like to know whether the term "delegation", in sub-paragraph (a)

⁸ United Nations, *Treaty Series*, vol. 1, p. 16.

⁹ *Op. cit.*, vol. 33, p. 262.

of article 0, was intended to cover both temporary representatives of States and temporary observers. In recent conference practice, the only observers present had been from international organizations, but at the sessions of various United Nations organs, particularly the Economic and Social Council, States which were not members of those organs had adopted the practice of sending observers. No doubt a separate part dealing solely with observer delegations could be included in the draft, but he thought they could be taken together with delegations of representatives. It would, however, be necessary to explain in the commentary that the expression "delegation" covered both temporary representatives and temporary observers.

43. As to the definition of the term "conference", subparagraph (b) should be brought into line with the title of Part IV, which specified "conferences convened by international organizations". Personally, he would have been in favour of extending the scope of the draft to cover all types of conferences, but if the Special Rapporteur wished to limit it to a certain kind of conference, as the title of Part IV suggested, that should be reflected in the language of subparagraph (b).

44. Mr. EL-ERIAN (Special Rapporteur) said he would include at the end of his fifth report a note on temporary observers, who were mentioned in a number of headquarters agreements. It would conclude with the suggestion that temporary observers should be covered by the definition of the term "delegation".

45. With regard to conferences not convened by international organizations, he would also append a note at the end of the report, in which he would suggest an article assimilating those conferences to conferences convened by international organizations.

46. During the discussion of the draft convention on special missions in the Sixth Committee, the United Kingdom had proposed that an article on conferences should be included.¹⁰ That proposal had been withdrawn on the understanding that the International Law Commission, when considering the topic of relations between States and international organizations, would deal with the status, privileges and immunities of delegations to international conferences. It was essential that the Commission should do so, because otherwise there would be a gap in the law. The matter was not one that was likely to be dealt with as a separate topic.

47. A conference convened by an organization was regarded as an extension of that organization. The General Convention on the Privileges and Immunities of the United Nations always mentioned representatives to conferences together with representatives to meetings of organs.

The meeting rose at 12.55 p.m.

¹⁰ See *Official Records of the General Assembly, Twenty-fourth Session, Annexes*, Agenda item 87, document A/7799, para. 175.

1053rd MEETING

Thursday, 21 May 1970, at 10.55 a.m.

Chairman: Mr. Taslim O. ELIAS

Present: Mr. Ago, Mr. Albónico, Mr. Bartoš, Mr. Bedjaoui, Mr. Castañeda, Mr. Castrén, Mr. El-Erian, Mr. Eustathiades, Mr. Kearney, Mr. Nagendra Singh, Mr. Ramangasoavina, Mr. Reuter, Mr. Rosenne, Mr. Ruda, Mr. Tammes, Mr. Tsuruoka, Mr. Ushakov, Mr. Ustor, Sir Humphrey Waldock, Mr. Yasseen.

Filling of casual vacancies in the Commission (article 11 of the Statute)

[Item 1 of the agenda]

1. The CHAIRMAN announced that, at a private meeting, the Commission had elected Mr. José Câmara, of Brazil, Mr. Doudou Thiam, of Senegal, and Mr. Gonzalo Alcívar, of Ecuador, to fill, respectively, the casual vacancies caused by the death of Mr. Gilberto Amado and the resignations of Mr. Louis Ignacio-Pinto and Mr. Eduardo Jiménez de Aréchaga on their election as Judges of the International Court of Justice.

Sixth session of the International Law Seminar

2. The CHAIRMAN invited Mr. Raton, the senior officer in charge of the sixth session of the International Law Seminar, to address the Commission.

3. Mr. RATON (Secretariat) said that he wished first to thank the members of the Commission who had agreed to address participants in the sixth session of the International Law Seminar. There would be twenty-four participants selected from among sixty candidates. Eighteen participants would be coming from developing countries, as a result of a special effort made in accordance with the wishes of the International Law Commission and the Sixth Committee of the General Assembly. That effort had been successful thanks to the generosity of several States which had financed the award of fellowships. Denmark, Finland, the Netherlands, Norway and Sweden had awarded fellowships of \$1,500 each and the Federal Republic of Germany and Israel fellowships of \$1,000 each. In addition UNITAR fellowships had been awarded to four participants. In tribute to the memory of Gilberto Amado, the organizers of the Seminar had decided to give his name to its sixth session.

4. Mr. YASSEEN said he would like to take the opportunity of thanking Mr. Raton for his continuing efforts to ensure the Seminar's success.