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INTERNATIONAL LAW COMMISSION
Nineteenth session
Item 1 of the agenda

SPECIAL MISSIONS

Text of preliminary article and article 17quater adopted by
the Drafting Committee and recommendations of the Committee
relating to articles 17bis, 17ter, X and Y

Preliminary article

Use of terms

For the purposes of the present articles, the following expressions shall have the meanings hereunder assigned to them:

(a) A "special mission" is a mission of a representative and temporary character sent by one State to another State to deal with that State on specific questions or to perform a specific task in relation to the latter.

(b) A "permanent diplomatic mission" is a diplomatic mission sent by one State to another State and having the character provided for in the Vienna Convention on Diplomatic Relations.

(c) A "diplomatic mission" is a permanent diplomatic mission, a diplomatic mission to an international organization, or a specialized diplomatic mission having a permanent character.

(d) A "consular post" is any consulate-general, consulate, vice-consulate or consular agency.

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- (e) The "head of a special mission" is the person charged by the sending State with the duty of acting in that capacity.
- (f) A "representative of the sending State in the special mission" is any person on whom the sending State has conferred that capacity.
- (g) The "members of a special mission" are the head of the special mission, the representatives of the sending State in the special mission and the members of the staff of the special mission.
- (h) The "members of the staff of the special mission" are the members of the diplomatic staff, the administrative and technical staff and the service staff of the special mission.
- (i) The "members of the diplomatic staff" are the members of the staff of the special mission who have diplomatic status.
- (j) The "members of the administrative and technical staff" are the members of the staff of the special mission employed in the administrative and technical service of the special mission.
- (k) The "members of the service staff" are the members of the staff of the special mission employed by it as household workers or for similar tasks.
- (l) The "private staff" are persons employed exclusively in the private service of the members of the special mission.

Article 17 quater

Status of the Head of State and persons of high rank

1. The Head of the sending State, when he leads a special mission, shall enjoy in the receiving State or in a third State, in addition to what is granted by these articles, the facilities, privileges and immunities accorded by international law to Heads of State on an official visit.

2. The Head of the Government, the Minister for Foreign Affairs or other persons of high rank, when they take part in a special mission from the sending State, shall enjoy, in the receiving State or in a third State, in addition to what is granted by these articles, the facilities, privileges and immunities accorded to them by international law.

Articles 17bis (Derogation by mutual agreement from the provisions of Part II), 17ter (Difference between categories of special missions), X (Legal status of the provisions) and Y (Relationship between the present articles and other international agreements)

The Drafting Committee decided to recommend the deletion of articles 17bis, 17ter, X and Y.