SIXTH COMMITTEE: ORGANIZATION

PARAGRAPH 3 OF ARTICLE 87 (STATUS OF THE ORGANIZATION IN THE TERRITORY OF MEMBERS)

Note by the Secretariat

The text of paragraph 3 of Article 87 (Status of the Organization in the Territory of Members) as adopted by the Sixth Committee on first reading (see document E/CONF.2/C.6/37) refers to an annex relating to the International Trade Organization to be attached to the General Convention on Privileges and Immunities of the Specialized Agencies. Set out hereunder is a draft of such an annex for the information of delegations and for consideration in connection with the terms of reference of the Interim Commission for the International Trade Organization if and when such a body is established.

"ANNEX X

"The International Trade Organization

"In their application to the International Trade Organization (hereinafter called "the Organization") the standard clauses shall operate subject to the following provisions:

"1. Members of commissions and experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connection with service on such committees or missions:

"(a) immunity from personal arrest or seizure of their personal baggage;
"(b) in respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of any other kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for the Organization;
"(c) the same
"(c) the same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;

"2. Privileges and immunities are granted to members of commissions and experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any such member or expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization."