

these classes of articles, than a position that insists rigidly either upon a code declaratory of principles on the one hand or a detailed multilateral convention on the other.

I turn now to the second subject with which the Commission has been dealing, namely, its report on Consular Intercourse and Immunities. It is, of course, regrettable that there have been delays in the final preparation of this report but the reasons expressed by the Chairman and in the report itself, seem to be quite acceptable ones. Indeed, it should be a matter of pride to the Assembly that members of the Commission are called upon for the very senior duties that were in fact undertaken by the rapporteur, in this case as an ad hoc judge of the International Court of Justice.

I am, however, of the opinion, and I am instructed to say, that here again no purpose would be served by examining any of the articles of the partial text now before us. Any such examination by this Committee, if it takes place here at all, should await the completion of the full draft. However, I wish to go even farther and suggest that there is much to be said for considering this draft, when it is completed, together with the completed draft now before us on Diplomatic Intercourse and Immunities and, indeed also to have these two drafts considered only when the proposed study on ad hoc diplomacy is ready; and finally to include in that full examination whatever studies may result from the draft resolution proposed by the distinguished Delegate of El Salvador on the question of asylum. Speaking very generally, it would seem to me that there are many advantages both intellectually and technically, and in terms of saving time and manpower, if all of these documents which overlap in many areas were seen as a whole by whatever body -- either the Sixth Committee or a special conference called for that purpose -- may be asked to study them.

I am aware that a number of distinguished delegates have argued that the General Assembly at its last session required that the draft articles on Diplomatic Intercourse and Immunities be given early attention for purposes of a possible multilateral agreement. I am not one of those, however, who is so wedded to the notion of the value of a multilateral agreement attempting to restate, codify or advance existing customary international law in this ancient field as to believe that this is a question of such great urgency, particularly if, there are other considerations that would make it desirable to see the draft text on diplomatic intercourse more clearly in relation to other texts having a bearing on the same generic field of interstate relations and international law doctrines. Indeed, it is no longer possible to divide so sharply the field of diplomatic intercourse from consular intercourse, as has been suggested. For the habit of many states is well established of treating members of their consular corps as if they were members of the diplomatic corps and demanding from host states that consular officials shall receive diplomatic benefits even though they are performing traditionally consular functions. The use of diplomatic personnel for consular duties is now widely accepted and many of the old reasons for the separation of the two functions, particularly the employment of local nationals as consuls -- a declining practice -- no longer apply with the same force. Similarly, one can predict that the privileges sought for those engaged upon missions coming within the framework of ad hoc diplomacy will have much in common with many of the privileges traditionally accorded to the status of diplomat and his entourage. Finally, in this connection it is obvious that many aspects of the problem of asylum touch directly on the question of the lawful use of the premises of a legation or an embassy and related matters. I am inclined to think, therefore, that the inconvenience that may result from not proceeding at once with the text on the draft articles