

SIXTH COMMITTEE

SUB-COMMITTEE ON PRIVILEGES AND IMMUNITIES

PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES

Letter from the United Nations Educational Scientific and Cultural
Organization to the Secretary-General

14 October 1947

Mr. Trygve Lie, Secretary-General
United Nations
Lake Success, N. Y.

Sir,

I have been instructed by the Director-General to present to you the following statement on the position of the United Nations Educational, Scientific and Cultural Organization with regard to the question of privileges and immunities of the Specialized Agencies:

The First Session of the General Conference of UNESCO held in November-December 1946, postponed the consideration of a convention on privileges and immunities of the Organization, pending the conclusion of a General Convention on the privileges and immunities of the Specialized Agencies.

Following the initiative of the United Nations, after the consultations that had taken place between that Organization and the Specialized Agencies, UNESCO presented to the Third Session of its Executive Board the draft General Convention on the privileges and immunities of the Specialized Agencies and also submitted the proposed procedure for its adoption.

With regard to the draft Convention itself, the Executive Board passed the following resolution: "That if it proves to be impracticable to negotiate a unified agreement for all the Specialized Agencies, the Secretariat should encourage the negotiation of a model draft agreement on privileges and immunities for Specialized Agencies, which should form the basis on which the ultimate agreement for each Specialized Agency should be drawn up."

The Executive Board further requested the Director-General to transmit

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the draft text of the proposed Convention to the Member States of the Organization for their comments.

With regard to the question of procedure for approval of the Convention, the Director-General was aware of the alternative proposed by the United Nations, namely: a) approval by the General Assembly, or b) approval by a Special Conference of States Members of the Specialized Agencies. However, as the consultations between the United Nations and the Specialized Agencies had made it clear that the Agencies endorsed the second alternative, the matter was so presented to the Second Session of the Executive Board, who endorsed the procedure of a Special Conference.

The Sixth Committee of the General Assembly, however, has recommended that no special conference to approve the Convention should be held and the Director-General therefore feels obliged to reserve the position of UNESCO with regard to this question, pending its consideration by the Second Session of the UNESCO General Conference (November 6 to December 3, 1947).

The Director-General would be very grateful if you could bring this statement to the attention of the Second Session of the General Assembly.

I have the honour to be,

Sir,

Your obedient servant

EMILIO ARENALES
