



General Assembly

Distr.
LIMITED

A/CN.4/L.687/Add.1
19 July 2006

Original: ENGLISH

INTERNATIONAL LAW COMMISSION
Fifty-eighth session
Geneva, 1 May-9 June and 3 July-11 August 2006

RESPONSIBILITY OF INTERNATIONAL ORGANIZATIONS

Addendum

**Titles and texts of draft articles 25 to 30 adopted by
the Drafting Committee on 19 July 2006**

CHAPTER (x)

RESPONSIBILITY OF A STATE IN CONNECTION WITH THE ACT OF AN INTERNATIONAL ORGANIZATION

Article 25

Aid or assistance by a State in the commission of an internationally wrongful act by an international organization

A State which aids or assists an international organization in the commission of an internationally wrongful act by the latter is internationally responsible for doing so if:

- (a) That State does so with knowledge of the circumstances of the internationally wrongful act; and
- (b) The act would be internationally wrongful if committed by that State.

Article 26

Direction and control exercised by a State over the commission of an internationally wrongful act by an international organization

A State which directs and controls an international organization in the commission of an internationally wrongful act by the latter is internationally responsible for that act if:

- (a) That State does so with knowledge of the circumstances of the internationally wrongful act; and
- (b) The act would be internationally wrongful if committed by that State.

Article 27

Coercion of an international organization by a State

A State which coerces an international organization to commit an act is internationally responsible for that act if:

- (a) The act would, but for the coercion, be an internationally wrongful act of that international organization; and
- (b) That State does so with knowledge of the circumstances of the act.

Article 28

International responsibility in case of provision of competence to an international organization

1. A State member of an international organization incurs international responsibility if it circumvents one of its international obligations by providing the organization with competence in relation to that obligation, and the organization commits an act that, if committed by that State, would have constituted a breach of that obligation.
2. Paragraph 1 applies whether or not the act in question is internationally wrongful for the international organization.

Article 29

Responsibility of a State member of an international organization for the internationally wrongful act of that organization

1. Without prejudice to articles 25 to 28, a State member of an international organization is responsible for an internationally wrongful act of that organization if:
 - (a) It has accepted responsibility for that act; or
 - (b) It has led the injured party to rely on its responsibility.
2. The international responsibility of a State which is entailed in accordance with paragraph 1 is presumed to be subsidiary.

Article 30

Effect of this chapter

This chapter is without prejudice to the international responsibility, under other provisions of these articles, of the international organization which commits the act in question, or of any other international organization.
