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INTERNATIONAL ORGANIZATIONS IN GENERAL
UNIVERSAL INTERNATIONAL ORGANIZATIONS
AND COOPERATION

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liberation movements were admitted as observers to the United Nations Economic Commission for Africa (→ United Nations. Economic Commissions). In 1972 they attended meetings of the Fourth Committee of the → United Nations General Assembly (the committee for → non-self-governing territories); and in 1974 the → United Nations Economic and Social Council (ECOSOC) called upon the → United Nations Specialized Agencies to admit observers from national liberation movements whenever items were discussed which could affect their home territories. From that year onwards, the UN General Assembly has invited representatives of liberation movements to participate in the regular work of its main committees in all proceedings relating to their home countries. In each of these cases the → Organization of African Unity was charged to decide which liberation movements were to be invited. Since 1974, the → Palestine Liberation Organization has received the same treatment as the African liberation movements in most international organizations.

(d) *Observers from other international organizations*

Observers from international organizations are often invited to each others' meetings. Appointment is usually by the secretariat of the sending organization. Thus the UN-related organizations and many regional organizations exchange observers.

Many → non-governmental organizations send observers to sessions of ECOSOC and to some other Specialized Agencies, such as the → United Nations Educational, Scientific and Cultural Organization.

A. G. MOWER, *Observer Countries, Quasi Members of the United Nations*, International Organization, Vol. 20 (1966) 266-283.

R. A. JAY, *United Nations Observer Status, An Accumulation of Contemporary Developments* (1976).

E. SUY, *The Status of Observers in International Organizations*, RdC, Vol. 160 (1978 II) 74-179.

H. G. SCHERMERS, *International Institutional Law* (2nd ed. 1980) 98-111.

R. G. SYBESMA-KNOL, *The Status of Observers in the United Nations* (1981).

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INTERNATIONAL ORGANIZATIONS, PRIVILEGES AND IMMUNITIES

A. Historical Background. - B. Rationale. - C. Legal Bases: 1. Treaties: (a) Constitutional instruments. (b) General agreements. (c) Bilateral agreements. 2. National Legislation. 3. General International Legal Principles. - D. Substantive Privileges and Immunities: 1. Immunities of International Organizations: (a) Status. (b) Jurisdictional immunity. (c) Inviolability of property. (d) Fiscal immunities (e) Communication. 2. Immunities of Governmental Representatives. 3. Immunities of International Officials: (a) Jurisdictional immunity. (b) Immunity from national service. (c) Fiscal immunities. (d) Travel. 4. Immunities of Other Persons. - E. Settlement of Disputes: 1. Disputes Relating to Immunities. 2. Other Types of Disputes. - F. Evaluation.

A. Historical Background

Just as inter-governmental organizations (IGOs) are newly evolved international entities, so their status, privileges and immunities have only relatively recently become the subject of negotiations, practical arrangements and academic studies. Though some pertinent issues were raised and dealt with from the time the first public international organizations emerged during the latter half of the 19th century, the subject did not become a significant one until the great growth and proliferation of such organizations after World War II.

While this field of international law is, like others, a constantly evolving one—an evolution reflecting not only the quantitative increase in the size and significance of international organizations but also recent tendencies to de-emphasize State immunities (→ Sovereign Immunity) on the national as well as on the international level—two specific developments deserve comment: (1) the formulation, based on the experience of the → League of Nations and the → International Labour Organisation before and during World War II, of the 1946 Convention on the Privileges and Immunities of the United Nations (UNTS. Vol. 1, p. 15), which became the prototype of the instruments covering most other world-wide organizations as well as many regional ones; and (2) the low-key attempt by the → United Nations.

starting in the late 1950s and still continuing, to codify this field of law through the → International Law Commission (ILC), which has so far resulted solely in the ill-received 1975 → Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character.

B. Rationale

As C. Wilfred Jenks, the leading exponent of this subject pointed out, the provision of privileges and immunities to international organizations (hereinafter sometimes "international immunities") is neither merely a house-keeping problem for those organizations nor an insidious encroachment on the equal application of the rule of law, but is rather an essential device for protecting these organizations from unilateral and sometimes irresponsible interference by individual governments. The constitutional instruments of inter-governmental organizations elaborately define their decision-making processes, and in particular the type and degree of influence each government is to have in respect of the organization. It is therefore considered unacceptable for individual governments to be able, whether through their executive, legislative or judicial organs, to require an IGO to take certain actions by commands addressed to the organization itself or to any of its officials. This rationale is similar to that motivating various legal devices that protect a federal structure from its component entities.

Originally, two models for international immunities presented themselves: sovereign immunity, which a State grants itself and its organs, and diplomatic immunity, which a State grants other sovereigns and their organs (→ Diplomatic Agents and Missions, Privileges and Immunities). Sovereign immunity, basically self-referring, consequently seemed inapplicable to relations between States and IGOs, and has in any event recently been much diminished in most democratic countries. Diplomatic immunity, though also under considerable attack in many countries on both conceptual grounds and on practical ones relating to the massive increase in diplomatic personnel, has provided a number of useful analogies for the actual rules governing State-IGO contacts, particularly in respect of the pro-

tection of governmental representatives to those organizations. On the other hand, certain concepts basic to diplomatic intercourse, such as → reciprocity, have no applicability to international immunities. Thus, these have developed on an essentially novel and basically sounder basis: that of function. As expressed in Art. 105(1) of the → United Nations Charter: "The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes", and in Art. 105(2): "Representatives... and officials... shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connexion with the Organization."

Finally, each IGO must formulate its immunities relatively uniformly and taking into account situations in which it may have to function in a temporarily hostile national environment.

C. Legal Bases

1. Treaties

Though, as pointed out below, international immunities may sometimes be based on or defined by national legislation, as well as on certain → general principles of law, the unilateral nature of the former and the vagueness of the latter make it preferable that these immunities be expressed in treaty instruments. These instruments are of various types, and often a given organization may rely simultaneously on several agreements even in respect of a single State.

(a) Constitutional instruments

The constitutional instrument of almost every IGO declares at least the basic principles of the international immunities of the organization established thereby, or such provisions may appear in a simultaneously concluded protocol. The members of the organization thereby undertake, *vis-à-vis* each other, to respect the organization and its organs. Usually, as in UN Charter Art. 105, these → declarations are brief and general, though in respect of most financial institutions, such as the → International Bank for Reconstruction and Development (IBRD) and the → International Monetary Fund, their Articles of Agreement set out certain rights of the organizations in considerable detail.

(b) General agreements

Because the constitutional provisions relating to immunities are generally considered to be insufficiently specific, the member States, usually acting through the competent organs of the IGO concerned, normally formulate a detailed privileges and immunities agreement. In some instances, such an agreement is made applicable to a whole complex of related organizations. Thus the → United Nations General Assembly at its very first session adopted, on the basis of a draft formulated by its Preparatory Commission, the Convention on the Privileges and Immunities of the United Nations (sometimes referred to as the "General Convention"), and at its second session adopted the very similar Convention on the Privileges and Immunities of the Specialized Agencies (→ United Nations Specialized Agencies). After some decades of experience with these agreements, the Assembly considered the preparatory work done by the ILC since 1962 on part of this subject (i.e. the status of governmental representatives to IGOs) and convened the 1975 United Nations Conference on the Representation of States in Their Relations with International Organizations, which adopted the Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character. Although this agreement has not yet entered into force, and is in any event unlikely to do so for a significant number of host States, the ILC has since resumed its work on other parts of this subject with a view to the possible formulation of a treaty defining the status of IGOs and of their officials.

A number of regional organizations have followed a pattern similar to that of the → United Nations, and indeed the substantive provisions of their multilateral immunities treaties in part follow closely those of the General Convention. Naturally, however, regional agreements are adapted to the particular circumstances of the countries to which they apply.

It should be noted that in form these agreements are multilateral instruments concluded among some or all of the member States of an IGO; even if formulated by an organ of the latter, it is not always clear whether or not the IGO itself is a party to the agreement. It is,

however, the prevailing view that the UN itself should be considered to be a party to the General Convention. Thus, in a sense this is not only a multilateral inter-State agreement, but also a series of bilateral agreements between the UN and each State party to the Convention, defining rights and obligations for both parties.

(c) Bilateral agreements

Although the general privileges and immunities agreements are sufficient to cover most routine contacts between IGOs and their members, whenever more intensive or sustained relations are foreseen these agreements are supplemented or even replaced by specific treaties addressed to that relationship. In many cases these treaties, besides defining other necessary aspects of the relationship, specify precisely how the general immunities agreement is to apply to that relationship; indeed, if the State concerned is not a party to the general agreement, the treaty may make that agreement applicable to the specific relationship.

A prime example of a special relationship that normally requires a specific treaty is that of an IGO to its host State, between which a so-called headquarters agreement is usually concluded. That agreement normally defines the premises that constitute the headquarters seat (whether or not these are provided by the host State) and assigns particular rights and responsibilities with regard to those premises to the organization and to the State, while also specifying how the general privileges and immunities of the IGO are to apply (→ International Organizations, Headquarters). When the host/guest relationship is to be only a temporary one, for a particular meeting, then a so-called conference agreement is concluded, which is in effect a simplified and temporally limited headquarters agreement. Other important examples of such bilateral agreements are those relating to the provision of technical assistance, and those under which international forces may be stationed in a State for peacekeeping or other purposes (status-of-forces agreements; → Military Forces Abroad; → United Nations Forces).

Unlike the constitutional instruments and the general conventions, to which usually only members of the IGO concerned may be parties, bilateral agreements relating or referring to privileges

and immunities may be concluded between an IGO and a non-member State (e.g. the agreement defining the privileges and immunities of the UN in Switzerland).

2. National Legislation

Many States have adopted domestic legislation defining the privileges and immunities of some or of all IGOs, or relating to some aspect of their status. Usually such legislation is designed to implement domestically the international obligations that are defined by treaty instruments such as those discussed above. In some States, the legislation is meant to supplement these treaties. Finally, in a few States unwilling to enter into such treaties, the national legislation largely takes the place of treaty provisions.

Although IGOs rely on national legislative provisions applicable to them, particularly when it is convenient to do so *vis-à-vis* national authorities, such provisions can in no way alter or diminish the rights that they are entitled to by reason of treaties (especially their constitutional instruments, to which all members are parties), or of any applicable general principles of international law.

3. General International Legal Principles

Despite the relative novelty of this field of international law, there can be little doubt that certain aspects of IGO immunities have attained the status of general principles of law recognized by the international community. While, for obvious reasons, both the organizations and their members generally prefer to rely on specific treaties or on applicable national legislation to define their respective rights and obligations, there are certain instances when such reliance is not possible or sufficient.

Such circumstances may arise when no applicable treaty relationship exists at all between or relating to an IGO and a State—for example, if the State is not a member of the organization. However, as the → International Court of Justice (ICJ) recognized in → *Reparations for Injuries Suffered in Service of UN* (Advisory Opinion), even non-member States may not be able to avoid all responsibilities towards an international organization.

In some cases, although certain relevant treaty

obligations exist, a State concerned may not be a party to any agreement that regulates a particular question in detail. In such instances an IGO may contend that a particular provision (e.g. absolute immunity for official acts) of such agreements actually expresses a generally applicable principle that is in any event binding on States.

D. Substantive Privileges and Immunities

Although the international immunities granted by the various multilateral and bilateral treaties and national legislation mentioned above are not identical, there are very substantial similarities, not only among the several instruments relating to world-wide IGOs but also including those covering regional agencies. Indeed, it is this substantial identity that makes it possible to assert the binding character of certain generally accepted principles. For convenience, it is usual to classify these immunities according to their object: the IGOs themselves, governmental representatives to IGO organs, IGO officials, and other persons covered by some immunities. However, classification can instead follow the type of immunity (though some are inapplicable to certain objects): the grant of status, jurisdictional immunity, inviolability of premises, fiscal exemptions, and rights and freedoms relating to communication. The following account uses the former categorization as the principal one and the latter as a secondary one.

1. Immunities of International Organizations

(a) Status

IGOs are generally granted (international) juridical personality, and in particular the legal capacity to contract, to acquire, hold and dispose of real and personal property, and to be a party to legal proceedings (→ *Subjects of International Law*).

(b) Jurisdictional immunity

Most IGOs enjoy full immunity from all types of legal process, except in so far as they themselves waive such immunity. Generally, even the right to waive is restricted so that it can apply only to a particular proceeding (thus precluding unintentionally broad or implicit → *waivers*) and cannot extend to any measures of execution. The devices designed to prevent IGOs from abusing their jurisdictional immunity to the detriment of

third parties are described in the final sub-section of this article.

By contrast, the IBRD and most specialized or → regional development banks or funds are liable to suit in the courts of any country in which they carry out certain types of operations.

(c) Inviolability of property

Except as explicitly allowed by an IGO (usually through its executive head), governmental authorities are precluded from entering IGO premises, or from in any way searching, seizing or interfering with any archives or other IGO property, whether or not on IGO premises and by whomsoever held.

Nevertheless, IGO premises enjoy only limited "extraterritoriality". Thus, national laws, both civil and criminal, generally apply within such premises, though the organization can supersede these through "headquarters regulations" or other internal rules (→ International Organizations, Internal Law and Rules). Similarly, national courts usually have jurisdiction over acts done on such premises, though the enforcement of many aspects of national law may be precluded by the inviolability of these premises and by the immunity of the actors.

(d) Fiscal immunities

IGOs are generally free from restrictions on the holding, transfer or conversion of any currency or of gold – though naturally this does not mean that they may disregard restrictions placed on certain payments (e.g. voluntary contributions) by a donor. The organizations are also to take into account any objections by member States against practices damaging to their interests.

IGOs are exempt from all direct taxes and customs duties on their transactions or property, and also largely from indirect taxes, excepting public utility fees. When required to pay significant indirect imposts, such as sales or value-added taxes, arrangements are generally made for the government to refund these (→ Taxation, International).

(e) Communication

IGOs are generally free of prohibitions and restrictions on the export or import of articles for their own use, especially publications. Naturally,

health and safety precautions must be observed.

The official correspondence and communications of IGOs are to be free of censorship. They may use codes, diplomatic pouches and couriers. The communications of IGOs are generally to receive the most favourable available rates, whether governmental or diplomatic, except to the extent such treatment would be contrary to treaties relating to certain media.

2. Immunities of Governmental Representatives

The status of governmental representatives to IGOs, whether under the General Convention and other similar instruments, or under the 1975 Vienna Convention, is substantially the same as that of diplomats in normal bilateral international intercourse (→ Diplomatic Agents and Missions). Indeed it is not unusual, and is explicitly foreseen in the → Vienna Convention on Diplomatic Relations (1961), that a State accredits the same person simultaneously to a foreign government and to one or more IGOs. Consequently the details of the substantive rights of governmental representatives to IGOs are largely derived from the provisions of the 1961 Convention.

The first principal difference between representatives accredited to governments and those accredited to IGOs is that reciprocity applies fully to the former and should not apply at all to the latter (or at least only to an extent that will not interfere with the carrying out of tasks *vis-à-vis* the IGO). The second is that the host government has no say as to who is to represent a foreign State at an IGO within the government's territory. Nevertheless, if such representatives abuse their privileges, the host State may, subject to appropriate formalities, require them to leave its territory. In principle, the sending State is also required to waive the immunity of its representatives if it can do so without prejudice to its interests, though in practice this is rarely requested and still more rarely done – except perhaps in respect of minor infractions, such as traffic violations.

3. Immunities of International Officials

Special immunities, the principal ones being summarized below, appertain to the officials of IGOs, that is, to persons who are in their employ

and subject to their regulations and discipline. Generally, these immunities apply equally to all such officials or staff members, whether their rank is high or low, their assignments diplomatic, professional, technical, secretarial or merely manual, whether they were hired internationally or locally, for long terms or short ones (though locally hired persons paid at hourly rates are usually not considered to be officials), and whether or not they are nationals of the State *vis-à-vis* which the immunity is to be asserted. However, certain deviations from these principles have been accepted, and others regularly constitute the subject of negotiations and disputes between IGOs and States; in particular:

(i) The executive heads of IGOs and, for larger ones, their principal assistants, are often granted, in addition to the normal immunities of officials, the equivalent of diplomatic status; some countries grant such status to all officials at the senior professional level. In addition, certain types of officials, such as safeguards inspectors of the → International Atomic Energy Agency, are entitled to practically diplomatic immunities during official travel.

(ii) Certain countries are unwilling to grant the full range of immunities to their own nationals, in particular exemption from military service and freedom from taxation and import duties. The IGOs always insist that at least the core immunities, such as total immunity for official acts, must be preserved, and in some instances will compensate officials deprived of certain privileges (e.g. tax exemption on official salaries) by their governments, so as to preserve equality among staff members.

(iii) In conference agreements, host States are sometimes reluctant to grant all privileges to local staff employed for brief periods by an IGO; here also, the organizations insist on the preservation of at least total immunity for official acts.

(a) Jurisdictional immunity

All IGO officials are immune from all national legal processes in respect of all official activities, and this immunity is, explicitly or implicitly, understood to persist even after the end of the official's appointment. In addition, those officials who are granted quasi-diplomatic status also enjoy a personal immunity from all legal

process, but this is generally only available *vis-à-vis* certain governments and during the period a particular post or rank is held.

Should officials be accused of having abused their immunity, the employing IGO is required to waive it, if it can do so without prejudice to its own interests and the assertion of the immunity would impede the course of justice. As the immunity is that of the organization, the officials themselves cannot, technically, waive it. If the IGO refuses to waive the immunity and the State concerned considers the matter serious, it can generally insist, after following prescribed consultation procedures, that the official leave its territory.

In recent years the UN General Assembly became concerned about the arrest of a number of staff members, generally by authorities of their own government, without the employing IGO having had an opportunity to inform itself about the formal accusation and to decide whether to assert or to waive immunity. The General Assembly in 1981 consequently adopted Resolution 36/262 calling on States to respect the immunity of international officials and to cooperate with the competent executive heads in their endeavours to protect their staff members (→ Civil Service, International).

(b) Immunity from national service

IGO officials generally enjoy absolute or sometimes only restricted immunity from military service obligations. While some States have declined to grant this to their own nationals, none has failed to do so in respect of foreign officials and their families.

(c) Fiscal immunities

In order to preserve the equality of net remuneration among IGO staff members, they are normally to be exempted from income taxation in respect of all emoluments received from the organizations (except, usually, periodic pensions). If a government fails to grant such an exemption to some officials (e.g. its nationals or permanent residents) and these are consequently taxed, the IGO normally reimburses them in order to preserve the principle of equality of emoluments, and generally seeks to recapture part or all such payments from the government concerned.

Some States have also agreed not to tax officials on any non-IGO income received from outside its territories. Similarly, some States have agreed that periods of time spent in the country on official business are not relevant for tax purposes, such as for the imposition of an estate tax.

IGO officials are to be granted such currency exchange facilities as are afforded to comparable officials of diplomatic missions.

On their first entry into a country, IGO officials may generally bring in their furniture and personal effects duty-free; in some instances later duty-free imports of goods, vehicles and other items may also be permitted. This privilege is sometimes implemented by permitting IGOs to establish commissaries.

(d) Travel

IGO officials and their families are to be free from immigration restrictions and alien registration (→ Aliens). Their speedy travel is to be facilitated, and in international crises they are to be granted the same → repatriation facilities as diplomats.

Officials of the UN and of the organizations in its system may use the UN *laissez-passer* as a substitute for or supplement to their national → passports; some regional agencies are also authorized to issue similar travel documents. When visas are required, these are to be granted promptly and generally free of charge.

4. Immunities of Other Persons

IGO may also be concerned with securing the immunity of persons who are neither clearly the representatives of member States nor officials of the organization itself.

One such category is that of "experts on mission", who are persons charged with performing, individually or collectively, certain tasks for an IGO, and who may have been selected therefor by their respective governments or by the organization. Many agreements contain specific provisions assuring such persons relatively high (e.g. complete prohibition of personal arrest) but specifically focused immunities.

In connection with various IGO activities, other types of persons may have to be assured of certain rights. These may include representatives of non-member States, officials of other IGOs, representatives of → non-governmental organizations,

representatives of information media, or even contractors. Depending on the nature of the activity, the agreement negotiated between the IGO and the State concerned may provide merely for the right of entry and exit for certain of such persons, or for whatever more extensive immunities are considered appropriate.

E. Settlement of Disputes

1. Disputes Relating to Immunities

Most agreements providing for international immunities include some method of resolving disputes arising out of the agreement, including those relating to immunities; the specified methods may not, however, suffice to resolve all types of situations. Thus the constitutional instruments of most UN family organizations permit organs of the IGO to request advisory opinions from the ICJ (→ Advisory Opinions of International Courts) but do not provide that such opinions need be accepted as binding in disputes between the organization and a member State. Furthermore, a State itself cannot request an advisory opinion. These deficiencies are cured in instruments such as the General Convention, which provides that inter-State disputes are to be submitted to the ICJ as contentious cases, while disputes between the UN and a member State are to be submitted for an advisory opinion that is binding on both parties. Certain regional organizations, which do not have access to the ICJ, instead have their own judicial organs, such as the → Court of Justice of the European Communities (CJEC), which are also competent to resolve disputes relating to immunities.

Bilateral immunities agreements normally provide for → arbitration, usually by a panel of three arbitrators.

As a matter of practice, almost no privileges and immunities cases have been litigated in international courts or arbitrations, excepting in the CJEC. The only relevant case in the ICJ is the *Reparation for Injuries* case cited above.

2. Other Types of Disputes

The jurisdictional immunity of IGOs is not intended to free these organizations from all obligations to settle their disputes with third parties, such as contractors, persons tortiously injured, employees, etc. The object of this im-

munity is merely to save IGOs from having to litigate unwillingly in national courts. Consequently, the general multilateral immunities conventions normally oblige the IGOs concerned to make arrangements for appropriately resolving private law disputes to which the organizations are parties or that relate to officials whose immunity the organizations decline to waive. On the other hand, bilateral agreements frequently provide that the State party thereto will, on its own account, defend any action that could normally be brought against the IGO (→ Contracts between International Organizations and Private Law Persons).

To comply with those provisions of the immunities conventions, the IGOs have resorted to various devices. To settle disputes with their staffs, who potentially are the largest category of litigants, a number of organizations have established → administrative tribunals and most others have submitted to such a tribunal established by another organization (e.g. → International Labour Organisation Administrative Tribunal; → United Nations Administrative Tribunal; → World Bank Administrative Tribunal). To settle disputes with third parties, some organizations have provided for resort to their administrative tribunals. More frequently, they engage in extended negotiations, and then offer *ad hoc* or institutional arbitration if the negotiations are unproductive and the other party insists. Sometimes, indeed, arbitration provisions are included in the more significant contracts IGOs enter into. Still another device is to procure insurance, and to require the insurance company to defend suits arising under the policy.

F. Evaluation

The régime of privileges and immunities of international organizations that has evolved in the post-war period is relatively uniform with respect to most IGOs, be they world-wide or regional. The system is well-established, relatively stable and not seriously defective. However, in the long run the increasing resistance towards immunities of all kinds, including those deriving from inter-State relations, and the pressures resulting from the significant increase in the number of these organizations, their activities and their staffs, are likely to lead to substantial clashes involving and possibly significantly diminishing even the func-

tional immunities of IGOs. This could occur, for example, by introducing the heretofore largely inapplicable distinction between *jure imperii* and *jure gestionis* to the actions of IGOs. To defuse potentially dangerous attacks it may be necessary to establish standing international tribunals for the litigation, at the request of either party, of all types of private law disputes involving IGOs and persons associated with them, as well as, perhaps, disputes relating to diplomats and foreign governments.

Convention on the Privileges and Immunities of the United Nations, February 13, 1946, UNTS, Vol. 1 (1946) 15-33.

Convention on the Privileges and Immunities of the Specialized Agencies, November 21, 1947, UNTS, Vol. 33 (1948) 261-242.

Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character, March 14, 1975, UN Doc. A/CONF. 67/16.

Handbook on the Legal Status, Privileges and Immunities of the United Nations (1952) UN Doc. ST/LEG/2.

Legislative Texts and Treaty Provisions Concerning the Legal Status, Privileges and Immunities of International Organizations (UN Docs. ST/LEG/SER.B/10 and 11, Sales Nos. 60.V.2 and 61.V.3).

The Practice of the United Nations, the Specialized Agencies and the International Atomic Energy Agency concerning their Status, Privileges and Immunities, UN Doc. A/CN.4/L.118 and Add.1 and 2; YILC (1967 II) 154-324.

P. CAHIER, Etude des Accords de siège conclus entre les organisations internationales et les Etats où elles résident (1959).

C.W. JENKS, International Immunities (1961).

K. AHLUWALIA, The Legal Status, Privileges and Immunities of the Specialized Agencies of the United Nations and Certain Other International Organizations (1964).

D.B. MICHAELS, International Privileges and Immunities, A Case for a Universal Statute (1971).

J. DUFFAR, Contribution à l'étude des privilèges et immunités des organisations internationales (1982).

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INTERNATIONAL ORGANIZATIONS, RESOLUTIONS

1. Notion

Before World War II, the word "resolution" was normally used in the sense of a binding