

Document:-
A/CN.4/SR.994

Summary record of the 994th meeting

Topic:
Representation of States in their relations with international organizations

Extract from the Yearbook of the International Law Commission:-

1969, vol. I

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994th MEETING

Friday, 6 June 1969, at 10.10 a.m.

Chairman: Mr. Nikolai USHAKOV

Present: Mr. Ago, Mr. Bartoš, Mr. Castañeda, Mr. Castrén, Mr. El-Erian, Mr. Eustathiades, Mr. Ignacio-Pinto, Mr. Kearney, Mr. Nagendra Singh, Mr. Ramangasaoavina, Mr. Reuter, Mr. Ruda, Mr. Tabibi, Mr. Tammes, Mr. Ustor, Sir Humphrey Waldock, Mr. Yasseen.

Relations between States and international organizations

(A/CN.4/218 and Add.1)

[Item 1 of the agenda]

(continued)

ARTICLE 22 (General facilities) and

**ARTICLE 23 (Accommodation of the permanent mission
and its members)¹ (continued)**

1. The CHAIRMAN invited the Commission to continue consideration of articles 22 and 23 in the Special Rapporteur's fourth report (A/CN.4/218).

2. Mr. BARTOŠ said he saw no objection to the general wording of articles 22 and 23, which stated rules that, with the adoption of the two Vienna Conventions, had become rules of general international law.

3. It was both necessary and desirable that the obligations of organizations should be stated in the draft articles, for even if organizations did not sign or ratify the convention which the draft articles were intended to form, the obligations stated in the convention would still have moral force, if not legally binding force, for them.

4. Relations between organizations and their member States were governed by the internal rules or constituent instruments of the organizations and, generally speaking, organizations had always fulfilled their obligations in that respect; but it was useful to confirm those obligations in a convention. Moreover, the facilities which organizations were required to accord to permanent missions were not only of a practical nature; organizations had sometimes to ensure observance of the privileges and immunities of a mission or even its access to the territory. The idea that organizations had obligations to permanent missions certainly had a place in the draft articles. The Commission should next consider whether it ought not to introduce into the first twenty-one articles the idea that organizations had obligations to each other.

5. With regard to the question whether the host State should be mentioned before the organization or vice versa, in article 22 it would be better to mention first the host State, on which the obligations mainly devolved. In article 23, paragraph 2, it was the organization that

was mainly responsible and so it should logically be mentioned first, but for the sake of uniformity it would be better to keep to the same order as in article 22.

6. He approved of the use of the words "in accordance with its laws" in article 23, paragraph 1. On the other hand, he would prefer to see the word "acquisition" replaced by the word "possession", because the acquisition of real property by a foreign Government was not regulated in the same way by the internal law of all States. It would also be preferable to replace the words "by the sending State" by the words "for account of the sending State", since the property was sometimes acquired by a third party, the sending State being only the beneficiary. It could be left to the Drafting Committee to find suitable wording, on the understanding that the essential point was to ensure that, in practice, the sending State had no difficulty in obtaining the necessary premises for its permanent mission.

7. Mr. USTOR said that the facilities, privileges and immunities provided for in section II applied to the permanent missions of States to international organizations, other than the permanent mission of the host State. He suggested that that point be mentioned either in the draft articles or in the commentary.

8. Article 22 covered two kinds of facilities: those accorded to the permanent mission by the host State and those accorded by the organization. Obviously, the host State had to accord facilities to the permanent missions of all sending States, while the organization had to accord them to that of the host State as well. As Mr. Castañeda had proposed, article 22 should logically be divided into two parts, one concerning the obligations of the host State and the other those of the organization.

9. Article 23 was based on the corresponding articles of the Vienna diplomatic and consular Conventions,² but while paragraph 1 referred to accommodation for the permanent mission, paragraph 2 referred to accommodation for the members of the mission. The question therefore arose whether the obligations of the host State under those two paragraphs were identical. He himself thought that they were, and that the problem was mainly one of drafting. For example, paragraph 2 might say merely: "The same provision as in paragraph 1 shall apply to members of permanent missions". In any case, some explanation should be included in the commentary to make it clear whether the obligations of the host State to the permanent mission and to the members of the mission were the same.

10. Mr. TAMMES said he agreed with paragraphs 1-7 of the Special Rapporteur's general comments on section II, particularly his reference to the "functional necessity" theory. When he had expressed doubts about the inclusion of a reference to the legal obligation of the organization, he had not had in mind a purely theoretical discussion; such discussions had already been held at previous sessions and were summarized in the Special Rapporteur's second report.³

² United Nations, *Treaty Series*, vol. 500, p. 106, article 21 and vol. 596, p. 286, article 30.

³ See *Yearbook of the International Law Commission, 1967*, vol. II, pp. 137 and 138, paras. 25-28.

¹ See previous meeting, para. 27.

11. There was no doubt that international organizations could have legal obligations; that was evident from numerous agreements concluded in the past. The problem that caused him concern was whether such organizations could have legal obligations without their consent. If their consent was required, it would be necessary at some stage to consider the question whether they were parties to the convention.

12. As the Special Rapporteur had pointed out, it was not normally the task of the Commission to draft the final clauses of a convention, but some guidance by the Commission would surely be appropriate, since a rather special kind of final clause would be necessary. A standard final clause, such as that concerning ratification in article 51 of the Vienna Convention on Diplomatic Relations, would not serve the purpose, since the clause required would deal with a mixed group of unequal parties. If the Commission believed that the convention would create an obligation for organizations automatically and without their consent, some clarification was called for. Certain obligations for the organization were already laid down in article 17, paragraph 3, concerning notifications,⁴ in articles 22 and 23, concerning facilities and accommodation, and in article 49 concerning consultations; those obligations were modest, reasonable and, as the Legal Counsel had said, reflected general practice in some respects, even at the present time.

13. In his opinion, the 1946 Convention on the Privileges and Immunities of the United Nations,⁵ in view of the close relationship between the membership of the United Nations and the States parties to the Convention, did not constitute a sound precedent for the automatic imposition of obligations. Section 30 of that Convention, in particular, to which reference had been made during the discussion, was not very helpful, since in it the United Nations appeared as a party to a dispute and not as a party to a convention. In order to throw some light on the practical aspects of that problem, he hoped that comments would be forthcoming from the international organizations themselves, and that a reference to the need for such comments would be included in the Commission's report.

14. Mr. AGO said that on the whole he approved of the Special Rapporteur's report, the comments it contained and the principles on which it was based.

15. With regard to articles 22 and 23, however, he must draw attention to the danger of placing the obligations of the host State and those of the organization on the same footing. As drafted, the articles gave the impression that those obligations were the same and that they were in some sense joint obligations. But that was not so; the obligations of organizations and of the host State differed considerably, both as to their object and as to their source, and they could vary from one organization to another. The wording should bring out that difference.

16. The obligation set out in article 23, paragraph 2, was reasonable for the host State, but not for the organization, which might have no power in the matter. The Commission should consider what would happen if a member of a permanent mission was unable to find accommodation and demanded that the organization either provide him with accommodation or pay him an indemnity if the rent was too high. There again the impression of a joint obligation, which was what the wording conveyed, was dangerous. It would be better if the two articles referred only to the obligations of the host State and merely mentioned that the organization must help missions to secure the fulfilment of those obligations by the host State, without mentioning the other facilities that the organization was required to grant.

17. Sir Humphrey WALDOCK said he would not have thought there were such serious dangers in the juxtaposition, in articles 22 and 23, of the obligations of the host State and the organization as Mr. Ago had suggested; he recognized, however, that there was a general trend in the Commission, supported in particular by Mr. Castañeda, in favour of separating those obligations, and he agreed with that solution.

18. His own opinion was that those articles should, in substance, adhere as closely as possible to the texts of the Vienna diplomatic and consular Conventions. Some interesting observations had been made concerning the property aspects of article 23, but he still thought the Commission should follow the two Vienna texts which already existed. The English text of articles 22 and 23 was broad and non-technical, and he could not share the misgivings expressed by Mr. Kearney and Mr. Bartoš. In particular, the word "acquisition" in article 23, paragraph 1, was a quite general term, and he saw no sufficient reason to depart from the language of the existing conventions in the absence of any evidence of difficulties having arisen in the application of the Vienna text.

19. He did not share the difficulties expressed by some speakers concerning the exact status of the organization in relation to the draft articles; after all, the Commission was not concerned with producing a convention to be acceded to by organizations, but was trying to state what was the general international law concerning permanent missions to international organizations. He would have thought, therefore, that articles 2 and 3 of the text adopted at the last session would have answered the objections expressed by Mr. Ago. At present, the Commission was merely concerned with stating general principles; the question of whether international organizations would accede to the convention in the future was a separate one to be considered at a later stage.

20. Mr. YASSEEN said he did not think the Commission could consider at that stage whether the convention it was preparing would impose obligations on international organizations; the question whether the convention could be invoked against international organizations was bound up with the question who was the legislator for the international community. Nevertheless, since the draft dealt with relations between States and

⁴ Op. cit., 1968, vol. II, Report of the Commission to the General Assembly, chapter II, section E.

⁵ United Nations, *Treaty Series*, vol. 1, p. 16.

international organizations, it should specify what the rights and obligations of those organizations were; otherwise it would be of little use.

21. Article 22 could be accepted as it stood. The facilities to be accorded by the organization and the host State were clearly distinct. Permanent missions had a task to perform, and the organization and the host State must help them to perform it, each to the extent of its obligations. No confusion between the two classes of obligations was possible. For example, the permanent mission could not ask the host State to provide it with documents or information concerning the work of the organization, and, conversely, it would not approach an organization on questions of inviolability of persons or premises. Since article 22 could only be interpreted in the sense he had indicated, it was hardly even necessary to add a qualifying phrase such as "each to the extent of its obligations".

22. Certain drafting improvements might perhaps be desirable, however. In particular, in the French text the words "*sont tenus d'accorder*" might be replaced by the word "*accordent*", which would be in conformity with the wording of article 25 of the Vienna Convention on Diplomatic Relations. The Drafting Committee might also examine the phrase "having regard to the nature and task of the permanent mission", since although permanent missions certainly had different tasks, their nature appeared to be same.

23. With regard to article 23, he thought the obligations of the host State regarding the premises of the permanent mission and the accommodation of its members were exactly the same as those of a receiving State to a diplomatic mission. By allowing an international organization to be established in its territory, the host State accepted the consequences. Article 23 should reproduce exactly the provisions of article 21 of the Vienna Convention on Diplomatic Relations, applying them to the host State.

24. The organization itself was in a different position in that respect. It was true that many organizations had set up a housing service which, by providing addresses and by other means, helped permanent missions to obtain offices and apartments; such assistance was useful and was appreciated, but it was rather of an accessory nature and was certainly not an obligation to be mentioned in an international convention. The assistance given by an international organization to its member States in their relations with the host State could be the subject of a general rule authorizing the organization to apply to the host State and ask it to fulfil its obligations in a particular case, if the member State concerned had already exhausted all the resources at its disposal. But no specific obligation should be imposed on the organization regarding the premises of the permanent mission and the accommodation of its members.

25. Mr. AGO said he welcomed Mr. Yasseen's last remark, from which it followed that all mention of the organization should be deleted from article 23. He would also urge that the two classes of obligations, those of the host State and those of the organization, should be separated in article 22. As had already been pointed out, the organization had obligations to all its

members, including the host State if it was a member. But the essential purpose of articles 22 and 23 was to specify the obligations of the host State to other States members of the organization. Even if it was true that article 22 should logically be interpreted as establishing two separate sets of obligations, why should the Commission retain an ambiguous text that might give rise to difficulties? It would be better for article 22 to deal only with the obligations of the host State.

26. The idea of making a separate article stating certain general obligations of the international organizations should be considered; but those obligations would go beyond, and be quite different from, the very specific obligations now stated in articles 22 and 23. If the Commission decided to draft such an article it should study the question further and try to avoid vague terms such as "facilitate".

27. Mr. REUTER said he entirely agreed with Mr. Ago. The obvious solution to the drafting problem in article 22—to add a parenthetical clause such as "each in so far as it is concerned"—would not be sufficient.

28. The question of the extent to which the organization guaranteed its members that all member States would fulfil their obligations was a very complex and delicate one. He remembered the difficulty that had arisen in France when an international organization established in that country had intervened to support the request of a member State whose Government was no longer recognized by France. It would be better to deal with the obligations of the organization in a separate article.

29. Mr. TABIBI said he had no difficulty in accepting the texts of articles 22 and 23, since they were clearly based on the corresponding articles of the Vienna diplomatic and consular Conventions and on the draft articles on special missions. If the Commission were to depart too far from the principles accepted in the Vienna Conventions, that would inevitably lead to difficulties in the interpretation, if not in the application, of those Conventions.

30. He had no doubts concerning the obligation of the host State referred to in article 22, but he agreed with Mr. Ago that the organization was hardly in a position to accord "facilities" to the permanent mission.

31. On the other hand, he could not agree with Mr. Yasseen that the reference to the organization in paragraph 2 of article 23 should be deleted; the assistance which the organization was called upon to provide to the permanent mission under that paragraph could be very useful, since the organization itself could draw on a wide experience of local laws, federal laws and the like, not possessed by its individual members. He was confident that articles 22 and 23 would be acceptable if the Drafting Committee could amend them to separate the obligations of the host State from those of the organization.

32. He agreed with Mr. Ustor that the Drafting Committee should not neglect the problem of the permanent mission of the host State itself.

33. The CHAIRMAN, speaking as a member of the

Commission, said he agreed with those members who thought it preferable to separate clearly, in the articles, what concerned the host State and what concerned the organization. He would even go a little further, since, in his view, the organization was morally bound not only to assist member States to obtain all the facilities they required, but also to ensure that they enjoyed all the privileges and immunities laid down in the convention.

34. It would probably be advisable to include a separate article on that subject in the draft, but the article should state a right of the organization rather than an obligation, since the essential purpose of the convention was to bind States. Some organizations might become parties, but not necessarily all, in which case it would be difficult for the convention to impose obligations on them. The general rule stated in such an article, which the Special Rapporteur might begin to draft, would render unnecessary the provisions concerning the international organization now contained in article 22 and article 23, paragraph 2, since they would then only weaken the general rule.

35. As they stood, articles 22 and 23 were incomplete, for the organization too should assist the permanent mission in the acquisition of premises, a matter dealt with in article 23, paragraph 1.

36. He wondered what justification there could be for including the phrase "having regard to the nature and task of the permanent mission", at the end of article 22. That phrase tended to weaken the general rule and in any case, was not to be found in the corresponding provision of the Vienna Convention on Diplomatic Relations. It would be better to follow the model of article 25 of that Convention as closely as possible and, in particular, to reproduce the words "accord full facilities".

37. Mr. EL-ERIAN (Special Rapporteur), summing up the discussion, said he would deal first with the general question whether the draft articles should assign legal obligations to international organizations. His task had been considerably facilitated by the remarks of some members, in particular the very pertinent remark by Sir Humphrey Waldock that the Commission was concerned with formulating the substance of the general law of international organizations. The process whereby an organization became technically bound was a separate question on which the Commission might consider making a recommendation at some stage.

38. In the early days of the United Nations, when the Convention on the Privileges and Immunities of the United Nations had been formulated, that question had been avoided, probably because at the time the treaty-making capacity, and to some extent the corporate existence, of international organizations were not as clearly and fully recognized as they were now. The International Court of Justice had made an important contribution to such recognition in its advisory opinion on *Reparation for injuries suffered in the service of the United Nations*.⁶

39. The recent United Nations Conference on the

Law of Treaties, in its resolution relating to article 1 of the Vienna Convention on the Law of Treaties, had recommended to the General Assembly that it refer to the International Law Commission the study of "the question of treaties concluded between States and international organizations or between two or more international organizations".⁷ When the Commission undertook that study, it would no doubt consider the question of the manner in which international organizations became legally bound by treaty obligations.

40. The point had been made by Mr. Bartoš that, even if an organization did not actually become a party to the convention, the fact that most of its member States were parties would create for it a moral obligation to observe the provisions of the treaty. As far as the Convention of 1946 was concerned, the Secretary-General had always held that the United Nations considered itself a party; that view was supported by a statement by the Legal Counsel to which he had referred in his third report.⁸

41. Even if the final clauses of the future convention on relations between States and international organizations did not make provision for accession by international organizations, the competent organ of an organization could still adopt a resolution whereby it assumed the obligations created by the convention.

42. His reply on the point raised by Mr. Castañeda⁹ was that article 20, adopted at the previous session, dealt with the question of offices of the permanent mission in localities other than that in which the seat or an office of the organization was established. The obligations of the host State under article 23 should therefore be interpreted as covering the offices of a permanent mission located in accordance with the provisions of article 20.

43. With regard to the drafting of article 22, to meet the point raised by both Mr. Ruda and the Chairman, he would bring the wording into line with that of the Vienna Convention on Diplomatic Relations by introducing the adjective "full" before "facilities".

44. He was not in favour of introducing into article 22 the qualification "within the limits of its competence" suggested by Mr. Kearney; as had been pointed out by Sir Humphrey Waldock, the position was made clear by articles 3 and 4.

45. He could accept the suggestion that the reference to the organization be separated from the reference to the host States; that would largely dispose of the issue raised by Mr. Kearney, by making it clear that the obligations of the host State and those of the organization were not on the same footing.

46. In the commentary on articles 22 and 23, a reference would be made to such matters as budgetary limitations, which had been mentioned by the Legal Counsel in the course of the discussion.

⁶ See Final Act of the United Nations Conference on the Law of Treaties, document A/CONF.39/26, annex.

⁷ See *Yearbook of the International Law Commission*, 1968, vol. II, document A/CN.4/203, chapter I, para. 13.

⁸ See previous meeting, para. 34.

47. With regard to the interpretation of the concluding phrase of article 22, "having regard to the nature and task of the permanent mission", Mr. Kearney had suggested that there were differences between a diplomatic mission accredited to a State and a permanent mission to an international organization.¹⁰ He had not had any such difference in mind when drafting article 22; he had used the phrase in question to express an idea that was not very different from that expressed in the concluding phrase of article 16: "... the needs of the particular mission and the circumstances and conditions in the host State".

48. He had been impressed by the points made regarding the ambiguities that might arise from the use of such words as "nature" and "task". The purpose of those words was to indicate that the facilities to be granted differed according to the nature of the permanent mission and its needs. There was a great difference between a permanent mission accredited to an organization of general competence, like the United Nations, and a permanent mission accredited to a technical organization with a very limited field of activity. As between permanent missions to the United Nations, there was also a difference between the mission of a permanent member of the Security Council, which in practice was also a mission to all the other principal organs of the United Nations, and the mission of a State which did not have the whole range of responsibilities of a permanent member of the Security Council. If the Commission favoured dropping the words "having regard to the nature and task of the permanent mission", he would suggest that an explanatory passage be included in the commentary, on the lines of paragraph (6) of the commentary on article 16.

49. With regard to article 23, he could not accept Mr. Kearney's suggestion that the words, "by the sending State", in paragraph 1 should be deleted. Such a departure from the text of the corresponding article of the Vienna Convention on Diplomatic Relations could lead to difficulties of interpretation. Again, a reference to the sending State was important in the context since, even if the premises of the permanent mission were acquired in the name of the permanent representative, they were held on behalf of the sending State. The reference to the sending State would cover all the different situations that could arise.

50. A number of members had suggested that articles 22 and 23 should be redrafted so as to separate the obligations of the host State from those of the organization, and he was prepared to accept that idea. An alternative solution suggested by Mr. Reuter, which deserved consideration by the Drafting Committee, was to insert the words "each in so far as it is concerned", after the words "the organization and the host State".

51. It had also been proposed that the reference to the organization should be dropped from article 22, and the Chairman had suggested the introduction of a new article setting forth the right of an organization to secure fulfilment by the host State of its obligations concerning the facilities, privileges and immunities to be accord-

ded to the sending State and its permanent mission. His own view was that a distinction should be made between that right and the obligations of the organization under articles 22 and 23; hence the addition of the proposed new article would not be a substitute for the references to the organization in articles 22 and 23.

52. With regard to the scope of the term "facilities", he agreed with Mr. Bartoš that it covered not only technical and administrative facilities, but also facilities of a political character. That point could be brought out in the commentary.

53. He agreed with Mr. Ustor that the relations of the host State with its own permanent mission to the organization fell outside the scope of articles 22 and 23. Those articles dealt with relations between the host State and the permanent missions of other States members of the organization. But the obligation of the organization to assist in the matter of facilities applied to all permanent missions, including that of the host State.

54. He considered it necessary to retain the reference to the organization in article 23, paragraph 2, because the organization was expected to assist permanent missions in obtaining suitable accommodation for their members. There was already a practice in the matter and it was necessary to consolidate that practice. Moreover, as Mr. Tabibi had pointed out, some organizations, such as the United Nations, had accumulated a wealth of experience concerning the complex legal and other problems raised by local legislation and practice regarding ownership and occupation of premises. Consequently, the facilities offered by the housing services of organizations should continue to be available to permanent missions.

55. His drafting of article 23 had been generally supported, although some members had expressed doubts as to the need to differentiate between the accommodation of the permanent mission, dealt with in paragraph 1, and the accommodation of its members, dealt with in paragraph 2. There was, however, a strong case for that differentiation, which was also made in the corresponding article of the Vienna Convention on Diplomatic Relations. The premises of a permanent mission were acquired on a more or less permanent basis, often by purchase, whereas the accommodation of the members of the mission was of a more temporary character and usually took the form of leased apartments; it was therefore useful to keep the two cases separate. Another reason was the need to specify, in the first case, that the host State had a duty to facilitate the acquisition of premises "in accordance with its laws". It was only if the internal law of the host State permitted a foreign State to own property in its territory that the host State would be required to provide assistance in the purchase of premises. The case contemplated in paragraph 2 was that of members of a permanent mission securing the lease of suitable accommodation; in that case, the organization had a role to play through its housing services and the information it could provide.

56. He proposed that articles 22 and 23 be referred to the Drafting Committee with the changes which he had accepted. The Drafting Committee could consider the question of including, either at the beginning or at the

¹⁰ *Ibid.*, para. 42.

end of the chapter, a separate article of a general character setting forth the right of the organization to secure fulfilment by the host State of its obligations concerning the facilities, privileges and immunities to be accorded to the sending State and its permanent mission.

57. The CHAIRMAN said that, if there were no objections, he would take it that the Commission agreed that articles 22 and 23 should be referred to the Drafting Committee as proposed by the Special Rapporteur.

It was so agreed.¹¹

ARTICLES 24 TO 26

58.

Article 24

Inviolability of the premises of the permanent mission

1. The premises of the permanent mission shall be inviolable. The agents of the host State may not enter them, except with the consent of the head of the mission.

2. The host State is under a special duty to take all appropriate steps to protect the premises of the permanent mission against any intrusion or damage and to prevent any disturbance of the peace of the permanent mission or impairment of its dignity.

3. The premises of the permanent mission, their furnishings and other property thereon and the means of transport of the permanent mission shall be immune from search, requisition, attachment or execution.

Article 25

Exemption of the premises of the permanent mission from taxation

1. The sending State and the head of the permanent mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the permanent mission, whether owned or leased, other than such as represent payment for specific services rendered.

2. The exemption from taxation referred to in this article shall not apply to such dues and taxes payable under the law of the host State by persons contracting with the sending State or the head of the permanent mission.

Article 26

Inviolability of archives and documents

The archives and documents of the permanent mission shall be inviolable at any time and wherever they may be.

59. Mr. EL-ERIAN (Special Rapporteur) said he had grouped articles 24 to 26 together and had attached a joint commentary to them because all three related to certain immunities and exemptions concerning the premises of the permanent mission and its archives and documents. There was general recognition of the duty of the host State to ensure the inviolability of the premises, archives and documents of permanent missions, and in paragraph (2) of the commentary he had quoted a significant passage from a letter by the Legal Counsel on the subject.

¹¹ For resumption of the discussion, see 1014th meeting, para. 1.

60. In paragraphs 3, 4 and 5 of the commentary, he had referred to the relevant provisions of various headquarters agreements and of the Convention on the Privileges and Immunities of the United Nations. Under those provisions, the property and assets of the United Nations and of the specialized agencies, wherever located and by whomsoever held, were immune from search, requisition, confiscation, expropriation or any other form of interference, whether by executive, administrative, judicial or legislative action.

61. The replies of the United Nations and the specialized agencies to the questionnaires sent to them had shown that there was general recognition of the principle of exemption of the premises of permanent missions from taxation. He had therefore included a provision on the subject in article 25.

The meeting rose at 12.55 p.m.

995th MEETING

Monday, 9 June 1969, at 3.10 p.m.

Chairman: Mr. Nikolai USHAKOV

Present: Mr. Ago, Mr. Bartoš, Mr. Bedjaoui, Mr. Castrén, Mr. El-Erian, Mr. Eustathiades, Mr. Ignacio-Pinto, Mr. Kearney, Mr. Nagendra Singh, Mr. Ramangasoavina, Mr. Ruda, Mr. Tabibi, Sir Humphrey Walcock, Mr. Yasseen.

Relations between States and international organizations

(A/CN.4/218 and Add.1)

[Item 1 of the agenda]

(continued)

ARTICLE 24 (Inviolability of the premises of the permanent mission)

ARTICLE 25 (Exemption of the premises of the permanent mission from taxation) and

ARTICLE 26 (Inviolability of archives and documents)¹
(continued)

1. The CHAIRMAN invited the Commission to continue consideration of articles 24 to 26 in the Special Rapporteur's fourth report (A/CN.4/218).

2. Mr. NAGENDRA SINGH said that the articles closely followed the corresponding articles of the Vienna Convention on Diplomatic Relations² and reflected sound State practice with respect to both *lex lata* and *de lege*

¹ See previous meeting, para. 58.

² United Nations, *Treaty Series*, vol. 500, pp. 106 and 107, articles 22-24.