

EUROPEAN COMMUNITIES

On July 30, 1975 a bill entitled "An Act to Amend the Privileges and Immunities (International Organizations) Act" received Royal Assent. The purpose of this amendment is to ensure that the Mission which is being opened in Canada in the autumn of 1975 by the European Communities, and the representatives of the European Communities, have legal capacities as well as privileges and immunities analogous to those accorded foreign diplomatic missions and representatives by international law. It is expected that this Act will be proclaimed shortly and that an appropriate Order-in-Council will be issued thereafter.

It was deemed essential to accord such rights to the European Communities to enable all their personnel in Ottawa to function effectively as representatives accredited to Canada. The Canadian Mission to the European Communities in Brussels is granted diplomatic privileges and immunities. Unlike foreign diplomats, however, who are covered by the Vienna Convention on Diplomatic Relations, and the United Nations which is covered by the Convention on Privileges and Immunities of the United Nations, there was no international convention or law in Canada which would cover the Communities' representatives in Canada in a similar manner. It was therefore necessary to introduce the amendment.

The European Communities possess certain sovereign capacities and they have a unique juridical status which is distinguishable from that of the States which established them. They are also distinguishable from intergovernmental organizations such as the United Nations. It is considered that it would be legally more accurate to equate the Communities' Mission in Canada to that of a diplomatic mission, in terms of privileges and immunities, than to the United Nations or similar intergovernmental organizations.