



EXECUTIVE BOARD

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24231

COLLABORATION WITHIN THE UNITED NATIONS SYSTEM - GENERAL MATTERS

United Nations Conference on the Law of Treaties between States and International Organizations or between International Organizations

Representatives of WHO participated, at Vienna early last year, in the adoption of an international Convention on the Law of Treaties between States and International Organizations or between International Organizations. WHO has a right to sign this Convention. Signature would involve no major commitment. In order to become a party to the Convention, WHO would have to make an act of formal confirmation or accede to it. This document gives a basic introduction to the Convention and proposes that the Executive Board authorize its signature on behalf of WHO, the question whether WHO should become a party to it being left for consideration at a later stage.

1. In documents EB77/35 and A39/25 the Director-General informed the Executive Board and the World Health Assembly that by resolution 37/112 the General Assembly of the United Nations had decided that an international convention should be adopted on the legal rules governing treaties between States and international organizations or between international organizations, that by resolution 39/86 it had decided that a plenipotentiary conference should be held in Vienna in February-March 1986 for the purpose of such adoption, that WHO had participated in that conference, and that the Director-General would report to the Executive Board in January 1987 and to the World Health Assembly in May 1987 on the outcome of the Conference.

The Conference

2. The Conference was attended by representatives of 97 States, Namibia and 19 intergovernmental organizations. The representatives of the international organizations invited enjoyed at the Conference most of the rights of delegates, other than the right to vote; since agreement on the great majority of issues was reached by consensus, they were able to play a full part in the Conference. Through joint arrangements with ILO, the Director-General was able to ensure that the concerns of WHO could be put before the Conference at all times during the somewhat lengthy sessions; a WHO representative was present for the two weeks during which most substantive issues were decided.

3. On 20 March 1986, the Conference, by 67 votes to 1, with 23 abstentions, adopted the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations (hereinafter referred to as the "1986 Convention").

The 1969 Convention and the 1986 Convention

4. It should be recalled that in 1969 a Codification Conference convened under the auspices of the United Nations adopted the Vienna Convention on the Law of Treaties (hereinafter referred to as the "1969 Convention"). That Convention has been in force since 1980 and is

