

APPROVAL OF SUPPLEMENTARY AGREEMENTS WITH SPECIALIZED AGENCIES
CONCERNING THE USE OF UNITED NATIONS LAISSEZ-PASSER

Report of the Secretary-General

Article VII of the Convention on Privileges and Immunities of the United Nations provides that the United Nations may issue United Nations laissez-passer to its officials and that these laissez-passer shall be recognized and accepted as valid travel documents by the authorities of Members. It also specifies the rights and facilities which should be given to the bearers of these documents. Section 28 of Article VII of this Convention also provides that:

"The provisions of this article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide."

In accordance with this section, the agreements of certain of the specialized agencies contain clauses entitling their officials to the use of the United Nations laissez-passer. At the present time, such a clause is included in the agreements between the United Nations and the World Health Organization, the International Telecommunications Union, the International Bank for Reconstruction and Development and the International Monetary Fund.

In this connexion, the General Assembly had already agreed to the principle of extending to all specialized agencies the right to use the laissez-passer in approving, by resolution 179 (II), A, the Convention on the Privileges and Immunities of the specialized agencies, section 26 of which expressly refers to the use of the laissez-passer. Although this Convention has not yet come into force, by resolution 179 (II), C, the General Assembly recognized as necessary that the specialized agencies enjoy, at the earliest possible date, the privileges and immunities essential for an efficient exercise of their functions and recommended that the benefit of the privileges and immunities provided in the Convention be immediately granted as far as possible.

The matter of granting the use of the laissez-passer to those specialized agencies whose agreements did not contain a clause in that connexion was, at the request of the International Civil Aviation Organization,

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placed on the agenda of the Economic and Social Council of the United Nations in February 1948.

On 25 February 1948, the Economic and Social Council adopted resolution 136 (VI), requesting the Secretary-General:

- "(a) To conclude with any specialized agency which may so desire a supplementary agreement to extend to the officials of that agency the provisions of Article VII of the Convention on Privileges and Immunities of the United Nations, and to submit such supplementary agreement to the General Assembly for approval, and
- (b) Pending the entry into force of such agreement, to make arrangements for the use of the United Nations laissez-passer by officials of the specialized agency concerned, such laissez-passer to be issued on a provisional basis for use only in those countries which have previously undertaken to recognize the validity of laissez-passer so issued."

In accordance with paragraph (a) of this resolution, the Secretary-General in May 1948 entered into a supplementary agreement with the International Civil Aviation Organization to add to the agreement between ICAO and the United Nations a clause similar to that existing in the agreements of the World Health Organization, the International Telecommunications Union, the International Bank for Reconstruction and Development and the International Monetary Fund, and extending to the officials of that agency the right to use the laissez-passer of the United Nations, in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authority of ICAO; such supplementary agreement to be submitted to the General Assembly and to the constituent authority of ICAO for approval. On 6 August 1948, the Secretary-General of ICAO officially notified the Secretary-General of the United Nations that the Assembly of ICAO had approved this supplementary agreement at its second session held at Geneva during the period 1 to 23 June 1948. Similar supplementary agreements were entered into with the United Nations Educational, Scientific and Cultural Organization in July 1948 and with the Food and Agriculture Organization in July 1948.

In accordance with these supplementary agreements and with the Economic and Social Council resolution 136 (VI), these agreements are therefore submitted to the General Assembly for approval (Annexes 1 to 3).

ANNEX 1

SUPPLEMENTARY AGREEMENT TO THE AGREEMENT*

BETWEEN THE

UNITED NATIONS AND THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

WHEREAS, the Secretary-General of the United Nations has been requested by resolution 136 (VI) of the Economic and Social Council adopted on 25 February 1948 to conclude with any specialized agency which may so desire, a supplementary agreement to extend to the officials of that agency the provisions of article VII of the Convention on the Privileges and Immunities of the United Nations and to submit such supplementary agreement to the General Assembly for approval; and

WHEREAS the INTERNATIONAL CIVIL AVIATION ORGANIZATION is desirous of entering into such supplementary agreement to the agreement between the UNITED NATIONS and the INTERNATIONAL CIVIL AVIATION ORGANIZATION entered into under Article 63 of the Charter;

IT IS HEREBY AGREED AS FOLLOWS:

Article I

The following provision shall be added to the agreement between the UNITED NATIONS and the INTERNATIONAL CIVIL AVIATION ORGANIZATION:

"The officials of the International Civil Aviation Organization shall have the right to use the laissez-passer of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authority of the International Civil Aviation Organization."

Article II

The above provision shall be inserted as article XVII of the agreement aforesaid, and articles XVII, XVIII, XIX, XX, XXI and XXII of that agreement shall be renumbered so as to become articles XVIII, XIX, XX, XXI, XXII and XXIII respectively.

Article III

This agreement shall come into force on its approval by the General Assembly of the UNITED NATIONS and the Assembly of the INTERNATIONAL CIVIL AVIATION ORGANIZATION.

IN FAITH WHEREOF, we have appended our signatures to two original copies of the present agreement, the text of which is done in duplicate in the English and French languages both equally authentic.

FOR THE UNITED NATIONS:

10 May 1948

(Signed) Trygve Lie
Secretary-General

FOR THE INTERNATIONAL CIVIL AVIATION ORGANIZATION:

31 May 1948

(Signed) Edward Warner
President of the Council

ANNEX 2

SUPPLEMENTARY AGREEMENT TO THE AGREEMENT*
BETWEEN THE
UNITED NATIONS AND THE UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

WHEREAS, the Secretary-General of the United Nations has been requested by resolution 136 (VI) of the Economic and Social Council adopted on 25 February 1948 to conclude with any specialized agency which may so desire, a supplementary agreement to extend to the officials of that agency the provisions of article VII of the Convention on the Privileges and Immunities of the United Nations and to submit such supplementary agreement to the General Assembly for approval; and

WHEREAS the UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION is desirous of entering into such supplementary agreement to the agreement between the UNITED NATIONS and the UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION entered into under Article 63 of the Charter;

IT IS HEREBY AGREED AS FOLLOWS:

Article I

The following provision shall be added to the agreement between the UNITED NATIONS and the UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION:

"The officials of the United Nations Educational, Scientific and Cultural Organization shall have the right to use the laissez-passer of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authority of the United Nations Educational, Scientific and Cultural Organization."

Article II

The above provision shall be inserted as article XIV of the agreement aforesaid, and articles XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI and XXII of that agreement shall be renumbered so as to become articles XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII and XXIII respectively.

Article III

This agreement shall come into force on its approval by the General Assembly of the UNITED NATIONS and the General Conference of the UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION.

* Document A/77.

IN FAITH WHEREOF we have appended our signatures to two original copies of the present agreement, the text of which is done in duplicate in the English and French languages both equally authentic.

FOR THE UNITED NATIONS:

24 June 1948

Signed) Trygve Lie
Secretary-General

FOR THE UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION:

10 July 1948

(Signed) Julian Huxley
Director-General

ANNEX 3

SUPPLEMENTARY AGREEMENT TO THE AGREEMENT*
BETWEEN THE
UNITED NATIONS AND THE FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS

WHEREAS, the Secretary-General of the United Nations has been requested by resolution 136 (VI) of the Economic and Social Council adopted on 25 February 1948 to conclude with any specialized agency which may so desire, a supplementary agreement to extend to the officials of that agency the provisions of article VII of the Convention on the Privileges and Immunities of the United Nations and to submit such supplementary agreement to the General Assembly for approval; and

WHEREAS the FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS is desirous of entering into such supplementary agreement to the agreement between the UNITED NATIONS and the FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS entered into under Article 63 of the Charter;

IT IS HEREBY AGREED AS FOLLOWS:

Article I

The following provision shall be added to the agreement between the UNITED NATIONS and the FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS:

"The officials of the Food and Agriculture Organization of the United Nations shall have the right to use the laissez-passer of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the Director-General of the Food and Agriculture Organization of the United Nations."

Article II

The above provision shall be inserted as article XVI of the agreement aforesaid, and articles XVI, XVII, XVIII, XIX and XX of that agreement shall be renumbered so as to become articles XVII, XVIII, XIX, XX and XXI respectively.

Article III

This agreement shall come into force on its approval by the General Assembly of the UNITED NATIONS and the Conference of the FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS.

IN FAITH WHEREOF we have appended our signatures to two original copies of the present agreement, the text of which is done in duplicate in the English and French languages both equally authentic.

FOR THE UNITED NATIONS:

14 July 1948

(Signed) Trygve Lie
Secretary-General

FOR THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS:

21 July 1948.

(Signed) Norris E. Dodd
Director-General
