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Chairman: Mr. Gonzalo ALCÍVAR (Ecuador).

AGENDA ITEM 87

**Draft Convention on Special Missions (*continued*)
(A/6709/Rev.1 and Corr.1, A/7375; A/C.6/L.745,
A/C.6/L.747)**

Article 30 (Inviolability of the private accommodation)
(continued) (A/C.6/L.708, A/C.6/L.749, A/C.6/L.750)

1. Mr. VRANKEN (Belgium) said that his delegation agreed with the Ghanaian representative that the two paragraphs of article 30 dealt with two entirely different subjects under an inappropriate heading. Moreover, the rules laid down in paragraph 1 of the article, even if justified, would be difficult to apply in his own country, which received a considerable number of special missions every year. On practical grounds, therefore, his delegation would vote in favour of the French amendment (A/C.6/L.708).

2. A number of delegations had referred to the representative nature of special missions in support of article 30. Equally important was the theory of functionality, which was referred to in the preamble to the Vienna Convention on Diplomatic Relations also.

3. If the French amendment was rejected, his delegation would vote in favour of the Lebanese-United States joint amendment (A/C.6/L.749) and the Ghanaian amendment (A/C.6/L.750), which would reduce the difficulties involved in the implementation of the article. However, if paragraph 1 of the article was adopted by the Committee, even with those two amendments, his delegation would interpret it as not applying to special missions in the field of multilateral diplomacy, i.e. special missions sent to conferences and congresses.

4. His delegation agreed with the view expressed by the Expert Consultant at the 1122nd meeting that it was essential to protect the documents of special missions if they were to function freely. It could therefore support paragraph 2 of the article and formally requested a separate vote on each paragraph.

5. Mr. KLEPATSKY (Byelorussian Soviet Socialist Republic) said that his delegation considered that the arguments

for retaining the Commission's text of article 30 were valid and juridically justified. The purpose of the article was to ensure that special missions had the requisite conditions for the normal and free performance of their functions. The adoption of article 30 would confirm the rights already accorded to diplomats by the 1961 Vienna Convention on Diplomatic Relations.

6. The personal inviolability provided for by article 29 and the inviolability of private accommodation were interdependent, and denial of the latter would run counter to the provisions of article 29.

7. He could not agree with the French assertion that it was impossible to guarantee the necessary conditions for inviolability in hotel rooms and private houses. The personal inviolability of members of special missions and the inviolability of their private accommodation should in all circumstances be guaranteed by the State and not by the owner of such accommodation. Nor could he agree with the French view that the inviolability provided by article 30 was already ensured by articles 25 and 26. Articles 25 and 26 referred to the offices and the archives and official documents of special missions, whereas article 30 related to their private accommodation and private papers. The explanations of the Expert Consultant had further strengthened his delegation's intention to vote for the retention of article 30 as drafted by the Commission.

8. His delegation felt that the Lebanese-United States amendment was unnecessary, since the question of notification was already dealt with in article 11. Nor could his delegation support the Ghanaian amendment, because it would reduce the scope of the article.

9. Mr. SHAW (Australia) said that in considering article 30 a number of factors should be borne in mind. Firstly, the article should be examined from the functional viewpoint. The privileges and immunities accorded to a special mission should be sufficient to ensure the efficient performance of its functions, having regard to its temporary nature, and should not be broader than was necessary for that purpose. It was a question of achieving a proper balance. Secondly, the provisions of article 30 should not impose on the receiving State impossible or impracticable obligations. Thirdly, it should be borne in mind that the scope of the draft Convention was not confined to diplomatic or high-level missions and that, under article 50, the sending and the receiving State might agree to increase or reduce the privileges and immunities granted in any specific case. Fourthly, article 30 should be read in the light of the other articles; in particular, paragraph 1 should be read in the light of the other articles relating to the seat and the premises of the special mission and the articles relating to the personal inviolability of its members, namely, articles

11, 17, 19, 23, 25, 29 and 31. Article 30, paragraph 2, should be read in the light of the articles relating to the inviolability of archives and documents and freedom of communication, namely, articles 26 and 28.

10. If the approach he outlined was accepted, it followed that the terms of article 30 were wider than was justified. Some delegations had argued, in support of the retention of the Commission's text of article 30, that account should be taken of the fact that a good deal of a special mission's work was carried out in private accommodation. If that was so, the private accommodation would be notified to the receiving State under article 11, paragraph 1 (*f*), as the premises of the special mission and would then receive the protection provided under other articles, thus rendering article 30 superfluous. The personal inviolability of the members of special missions was already guaranteed by other articles, and articles 26 and 28 provided for the protection of their archives and documents.

11. Although there was no functional justification for article 30, paragraph 1, it might, however, be desirable to provide, for the private accommodation of members of the special mission, the protection afforded for the premises of the special mission under article 25, paragraph 2, and his delegation would support any amendment to that effect.

12. The provision of paragraph 2 relating to the property of the special mission was largely theoretical because of the temporary nature of the mission and was, accordingly, unnecessary. The provision relating to the private papers of the members of the mission was also unnecessary. As his delegation interpreted article 26, any document prepared by a member of a special mission acting in his official capacity, including notes made for the purpose of his functions, would be regarded as official documents of the special mission and enjoy inviolability accordingly. Article 30, paragraph 2, would thus relate only to truly private papers that were totally unrelated to the task of the special mission, and he could see no reason for granting them special protection. It was stated in article 26 that the archives and documents of the special mission should, where necessary, bear visible external marks of identification, which would obviate the possibility referred to by the Expert Consultant that a search might be made to discover whether or not specific papers were related to the task of the special mission.

13. His delegation would therefore support the French amendment or, if the Committee so wished, would vote for a variation on the French amendment which would accord to private accommodation the same protection as was provided by article 25, paragraph 2, for the premises of the special mission. If the French amendment was rejected, his delegation would support the Lebanese-United States amendment and the Ghanaian amendment.

14. There had been a divergence of opinion in the Committee as to whether or not the Lebanese-United States amendment would alter the meaning of article 30 as it stood. His delegation felt that it would alter the meaning. If the present text was adopted, private accommodation would be inviolable whether or not it had been notified under article 11, paragraph 1 (*f*). If the amendment was adopted, however, inviolability and protection would be

extended only after such notification. His Delegation would also support the Ghanaian amendment, because although that amendment would reduce the scope of article 30, paragraph 1, it would do so only where appropriate.

15. Mr. PINTO (Ceylon) said that article 30 should be considered in the light of article 22, which stated that the special mission should be accorded the facilities required for the performance of its functions, having regard to the nature and task of the special mission. From a functional viewpoint, article 30 was acceptable in principle. Paragraph 1 would grant inviolability and protection to the private accommodation of two categories of members of the special mission, namely, the representatives of the sending State in the special mission and the members of its diplomatic staff. Such persons would probably not be very numerous in any one case, and their names would be notified to the receiving State in accordance with article 11, paragraph 1 (*a*). The provisions of paragraph 2 would likewise apply only to the papers, correspondence and property of members falling in those two categories.

16. His delegation had considerable sympathy with the views expressed by the representative of France at the 1122nd meeting regarding the practical difficulties involved in the implementation of article 30. It, too, had some difficulty in equating absolutely the premises of the special mission and the private accommodation of its high-ranking members. The phrase "the same inviolability and protection as the premises" in article 30 might be misleading. While the mission's premises and the private accommodation of its high-ranking members should enjoy similar status, the provisions of article 25 relating to the inviolability and protection of its premises should be restated in article 30 *mutatis mutandis*, at any rate with respect to the methods whereby the receiving State would perform the obligations it had undertaken. On that basis, his delegation could support the retention of draft article 30.

17. His delegation felt that the Lebanese-United States amendment and the Ghanaian amendment would facilitate the practical implementation of article 30. His delegation looked forward to receiving as early as possible the definition of the term "special mission" being prepared by the Drafting Committee. An agreed definition would greatly facilitate agreement on the subject of privileges and immunities and in other areas.

18. Mr. MOSCARDO DE SOUZA (Brazil) said, with regard to the provision of protection for the private accommodation of members of special missions, that it was a primary duty of every State to maintain law and order in its territory by providing such protection for all residents, whether permanent or temporary. In the case of special missions, however, it was mainly protection against the intelligence organs of the receiving State that was needed, rather than protection against common criminals. Such protection could best be ensured by a rule of international law, and his delegation would therefore vote in favour of article 30 as drafted by the Commission.

19. Mr. UOMOTO (Japan) said that his delegation maintained the view expressed in paragraph 20 of the Japanese note verbale reproduced in document A/7156¹ that article

¹ See *Official Records of the General Assembly, Twenty-third Session, Annexes*, agenda item 85.

30 should be deleted. The primary consideration should be functional necessity, and paragraph 1 of the article placed impracticable obligations on the receiving State. The Lebanese-United States amendment to some extent removed the practical difficulties, but, so long as there was no agreed definition of the term "special mission", article 30, paragraph 1, even with that amendment, would still raise problems. In drafting the Convention, the Committee should bear in mind the rapid growth of the institution of special missions in the present age of dynamic technical progress.

20. With regard to paragraph 2, the inviolability of the private papers and correspondence of the members of the special mission was not an indispensable condition for the proper performance of their functions. The mission's official documents were already protected by articles 26 and 28, and his delegation was not convinced by the argument that the principle of inviolability of official papers could not be safeguarded unless private papers and documents were also made inviolable. The real question should therefore be whether the private papers and documents were to be or were not to be inviolable as a matter of principle, in the light of functional necessity. In the view of his delegation, the consideration of practical difficulties in applying another principle was extraneous to that point. A clear distinction should be made between the question of principle involved and questions of fact such as difficulties of application. In his delegation's view, articles 26 and 28 were sufficient for the functional needs of special missions. His delegation would therefore support the French amendment.

21. Mr. ALVAREZ TABIO (Cuba) said that, after hearing the arguments advanced by the Expert Consultant and the Chairman of the Drafting Committee, he had concluded that article 30 was the necessary corollary of article 29 and that personal inviolability could not be guaranteed without the inviolability of private accommodation. The Lebanese-United States amendment and the Ghanaian amendment would further weaken article 30—already weak because of the drafting of the first part of article 25, which represented a complete departure from the corresponding provision of the Vienna Convention on Diplomatic Relations.

22. He agreed with the Expert Consultant that notification under article 11, paragraph 1 (*f*), could not be made a condition for the granting of the inviolability of private accommodation. Accordingly, his delegation would vote in favour of the Commission's text of article 30 and against the amendments.

23. Mr. BEN LAMIN (Libya) recalled that his delegation had consistently maintained that only amendments which substantially improved the text should be made to the draft of the International Law Commission. It believed that special missions should be granted privileges and immunities similar to those of permanent diplomatic missions and did not think that the changes proposed would make the text of article 30 more acceptable.

24. The arguments adduced in favour of the French amendment were not convincing. The inviolability of private accommodation should be an integral part of the

privileges and immunities granted to members of special missions. The practical difficulties involved would not be insurmountable; States acceding to the Convention would have to make arrangements, as in the case of permanent diplomatic missions, to grant immunity to the residence, papers and correspondence as well as to the person of members of special missions. The Libyan delegation would vote against the French amendment.

25. The insertion of the words proposed in the amendment of Lebanon and the United States would not allay the fears of the French delegation and, indeed, was unnecessary. Article 2 of the draft specified that the consent of the receiving State had to be given to the sending of a special mission and article 11 stated that the arrival and final departure of members of the mission should be notified to the receiving State.

26. His delegation therefore favoured the adoption of the text drafted by the International Law Commission.

27. Mr. CASTREN (Finland) expressed support for the existing text of article 30. He had not been swayed by the arguments of the French delegation and saw no need to make a distinction between representatives of the sending State in the special mission and members of its diplomatic staff, on the one hand, and members of permanent diplomatic missions, on the other. The members of both types of mission were often accommodated in hotels or private residences and some of their work was done in their private accommodation, which was used for official purposes. Members of special missions should therefore enjoy the same inviolability as members of permanent diplomatic missions. He could not agree that the idea in paragraph 2 of article 30 was covered by the provisions of articles 26 and 28, since the latter articles did not deal with the members of special missions.

28. The inviolability of the private accommodation should not be made dependent upon notification. In accordance with article 11, paragraph 1 (*f*), the location of all premises occupied by the special mission should be notified to the receiving State as soon as possible and preferably in advance of their occupancy. Even in the absence of notification, however, the premises should be protected, if their nature could be ascertained by some other means.

29. The Ghanaian amendment added nothing essential to the text of article 30 which had been submitted by the International Law Commission and for which the Finnish delegation would vote.

30. Mr. JAHODA (Czechoslovakia) said that article 30 was one of the key provisions of the Convention concerning personal immunity and should be retained. Together with articles 29 and 31, it provided well-balanced machinery for guaranteeing the personal security and inviolability required for the functioning of special missions. The deletion of article 30 would create a legal vacuum in the protection accorded to members of special missions; his delegation was therefore unable to support the French amendment. It was important to guarantee the *de jure* and *de facto* equality of all States in the process of *ad hoc* diplomacy. Many States did not have permanent diplomatic missions in all countries and had to use hotel accommodation as office space, in which archives were stored for special missions.

31. The amendment of Lebanon and the United States and the Ghanaian amendment would unnecessarily complicate the text. With reference to the former, the provisions of article 11 made it unnecessary to refer to notification in article 30. Problems of interpretation and application would arise if the granting of inviolability were made dependent upon notification. The Ghanaian amendment raised a number of questions, such as who would determine when it was appropriate to grant inviolability. Under the provisions of article 50, paragraph 2 (c), States could agree among themselves on the extent of the privileges and immunities of special missions. In that connexion, it should be remembered that the Convention was to apply to all types of special missions and that inviolability should be granted to all special missions, irrespective of the level of representation. His delegation could therefore not agree with those delegations which expressed the view that the inviolability of the private accommodation might be granted only to high-level special missions.

32. Mr. EL-ATTRASH (Syria) supported the original text drafted by the International Law Commission. The absence of protection for private accommodation would create a feeling of insecurity which was incompatible with the official and diplomatic character of the special mission. Members of such a mission could not be denied the privileges granted to members of diplomatic and consular missions and missions of international organizations. In view of the temporary nature of special missions, the burden placed on the receiving State would be of limited duration. Régimes of privileges and immunities were in fact mainly a matter of courtesy between States and the French delegation's misgivings in that regard were unfounded. That delegation's attitude would perhaps change when the Committee had before it a definition of the term "special mission".

33. Mr. USTOR (Hungary) stressed that there was no reason for granting different treatment as regards inviolability and protection of private accommodation to members of permanent and temporary diplomatic missions. Members of permanent missions often lived in hotels and, under the Vienna Convention on Diplomatic Relations, their hotel accommodation was inviolable. The provisions of article 30 were not new; they stated an existing, obvious and necessary rule of international law. The Hungarian delegation could therefore not support the French amendment.

34. The other amendments were also unacceptable. The addition proposed in the Ghanaian amendment would make the provisions of article 30 vague and sweeping. The Hungarian delegation could not agree with the idea underlying the amendment of Lebanon and the United States—that negligence on the part of the sending State with regard to notification could reduce the responsibility of the receiving State in respect of violations of article 30. Such negligence might affect but did not eliminate the responsibility of the receiving State. Even if some wording could be added which would circumscribe the negligence of the sending State in that connexion, the idea had no place in article 30. Neither the Vienna Convention nor the draft Convention under consideration included any reference to the consequences of failure by the sending State to notify; the inclusion of such a reference, as an exception, in article

30 would affect the interpretation of other rules contained in the draft Convention and in the Vienna Convention. It was important not to burden the text with unnecessary detail and to evolve clear and simple regulations.

35. Mr. MOSER (Observer for Switzerland) said that the subject-matter of article 30 raised considerable problems. On the one hand, special missions required inviolability for the private accommodation of their members and all appropriate protection. Because they normally had no permanent premises and were unfamiliar with customs in the receiving State, the members of such missions were perhaps more vulnerable than those of permanent missions. On the other hand, article 30 placed very heavy obligations on the receiving State. Article 25, paragraph 2—to which article 30 implicitly referred—imposed upon the receiving State the duty to protect the premises of the special mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity. The police in receiving States already found it difficult to protect permanent diplomatic missions, which were often the object of demonstrations of various kinds. The Swiss authorities had taken special steps to provide the necessary protection and were setting up a special police force of 600 men to protect embassies, permanent missions to international organizations, international conferences and special missions. Protection was also provided for the residences of members of permanent missions. It was more difficult, however, to protect the private accommodation of members of special missions, which was less permanent in nature. Thus, a receiving State could not provide protection for too great a number of special missions. That showed, once more, that the Convention would apply only to important special missions, which were truly representative of the sending State. That State should co-operate with the receiving State in good faith, when deciding on the accommodation for members of special missions. When necessary, it should follow the advice of the receiving State and choose accommodation which could be easily protected. Such an arrangement would correspond to the practice followed in Switzerland and would not hinder the freedom of movement of special missions.

36. On the subject of the article under discussion, Switzerland adopted a middle-of-the-road attitude. It agreed with the material content of article 30, which reflected Swiss practice in the matter. However, as in the case of article 25, paragraph 2, the legal obligations set forth were too inflexible and should be tempered so as to enable the receiving State to suit its action to the particular circumstances of each case.

37. He hoped that the Drafting Committee would take those comments into consideration, unless it decided that the points made were covered by the inclusion of the word "appropriate", in article 25, paragraph 2. Switzerland supported the Ghanaian amendment, which met its concern, at least partially.

38. Mr. Krishna RAO (India) noted that article 30 of the draft under consideration reproduced, without any change of substance, the provisions of article 30 of the Vienna Convention on Diplomatic Relations. In that connexion, it should be recalled that the International Law Commission had referred to the 1961 United Nations Conference on

Diplomatic Intercourse and Immunities a draft defining the expression "special mission" as an official mission of State representatives sent by one State to another in order to carry out a special task.² The expression had also been considered to apply to an itinerant envoy who carried out special tasks in the States to which he proceeded.

39. The Vienna Conventions on Diplomatic and Consular Relations were based on the principle of functional necessity. In the case under discussion, it was a functional necessity for members of special missions to enjoy immunity. It was to be hoped that the amendment of Lebanon and the United States, which made immunity dependent upon notification, would not be pressed to a vote.

40. He agreed with the comments made by the Hungarian representative on the subject of the Ghanaian amendment.

41. Miss DAHLERUP (Denmark) said that the draft Convention should facilitate the sending and reception of special missions by mutual agreement, on the understanding expressed in several articles that the receiving State would receive and treat the mission and its members in good faith and help it to perform its task. However, the obligation embodied in article 30 would raise practical difficulties and the Danish Government was reluctant to assume an obligation which it might not be able to fulfil. It should be remembered that representatives in a special mission and members of its diplomatic staff would often be accommodated in hotel rooms or in private homes scattered over a wide area. A civil servant from the receiving State would normally be attached to high-level delegations to facilitate their task and ensure that they were granted all privileges. The same would not necessarily be true for lower-level delegations or for members of the diplomatic staff not accommodated in the same place as the rest of the delegation.

42. Article 30 referred back to article 25, paragraph 3 of which concerned the premises of the special mission, their furnishings and other property used. Citizens of the receiving State who concluded contracts with a member of the mission—for example, for the lease of equipment to be used by the special mission—might not always know whether the other party was a member of a special mission or a tourist. It would be unfair for their rights to be disregarded because of the provisions of article 30.

43. For those reasons, the Danish delegation would vote for the French amendment, on the understanding that special missions would be received in good faith and their members protected not only by the general law of the receiving State but also by the application of the usual international norms.

44. Her delegation was not fully aware of the implications of the Ghanaian amendment but thought that it would facilitate the practical implementation of the article. The amendment of Lebanon and the United States would help the receiving State to fulfil its obligations but would not suffice to make the article acceptable.

45. Mr. SUCHARITKUL (Thailand) said that the discussion seemed to have raised some doubt about the nature of

the inviolability and protection referred to in article 30, paragraph 1, of the International Law Commission's draft. It was however clear from the wording of the paragraph that their precise content was to be sought in article 25. Two kinds of obligation were provided for in that article. The first—the obligation of inviolability—was represented by the negative duties of the receiving State, as expressed in article 25, paragraphs 1 and 3; those duties were unqualified and therefore absolute. The second—the obligation of protection—comprised the positive duty specified in article 25, paragraph 2; that duty was qualified by the words "to take all appropriate steps" and was therefore less absolute. The fact that the duty of protection was a qualified one should help to dispel the misgivings which had been voiced about article 30. Of course, article 30 lacked the relieving provisos of article 25, paragraph 1, but a power similar to that available under those provisos might perhaps be exercisable by the person staying in the private accommodation. Thailand was often a receiving State, and his delegation therefore sympathized with the arguments advanced by the French representative and those delegations which had supported him. It felt, however, that the draft Convention should clearly state the principles on which it was based.

46. In that connexion, it was relevant to consider why the kind of inviolability and protection provided for in article 30 should be granted. French legal doctrine held that diplomatic immunity was not only *ratione personae* but also *ratione materiae*. Article 30 came immediately after article 29, which was clearly *ratione personae* only and not based on the diplomat's duties. Was article 30 therefore also *ratione personae* only? Even if it was, the basis of *ratione personae* was still the functional theory: a diplomat could not function efficiently unless both his official activities and his personal life were free from molestation. Consequently, the objectors to article 30 could not question the justification for the inviolability which it provided. Their anxiety was obviously about the other element, the duty of protection, but that was a less absolute duty, and in most cases the receiving State need take no steps whatsoever. The Ghanaian amendment and the Lebanese and United States amendment would have the effect of making it easier for receiving States to discharge their obligations under article 30 and should therefore help to secure the acceptance of that article. A knowledge of the definitions in the article on the use of terms would facilitate that acceptance even further.

47. Mr. CHAMMAS (Lebanon) said that article 30, as drafted by the International Law Commission, was based on the assumption that the receiving State would know of any change of accommodation. That assumption had raised difficulties, because of the receiving State's duty to guarantee immunity, and it was with the aim of helping the Committee over those difficulties that the Lebanese and United States delegations had submitted their amendment. That amendment must, of course, be seen in the light of the absolute obligation of the sending State under article 11, paragraph 1 (f), which the Committee might think conflicted with the wording of the amendment. In view of the terms of article 29, article 30 would apply only when the occupants of the private accommodation were absent. The wording of article 30 must be made to cover that situation fully. The amendment did not suspend the immunity

² *Ibid.*, Fifteenth Session, Supplement No. 9, para. 38.

provided by the draft Convention: it was intended to enhance the applicability of the Convention and to remind the sending State that it had obligations balancing those of the receiving State.

48. Mr. ANDRIAMISEZA (Madagascar) said that he disagreed with those delegations which saw no logical connexion between the two paragraphs of article 30, because there was obviously a link between the private accommodation and its contents. His delegation could not support the proposal to delete article 30, because the latter covered a situation not otherwise provided for in the draft Convention, and one for which safeguards were necessary if the special mission was to function properly. The fact that practical difficulties might exist in implementing an obligation should not be a ground for refusing to state an accepted principle. His delegation understood the reasons which had prompted the Ghanaian delegation to submit its amendment, but it considered that the words which the amendment would introduce were ambiguous, and therefore out of place in an instrument which would have to be interpreted by many individuals who would not understand as clearly as the Committee exactly what was involved. The joint Lebanese and United States amendment might raise more difficulties than it solved. His delegation was therefore unable to accept it and would vote in favour of the existing text of article 30.

49. Mr. GARCIA ORTIZ (Ecuador) said that a legal rule had to be construed in the light of its purpose. The purpose of article 30 was to protect the functioning of special missions, which from that point of view were in the same position as permanent missions. The difficulty arose not with the purpose of the article but with its implementation; however, the fact that the difficulty existed was no reason for rejecting the rule. Emphasis should be placed on the negative aspects of the article rather than on the positive duty it imposed on receiving States. The practice expressed in article 30 was a traditional one in Latin America and

should be converted into a conventional rule. The article should therefore be retained. The amendment proposed by Lebanon and the United States was superfluous, in view of the provisions of article 11. The Ghanaian amendment would introduce wording which might prove difficult to interpret, and it was therefore unacceptable.

50. Mr. HYERA (United Republic of Tanzania) said that his delegation supported the International Law Commission's text and would vote against the French proposal. The Lebanese and United States amendment was unacceptable to his delegation, which could not agree that the right of inviolability should depend on prior notification. Various circumstances might arise to force the special mission to change its private accommodation before it could give notice of the change; moreover, the receiving State might learn of the change otherwise than by official notification and yet use the absence of notification as a pretext for refusing immunity. The Ghanaian amendment was also unacceptable, because it undermined the right of the special mission to inviolability.

51. Mr. DADZIE (Ghana) said that, in view of the explanation given in paragraph (3) of the International Law Commission's commentary on article 30, his delegation would withdraw its amendment (A/C.6/L.750). With regard to the Lebanese and United States amendment, the protection which the Committee was seeking to establish might be endangered if inviolability were to depend on notification, and in any case the obligation to notify the receiving State was fully covered by article 11. His delegation considered that the private accommodation of special missions should enjoy inviolability wherever it was situated, and for that reason it could not support the French proposal to delete article 30. The article should stand as drafted by the International Law Commission.

The meeting rose at 6.5 p.m.