Document:-

A/CN.4/SR.1102

Summary record of the 1102nd meeting

Topic:

Representation of States in their relations with international organizations

Extract from the Yearbook of the International Law Commission:-

1971, **vol. I**

66. Mr. ROSENNE, after thanking the Secretary for his introductory statement, said that the review of the long-term programme of work was one of the most important tasks now facing the Commission, since it involved the planning of the Commission's work for the next twenty-five years. He was therefore very much concerned that only the English version of the Survey should be available at present and that the French, Russian and Spanish versions should not be expected to be distributed until only a few days before the arrival of the Legal Counsel in Geneva. Perhaps the Chairman could bring his influence to bear on the appropriate authorities to ensure that the other language versions of the Survey should reach members in good time before the Commission took up item 7 of its agenda.

The meeting rose at 6 p.m.

1102nd MEETING

Tuesday, 18 May 1971, at 10.5 a.m.

Chairman: Mr. Senjin TSURUOKA

Present: Mr. Ago, Mr. Albónico, Mr. Alcívar, Mr. Bartoš, Mr. Bedjaoui, Mr. Castañeda, Mr. Castrén, Mr. Elias, Mr. Eustathiades, Mr. Kearney, Mr. Ramangasoavina, Mr. Rosenne, Mr. Sette Câmara, Mr. Tammes, Mr. Ushakov, Mr. Ustor, Sir Humphrey Waldock, Mr. Yasseen.

Relations between States and international organizations

(A/CN.4/221 and Add.1; A/CN.4/238 and Add.1 and 2; A/CN.4/239 and Add.1 and 2; A/CN.4/240 and Add.1 to 6; A/CN.4/241 and Add.1 to 4; A/CN.4/L.162/Rev.1; A/CN.4/L.166)

[Item 1 of the agenda]

(resumed from the previous meeting)

ARTICLE 50 (Consultations between the sending State, the host State and the Organization) *(resumed from the previous meeting)*

1. The CHAIRMAN invited the Commission to resume consideration of article 50, on consultations between the sending State, the host State and the Organization.

2. Mr. AGO said he noted that members were generally agreed that article 50 should be placed later in the draft, and that the wording should be reviewed when all the articles had been considered.

3. The machinery proposed was very modest; it was not even conciliation machinery, since only consultations were provided for. Although the article represented a step forward in comparison with the 1961 Vienna Convention on Diplomatic Relations, which contained no such provision, it should not be forgotten that in case of difficulties in the application of the rules governing bilateral diplomatic relations, consultations between the sending State and the receiving State took place without any need for special provisions on the subject. On the other hand, an express provision was needed in the present case to bring the organization itself to join the sending State and the host State in consultations concerning a difficulty between those two States.

4. The machinery proposed could raise a number of delicate problems, if only in regard to its relationship with the procedures already existing between the host State and the sending State for the settlement of their disputes. It seemed to be generally accepted that existing procedures should take precedence over the provisions of article 50, but it should be made clear that a State could not frustrate the special procedure established for its relations with another State by recourse to article 50. Although it might be thought that that was self-evident, it should be mentioned in the commentary to the article.

5. Some difficulties might arise in the operation of the machinery where there were several international organizations in the same city. As Mr. Yasseen had suggested, the organizations might agree to set up a kind of joint committee,[1] which would not only enable them to select their representatives, but would also prevent the adoption of different positions.

6. As Mr. Ushakov had pointed out, it was rare for a dispute to arise between the host State and one sending State. The host State might become involved in a dispute with several, or all the sending States; or again, when a difference arose between the host State and one sending State, another sending State might become interested in the settlement of the dispute and wish to intervene in the procedure. There might be some kind of body for co-operation between permanent missions, which could inform the host State of the point of view of all the sending States and which would be the counterpart, as it were, to the diplomatic corps in bilateral diplomacy.

7. Difficulties might also arise in the absence of diplomatic relations between the host State and the sending State. That exceptional situation should not, of course, prevent consultations, but it was not certain that they would always be possible in practice.

8. Other questions relating to the operation of the proposed machinery might arise during the consideration of subsequent articles, so the Drafting Committee should leave article 50 aside for the time being.

9. Mr. USTOR said that, like other members, he approved of the substantive rules in article 50, which codified existing practice. The Drafting Committee might try to formulate wording to deal with the cases mentioned by Mr. Ago, but it might reach the conclusion that it was not possible to cover all situations and therefore leave the text as it stood. It should be remembered that

[1] See previous meeting, para. 6.

the Commission was endeavouring to legislate for a great variety of organizations ranging from the United Nations itself to entities like the International Bureau of Weights and Measures in Paris, which had a much more modest structure.

10. He did not think it would be advisable for the Commission to undertake the formulation of an article, or a series of articles, on compulsory third party settlement of disputes. The precedents showed that such an undertaking had not previously yielded positive results, for States had proved unwilling to include compulsory settlement clauses in general multilateral treaties. Articles 65 and 66 of the 1969 Vienna Convention on the Law of Treaties[2] were a special case warranted by the particular circumstances of the adoption of the Convention.

11. At the previous meeting, Mr. Kearney had drawn attention to the clauses on the settlement of disputes included in the United Nations Headquarters Agreement and in the 1946 Convention on the Privileges and Immunities of the United Nations,[3] but article 50 would not replace those arrangements. Articles 3 and 4 of the draft[4] would ensure the survival of the clauses.

12. Mr. EUSTATHIADES said that in itself article 50 did not raise any fundamental problems which would call for extensive redrafting, but there were some points which needed to be covered in greater detail. For example, the possibility of a dispute between several sending States should be covered by redrafting the beginning of the article to read: "If any question arises between one or more sending States and the host State...". It was not enough just to mention that possibility in the commentary.

13. The essential point was to define the relationships between article 50 and other existing modes of settlement, or modes of settlement which might be established under articles 4 and 5 or provided for in the draft convention. The proposed machinery was modest, but that was no reason for abandoning it. Its merit was that it enabled the organization to play a role, which was not necessarily that of umpire.

14. The consultations provided for in article 50 might be supplemented by conciliation or arbitration procedure, also to be provided for in the draft. He agreed with Mr. Kearney and Mr. Elias that the Commission could resume consideration of the question when it had an over-all view of the draft and knew how article 50 would be related to a possible article 50 *bis* on the settlement of disputes. In any case, those two articles should not radically change the relations between the host State and the sending State under a bilateral agreement concerning a mode of settlement; but it remained to be seen whether they might not give rise to difficulties, in particular because article 50 accorded a special place to the organization, which also had an undeniable interest in the settlement.

15. There were other questions which would have to be studied later, such as the intervention of third States in the conciliation procedure and the need to adapt article 50 to each of the three parts of the draft. As to the organ responsible for representing the organization in the consultations, it seemed that it would generally be the secretariat, though Mr. Yasseen had mentioned a case, which might recur, in which a committee had been set up.

16. The principle of consultations should therefore be retained, subject to certain adaptations, but the Commission should clarify its relationship with other modes of settlement which, as Sir Humphrey Waldock had observed, were not excluded by article 50,[5] that article being in itself a step in the right direction. The Commission should not take a final decision, however, until it had before it a draft text on the settlement of disputes.

17. The CHAIRMAN suggested that article 50 be referred to the Drafting Committee with the intimation that the Commission was almost unanimously in favour of retaining it, but that other related questions might arise during the consideration of subsequent articles. The Drafting Committee could then defer consideration of the article. If there were no objections, he would take it that the Commission agreed to that suggestion.

It was so agreed.[6]

18. The CHAIRMAN said he noted that opinion in the Commission regarding other methods of settling disputes was not unanimous. As no specific proposal had been made on legal rather than practical modes of settlement, he suggested that the Special Rapporteur be asked to prepare a draft "provision concerning the settlement of disputes which might arise from the application of the articles", as envisaged by the Commission in its commentary to article 50.[7]

19. Mr. USHAKOV said he was not opposed to that suggestion, but he wondered whether the Commission was not taking a difficult course. He thought it would be wiser to ask the Special Rapporteur to draft a simple working paper which would make it easier to tackle the problem and to engage in informal consultations.

20. Mr. ELIAS said that he saw no reason why the Special Rapporteur should not be asked to prepare a working paper on the subject including a draft article, on the model of his working paper on the possible effects of exceptional situations (A/CN.4/L.166).

21. The CHAIRMAN said that the Special Rapporteur would be requested to prepare such a working paper.

[2] *United Nations Conference on the Law of Treaties, Official Records, Documents of the Conference*, p. 298 (United Nations publication, Sales No.: E.70.V.5).

[3] See previous meeting, para. 55.

[4] See *Yearbook of the International Law Commission, 1968*, vol. II, pp. 197 and 198.

[5] See previous meeting, para. 51.

[6] For resumption of the discussion see 1115th meeting, para. 59.

[7] See *Yearbook of the International Law Commission, 1969*, vol. II, p. 222, para. 5.

PART III. *Permanent observer missions to international organizations*

ARTICLE 52

22. He invited the Commission to consider Part III of the draft, on permanent observer missions to international organizations, starting with article 52, on the establishment of permanent observer missions. Article 51, on the use of terms, would be examined at the end, but members would be free to refer, during the discussion, to any relevant definitions, such as that of a "permanent observer mission" in sub-paragraph (*a*).

23.

Article 52

Establishment of permanent observer missions

Non-member States may, in accordance with the rules or practice of the Organization, establish permanent observer missions for the performance of the functions set forth in article 53.

24. Mr. YASSEEN said that the article proposed constituted a happy medium between the extremist positions taken by certain governments and international organizations in their observations. It recognized the right to establish permanent observer missions, provided that their establishment was in accordance with the rules or practice of the organization. That condition was both necessary and sufficient. It was necessary because, once the permanent observer mission had been established, the organization would have to recognize it; otherwise, there would be no link between them. It was sufficient because, since there was no rule of *jus cogens* compelling an organization to agree to the establishment of permanent observer missions, the matter must be left to the rules or practice of the organization. If the article laid down conditions other than compliance with the rules or practice of the organization, it would be departing from reality.

25. One government, in its observations (A/CN.4/240 and addenda), had indeed taken the view that the establishment of a permanent observer mission should be subject to the "agreement" of the organization, which would be superfluous where such agreement was not required by the rules or practice of the organization. It had also been proposed that the agreement of the host State should be required. He was strongly opposed to that idea, for if a State agreed to have an international organization on its territory it must respect the rules and practice of the organization; it could not be given a kind of veto.

26. Mr. ELIAS suggested that it might be appropriate if, before examining the individual articles one by one, the Commission were to discuss the general philosophy of articles 51 to 77. Agreement on the underlying assumptions concerning the whole of Part III would be of assistance to the Commission in its consideration of individual articles.

27. In particular, it would be useful for the Commission to decide whether it wished to place permanent observer missions on a par with permanent missions. If it did, the articles on permanent missions could be taken as a basis for those on permanent observer missions; if it did not, it should consider to what extent it wished to curtail the privileges and immunities to be granted to permanent observers and members of permanent observer missions.

28. However, if members preferred to begin work on Part III with the consideration of the individual articles he would have no objection to that course.

29. The CHAIRMAN invited the Commission to proceed with its consideration of Part III, article by article, bearing in mind the important point mentioned by Mr. Elias.

30. Mr. CASTRÉN said he understood Mr. Elias to be in favour of a preliminary general debate on the principles governing Part III of the draft. In 1970, the Commission had considered whether permanent observer missions should be assimilated in certain respects to permanent missions and had decided, by a substantial majority, that they should be.[8] The Sixth Committee had reached the same conclusion, but some governments had taken the opposite view. That being so, he thought the Commission should now proceed to consider Part III article by article.

31. Mr. TAMMES said he would confine himself to article 52 at present, and would put forward his general comments during the discussion of other articles in Part III.

32. He proposed that article 52 be amended by replacing the words "in accordance with the rules or practice of the Organization" by the words "in so far as this is provided for in the relevant rules of the Organization". A similar change of language had been proposed for article 6 (Establishment of permanent missions), but the Commission had considered the formula unduly rigid in the light of the practice of the organizations. The comments by the organizations themselves showed that their practice with regard to permanent observer missions was very diverse and ranged from non-existence to a selective approach. His proposed amendment would have the advantage of meeting certain objections which had been made to the present text of article 52.

33. First, it would remove the objection that certain organizations, such as the ILO, IAEA, UPU and ITU, had no rules on the subject of permanent observer missions and that it would consequently be ambiguous to say that permanent observer missions could be established "in accordance with the rules ... of the Organization". The formula "in so far as this is provided for in the relevant rules of the Organization" covered that situation, because it could be interpreted to mean that such missions might be established if there was nothing to the contrary in the rules of the organization concerned.

34. The second advantage was that it would introduce the element of the consent of the organization, in response to a desire expressed both in the Commission and in the comments of delegations in the Sixth Committee and of governments in their written observations. The present text, which allowed the establishment of permanent observer missions "in accordance with the rules or practice of the Organization", could raise constitu-

[8] Op. cit., *1970*, vol. II, document A/8010/Rev.1, para. 19.

tional problems for the organizations, which an instrument external to the organization should avoid by all possible means.

35. A third advantage of his proposed amendment was that if an organization had a rule providing for the establishment of permanent observer missions, the consent of the host State would be assured, since the host State, as a member of the organization, would have agreed to the rule in question. On the other hand, if no such rule existed, a host State could not be held to be committed to admitting a permanent observer mission into its territory. He did not wish to over-emphasize the problem of the consent of the host State, but he thought it could be solved by a positive reference in article 52 to the rules in force in the organization.

36. Mr. USHAKOV said that the observations of governments and international organizations showed that two problems caused them concern.

37. First, some of them wondered whether any non-member State could impose its permanent observer mission on an organization. The same concern had been expressed in the Commission itself, and had led to the addition of the words "in accordance with the rules or practice of the Organization". He personally had always thought that a State could not establish a permanent observer mission against the wishes of an organization. But in view of article 3 of the draft, the proviso "in accordance with the rules or practice of the Organization" seemed to be superfluous. Moreover the Commission had specified in its commentary to article 3 that the term "relevant rules of the Organization" covered the practice prevailing in the organization.[9]

38. Secondly, some members of the Sixth Committee and a few governments had expressed the view that the present wording of article 52 opened the way for discrimination between States, and that it should be made absolutely clear that the rules or practice applied in an organization must not be tainted with any kind of discrimination whatsoever. Those comments should normally lead the Commission to insert the words "and without any discrimination" after the word "Organization".

39. However, he thought it would be enough to delete the phrase "in accordance with the rules or practice of the Organization", thereby bringing article 52 into line with article 6, on the establishment of permanent missions.

40. Mr. KEARNEY said that his views on the present series of articles remained the same as those he had expressed at the previous session.[10] He thought the Commission had adopted a number of false premises with respect to the character of permanent observer missions by referring to their representative capacity and equating them in that respect with permanent missions, which, in turn, it had already equated with diplomatic missions. The result, in his opinion, was an over-elaborate series of articles on permanent observer missions, which was in need of drastic pruning.

41. With regard to article 52, he could not agree with Mr. Yasseen that the host State had no real interest in the establishment of permanent observer missions. On the contrary, it was really necessary for the host State to know whether an alleged permanent observer mission was what it purported to be and whether the organization had accepted it as such. Only when it had an answer to those questions could the host State know whether it was obliged to grant privileges and immunities to the permanent observer mission.

42. Mr. Tammes had analysed the ambiguity in article 52 very clearly. The difficulty in that article was due to the fact that the words "in accordance with the rules or practice of the Organization" left it completely unclear whether a permanent observer mission could be established or not. "Practice" in many organizations was decidedly limited; on what basis, then, could they decide whether a permanent observer mission should be admitted? The Commission should try to tighten up the present language of article 52 and establish some test to determine whether or not a permanent observer mission was legitimately established. In any case, that question was one which should be decided by the organization and not by the host State.

43. The Government of Switzerland had proposed that the words "in accordance with the rules or practice of the Organization" be replaced by the words "with the agreement of the Organization and in accordance with its rules or practice" (A/CN.4/240, section C). That amendment would certainly eliminate the ambiguity and make it clear that the permanent observer mission had, in fact, been accepted by the organization. It was a thoroughly reasonable proposal and one that would meet the concern expressed by a number of States and organizations.

44. The amendment proposed by Mr. Tammes was not, in his opinion, as clear as the Swiss proposal, but he suggested that both be referred to the Drafting Committee for further consideration.

45. Mr. USTOR said he had already proposed, earlier in the session, that the articles on permanent missions and those on permanent observer missions should be amalgamated.[11] If article 6 on the establishment of permanent missions was compared with article 52 on the establishment of permanent observer missions, it could be seen at once that there was a striking discrepancy between them. Article 6 merely stated that "Member States may establish permanent missions to the Organization for the performance of the functions set forth in article 7 of the present articles", whereas article 52 included a reference to the "rules or practice of the Organization". For purely logical reasons it would seem undesirable that the future convention should contain such different drafting as was to be found in articles 6 and 52.

46. He therefore proposed that the phrase "in accordance with the rules or practice of the Organization", in

[9] Op. cit., *1968*, vol. II, p. 198, para. 5.

[10] Op. cit., *1970*, vol. I, p. 46, para. 7 *et seq.*

[11] See 1089th meeting, para. 25.

article 52, be deleted. Alternatively, he would have no objection if the Drafting Committee decided to accept Mr. Ushakov's proposal and include a clause on non-discrimination, a principle which was undeniably a cornerstone of contemporary international law.

47. Mr. BARTOŠ said that the rules governing the establishment of permanent observer missions by non-member States should be based on two principles: universality and justification of participation in the organization's work. If it was accepted that international organizations were of a universal character and if the organization with which a non-member State wished to establish an observer mission was in fact universal, there was nothing to prevent that State from doing so. But if the organization was not open to all States, the position would be different, depending on whether the reasons for limitation were objective or subjective.

48. If the limitations on membership were objective, the question arose whether States which did not meet the requirements for membership of the organization were qualified to send a permanent observer mission to it. The principle of universality could be limited in that respect either by the technical or by the confidential nature of the organization's work. For instance, the only States which could become members of the Inter-governmental Maritime Consultative Organization were those directly concerned with maritime shipping, and there seemed no good reason why non-qualified States should be associated with their deliberations; and a great deal of the work of financial institutions such as the International Bank and the International Monetary Fund was not public and was sometimes confidential even with respect to some of their member States, as in the case of experts' reports on applications for loans, which were not communicated to the applicant State.

49. The Commission should therefore consider two questions: should the establishment of permanent observer missions be authorized and, if so, on what conditions? The Special Rapporteur had answered the first question in the affirmative and the second by proposing that the criteria should be the rules or practice of the organization.

50. He himself thought it dangerous to leave the conditions limiting the right to establish a permanent observer mission quite vague and simply rely on the rules or practice of the organization—a convenient formulation which satisfied the conscience of jurists and allowed them to accept anything subject to that reservation. The rules and practice of an organization might be very arbitrary and vary from one organization to another, whereas what the Commission wished to clear up, and must clear up, in article 52, was the question whether non-member States could or could not establish permanent observer missions.

51. If article 52 was concerned with the procedure for establishing permanent observer missions, it was right to take the rules or practice of the organization as the criteria. But if it was concerned with the principle of establishing such missions, should the Commission allow that principle to be governed by rules which might conflict with the principle of universality? If the principle of universality was accepted, it must be applied as fully to the requirements for becoming a member as to those for becoming an observer.

52. On the other hand, if the principle of universality was discarded on the strength of the purposes of the organization, the question arose how far a non-member State could successfully plead its interest in the organization's work and whether, in order to establish an observer mission, it must satisfy the same requirements as member States. It was sometimes difficult for a State to prove that its interest was well-founded, and some organizations or organs—the International Narcotics Control Board, for example—were reluctant to allow third States which did not satisfy the conditions for membership to attend their deliberations. The Commission had not gone far enough into the question of the conflict between the principle of universality and the principle of the functional nature of organizations.

53. He was not criticizing the wording of article 52, but he wondered whether the phrase "in accordance with the rules or practice of the Organization" meant that non-member States could establish permanent observer missions if the organization permitted them to do so, or that it was for the organization to lay down the conditions governing the establishment of permanent observer missions. Again, according to article 53 one of the functions of a permanent observer mission was "ascertaining activities... in the Organization and reporting thereon to the Government of the sending State". Depending on the organization, was the mission to report only on its non-confidential activities or on all its activities? The Commission had overlooked that point because it believed that international organizations should be of a universal character and that their proceedings should be made public, but members of the Commission were well aware that the real situation was quite different and that it was necessary to distinguish between organizations.

54. Those were a few points which the Commission should consider before it approved article 52.

55. Mr. CASTRÉN said that article 52 should be retained as it stood. At first reading, several members had been dissatisfied with the text then proposed by the Special Rapporteur, according to which any non-member State could establish a permanent observer mission unconditionally, and after long discussion the Drafting Committee had settled on the present text, which the Special Rapporteur was recommending to the Commission for approval.[12] That text established an acceptable balance, and it would be unwise to try to amend it now, except possibly the drafting. Several governments and organizations had proposed drastic changes, but it could easily be seen that many of them conflicted with each other, so it would hardly be possible to find wording that satisfied everyone. On the other hand, the present text might satisfy a majority.

[12] See *Yearbook of the International Law Commission, 1970*, vol. I, pp. 9 *et seq.*, 22 *et seq.*, 104 and 105.

56. The Drafting Committee should consider carefully the amendment proposed by Mr. Tammes, which was more precise than the phrase it was to replace, and unlike that phrase, did not refer to the procedure for establishing permanent observer missions.

57. Mr. Ushakov had suggested that there might perhaps be no need to include the phrase "in accordance with the rules or practice of the Organization", since article 3 already provided that the application of the articles was "without prejudice to any relevant rules of the Organization". The Commission had not yet considered article 3 at second reading, however, and it had already been proposed that what was said in the commentary about the relevant rules of the organization should be transferred to the text of the article and that the organization's practice should also be mentioned there.

58. He did not think it necessary to refer to non-discrimination in article 52, as Mr. Ushakov and Mr. Ustor had requested, since the point was already covered by article 75.

59. Mr. ROSENNE said that on the whole he agreed with the Special Rapporteur's comments on article 52 (A/CN.4/241/Add.4), subject to its re-examination by the Drafting Committee.

60. He suggested, however, that the Drafting Committee consider carefully the interrelationship between article 7 (*a*), article 51 (*a*) and article 53. Article 7 (*a*) stated that the functions of a permanent mission consisted *inter alia* in representing the sending State "in" the organization. Article 51 (*a*) used the words "to an international organization", while article 53 referred to the permanent observer mission as representing the sending State "at" the organization. The exact distinction between those different prepositions should be made clear.

61. Mr. ALCÍVAR said he was concerned about the possibility of violation of the principle of universality. The functions of permanent observer missions were wider in scope than those of permanent missions and there should be greater freedom for non-members to establish them. As Mr. Bartoš had said, the principle of universality might be subject to limitations: it might be limited by subjective considerations or by the imposition of a mechanical majority vote. He therefore proposed that the phrase "in accordance with the rules or practice of the Organization" be deleted and that appropriate wording be inserted to make it clear that there must be no discrimination against non-member States.

62. Mr. EUSTATHIADES said he was in favour of retaining the words "in accordance with the rules or practice of the Organization", which were the result of a compromise, but it remained to be seen whether the text with that wording did not imply that it referred to the procedure for establishing, not the right to establish, a permanent observer mission. Mr. Tammes had tried to remove that ambiguity by the amendment he had proposed. He himself endorsed Mr. Castrén's remarks on the subject. The Drafting Committee might perhaps be able to find a formula which covered both the right to establish a permanent observer mission and the procedure for establishing it.

63. There was another point to be noted. If the rules or practice of an organization were not opposed to the establishment of permanent missions, any State which requested permission would be able to establish one. But if the rules of an organization did not authorize the establishment of permanent observer missions and there was no precedent in its practice, how was the bar to be lifted? That point should be clarified, at least in the commentary.

64. Sir Humphrey WALDOCK said that at first he had viewed article 52 from the same angle as Mr. Yasseen, but Mr. Eustathiades had convinced him that there were other problems, connected with other articles, which would have to be taken into consideration. He would therefore wait until the Drafting Committee had produced a text before commenting on the article.

65. The CHAIRMAN suggested that article 52 be referred to the Drafting Committee for consideration in the light of the discussion.

It was so agreed.[13]

The meeting rose at 1 p.m.

[13] For resumption of the discussion see 1116th meeting, para. 8.

1103rd MEETING

Wednesday, 19 May 1971, at 10.5 a.m.

Chairman: Mr. Senjin TSURUOKA

Present: Mr. Ago, Mr. Albónico, Mr. Alcívar, Mr. Bartoš, Mr Castañeda, Mr. Castrén, Mr. Elias, Mr. Eustathiades, Mr. Kearney, Mr. Ramangasoavina, Mr. Rosenne, Mr. Sette Câmara, Mr. Tammes, Mr. Ushakov, Mr. Ustor, Sir Humphrey Waldock, Mr. Yasseen.

Relations between States and international organizations

(A/CN.4/221 and Add.1; A/CN.4/238 and Add.1 and 2; A/CN.4/239 and Add.1 and 2; A/CN.4/240 and Add.1 to 6; A/CN.4/241 and Add.1 to 4; A/CN.4/L.162/Rev.1; A/CN.4/L.166)

[Item 1 of the agenda]

(continued)

ARTICLE 53

1. The CHAIRMAN invited the Commission to consider article 53 in the light of the Special Rapporteur's sixth report (A/CN.4/241/Add.4).