

PONTIFICAL LEGATION TO THE UNITED NATIONS

Introduction

The appointment of legates of the Roman Pontiff as observers and delegates to the United Nations and its related bodies is a relatively new innovation dating back to the post World War II period¹. These legates are entrusted with an ecclesiastical office representing the Roman Pontiff in a stable manner in public authorities to which they are appointed². Legates also represent the Apostolic See as observers or delegates to pontifical missions at international meetings, conferences and councils³. With the expansion of the scope of work done by the United Nations, the Roman Pontiff has established Missions of the Holy See, appointing Permanent Observers and Delegates (Permanent Representatives) at the United Nations Head-

¹ On 26 July 1948, Msgr. Luigi Ligutti (Executive Director of the National Catholic Rural Life Conference – NCRLC, United States) was appointed the first Permanent Observer of the Holy See at the newly established Food and Agriculture Organization (FAO), a Specialized Agency of the United Nations. See V.A. YZERMANS, *The People I Love: Biography of Luigi G. Ligutti*, Collegeville (MN) 1976, 231-247.

² See can. 363 §1.

³ See can. 363 §2.

quarters in New York, United Nations Offices in Geneva and Vienna, and pontifical legates at UN Specialized Agencies and affiliated bodies in Nairobi, Madrid, London, Montreal, and Berne. Pontifical legates and their staff at the United Nations work within the extensive framework of issues and matters before the General Assembly and over 25 UN Specialized Agencies, Commissions and Programmes world-wide. The ecclesiastical office and functions of pontifical legates appointed to the United Nations are subject to both canon law and international law.

1. Legal Foundations of Pontifical Legation to the United Nations

The *CIC* reaffirms the Roman Pontiff's right to legation as the «innate and independent right to appoint, send, transfer and recall his own legates either to particular Churches in various nations or regions or to states and public authorities»⁴ within the context of

⁴ *CIC*, can. 362. Canon 362 developed throughout the work of the Code Commissions drafts and Schemas. *CIC/17* can. 265 which states that «it is the right of the Roman Pontiff, independent of civil power, to send into any part of the world Legates, with or without ecclesiastical jurisdiction» (English translation in E.N. PETERS (ed.), *The 1917 Pio-Benedictine Code of Canon Law*, San Francisco 2001, 113), was incorporated into Sections I, 2 and III, 1, of the *motu proprio Sollicitudo omnium Ecclesiarum* (=SOE; 24 June 1969, *AAS* 61 (1969) 473-484, English translation in *ORe*, 17 July 1969, 2-3, 12) and later formulated as can. 1 at the 1974 and 1975 Sessions of the Code Commission (*Communicationes* 25 [1993] 93, 152-153). The canon was formulated as can. 177 in "De Populo Dei" (*Communicationes* 12 [1980] 237-238) and was published as can. 299 in the 1980 *Schema*

post-Vatican II *ad intra* and *ad extra* dimensions of Church relations⁵. As the Holy See is a signatory of the 1961 Vienna Convention on Diplomatic Relations, the norms of international law must be observed in regard to the appointment, sending and recalling of legates appointed to international organizations and bodies such as the United Nations.

1.1 *International Personality of the Holy See*

The Holy See, commonly referred to as the government of the Catholic Church, is the subject of in-

Codicis (cf. *Relatio*, in *Communicationes* 14 [1982] 185). The final version of the canon was formulated as can. 361 in the 1982 *Schema Codicis* and promulgated as can. 362 in the *CIC* 1983.

⁵ See G. LAJOLO, *Nature and Function of Papal Diplomacy*, Singapore 2005, 21. Cardinal Giovanni Lajolo was the Holy See's Secretary for Relations with States from 7 October 2003 to 15 September 2006, when he was appointed President of the Pontifical Commission for Vatican City State. He explains: «[...] First, the ancient practice of papal legation has been confirmed and "coded", so to speak, in treaties and conventions, such as the Congress of Vienna and the Vienna Convention on Diplomatic Relations. Second, throughout history the active and passive right to send and receive envoys has been attributed to the Holy See, not to the Papal States nor, later, to the Vatican City State. In fact, during the period that the papacy did not enjoy the exercise of temporal sovereignty because of the occupation – from 1870 to 1929 – of the Papal Territories by the then-newly created Kingdom of Italy, the Popes continued to exercise, with unaltered recognition on the part of sovereign States, their diplomatic prerogatives. Third, the international community, in recognizing the papal active and passive rights of legation, has always taken into primary consideration the moral and spiritual nature of papal diplomacy» (*ibid.*). Cf. D. LE TOURNEAU, «La mission *ad extra* des représentants pontificaux», *Ius Ecclesiae* 9 (1997) 485-507; cf. G. LAJOLO, «Funzione ecclesiale delle rappresentanze pontificie», *La Scuola Cattolica* 3 (1969) 205-231.

ternational law and has international personality. Functioning as its central government, it remains a constitutive part of the Catholic Church with its executive, legislative and judicial functions combined into the Holy See⁶.

The absolutist tendencies of the modern states, reducing religion to its merely social function and attributing to the state the authority in spiritual matters, met with the reaction of the Catholic Church. The goal of a new Church's theory of the relationship between Church and state was to defend the juridical position of the Church against the attacks in a scientific and methodical manner. Inevitably, the Church started to explain itself in a predominantly defensive way, employing the categories adopted by the civil law, particularly the notion of perfect society (*societas perfecta*)⁷.

According to Cardinal Ottaviani, a juridically perfect society is one «which has a complete good in its order as its end, and has by right all the means to attain that end; and it is self-sufficient and independent in its order, that is, fully autonomous»⁸. Consequently, a “juridically imperfect society” is one «which by rea-

⁶ For a discussion of the notion of the Apostolic See as moral person (can. 113 §1), see G. BARBERINI, *Le Saint-Siège: sujet souverain de droit international*, Paris 2003, 21-36.

⁷ See M. ZIMMERMANN, *Structure sociale et Église*, 3rd ed., Strasbourg 1988, 11.

⁸ «[...] quae bonum in suo ordine completum tamquam finem habens, ac media omnia ad illud consequendum iure possidens, est in suo ordine sibi sufficiens et independens, id est plene autonoma». A. OTTAVIANI, *Institutiones iuris publici ecclesiastici*, ed. 4a emendata et aucta adiuvante Iosepho Damizia, vol. 1, E Civitate Vaticana 1958, 46.

son of its incomplete end, which is a part of or means to another end, is not self-sufficient or independent»⁹. This concept applied to the Church allowed to prove that the Church fulfills all the requirements of the juridically perfect society:

The Church is a perfect society, whose *autonomy* or sovereignty is vested in the Roman Pontiff, under whose authority the bishops enjoy a divinely established power. The *end* of the Church is spiritual, supernatural, religious, *viz.*, the realization of the Kingdom of God, though in a visible way. The *means* are proportionate to the end, the visible government, the infallible teaching office, the sacred ministry, which convey truth and grace¹⁰.

The terminology of perfect society was historically important to defend the rights of the Church because of various attempts to claim the supremacy of the state over the Church. Although the concept that the Church is a perfect society remains valid, it is of little importance nowadays due to a different social and cultural setting.

Today, the Holy See is identified as having international personality due to the expanded interpretation of sovereignty, autonomy, power of self-organ-

⁹ «[...] quae ratione finis incompleti, qui est pars vel medium ad alium finem, nec sibi sufficiens nec independens est». A. OTTAVIANI, *Institutiones iuris publici ecclesiastici* (cf. nt. 8), 46.

¹⁰ C.A. BACHOFEN, *A Commentary on the New Code of Canon Law*, 6th ed., revised and enlarged, vol. 1, St. Louis (MO) 1931, 192-193.

zation and capacity to enter into and act upon international juridical acts¹¹. More specifically,

[...] [according] to the principles and rules of the international law, a subject of the international order is a *sovereign entity* with *autonomy* which is evident in its *power of self-organization*, and therefore with the *ca-*

¹¹ See V. BUONOMO, «The Holy See in the Contemporary International Community», in G. DE SIMONE (ed.), *Civitas et Iustitia*, Rome 2004, 11-14: «Turning to the canon law, the Holy See appears as a sovereign entity; indeed, it is the central organ of government of the Church. This is the idea which emerges from can. 361 of the *codex iuris canonici* (CIC) or from can. 48 of the *Codex canonum Ecclesiarum orientalium* (CCEO). So far this perception presents no problem at all for international law: the Holy See is the “government” of the Catholic Church, i.e. of an entity which, as it has been analyzed, is by its very nature sovereign, original, with an autonomous capacity and powers of self-organization». V. BUONOMO, «The Holy See», 14. See also H.E. CARDINALE, *The Holy See & the International Order*, Gerrards Cross 1976, 86-89: «In recent years one finds the term supra-national often used as an attribute of the Church and the Holy See. This is to be understood in an entirely different sense from the meaning of the word used in a political context, where it is perfectly homogenous. For this reason such an attribute should be applied sparingly and cautiously to religious bodies. When applied, the sense is that the Catholic Church and the Holy See, because of their origin and their ultimate aims, occupy a distinct and pre-eminent position in relations to the other members of the international community which belong to the temporal order. The Catholic Church and the Holy See are often referred to as supra-national rather than international entities in the sense that by their very nature they are not tied to any particular people, nation or form of political government but carry out a spiritual mission that is universal, i.e. directed to all mankind without distinction. Their strength derives from this diversion of being “supra”, i.e. above, all cultural and political forms and open to all peoples and nations. It is in this sense that the term has been used above» H.E. CARDINALE, *The Holy See & the International Order*, 93-94.

capacity to accomplish internationally acts with juridical relevance and the corresponding aptitude to be subject to the norms of the said order [...] ¹².

That is to say, the Church is understood as a community of people united by the link of baptism: this image expresses not only the autonomy of the aims and the authority *vis-à-vis* powers external to the Church B her *sovereignty*, but also her very own institutional physiognomy B her *self-organization power* B structured upon the basis of an ensemble of juridical regulations produced internally B that is the *originality* of her domestic legal system. The Church would thus be a “puissance”, in the typical expression applied by international law to its subjects ¹³.

Previous models of the international personality of States, meeting criteria of a permanent population, a defined territory, government and capacity to enter into relations with other States ¹⁴ did not apply to the Holy See. Although the Vatican City State has its own international personality and can enter into relations with other international personalities, it is represented by the Holy See when it enters into international agreements. A clarification on the use of the titles «Vatican City State» and «Holy See» came from the UN Secretariat in 1957, when UN Secretary-General

¹² V. BUONOMO, «The Holy See» (cf. nt. 11), 11.

¹³ V. BUONOMO, «The Holy See» (cf. nt. 11), 14.

¹⁴ The Montevideo Convention on Rights and Duties of States (Inter-American), 26 December 1933, was signed at the 7th International Conference of American States by 20 national representatives (and ratified by the United States) and outlined these four criteria for statehood and its international personality.

Dag Hammarskjöld identified the issue and confirmed that the appropriate title to be used was the Holy See¹⁵.

There are various models and criteria that describe what constitutes an international personality. The United Nations itself had adopted a position on its international personality on 11 April 1949, when the International Court of Justice gave an opinion on «Reparation for Injuries Suffered in the Service of the United Nations»¹⁶. The Court ruled that

¹⁵ See S. VEROSTA, «The Holy See and the International Organizations – 1972 Day of Peace at the Permanent Mission of Holy See at the IAEA», *ORE*, 3 May 1973, 4. Dr. Verosta wrote: «The year 1957 brought an important clarification concerning the relations of the Holy See with the international organizations. In the course of a conversation in Geneva Secretary-General Dag Hammarskjöld made the very pertinent remark that asking for an audience in the Vatican he did not wish to see the ruler of the State of the Vatican City, but the head of the Catholic Church. Since 1929 the Holy See has indeed been a twofold subject of international law, as the Head of the Catholic Church and as the ruler of the small and permanently neutral State of the Vatican City. The Secretariat of the UN, in a note of 29 October 1957, made this quite clear, emphasizing that the relations between the Secretariat of the UN and the Secretariat of State of His Holiness “are to be considered as relations between the United Nations and the Holy See. Also the Holy See is represented by delegations or Observers, accredited by the Secretariat of State to the various organs of the UN”» S. VEROSTA, «The Holy See and the International Organizations», 4.

¹⁶ See *UN 49*, 936-945. The United Nations mediator in Palestine, Count Folke Bernadotte and other UN officers were killed while performing their duties as peace mediators for the United Nations. The Secretary-General introduced the debate to the General Assembly asking the question to be decided whether the United Nations had international personality and the legal capacity to present a claim for reparations. The question was referred to the International Court of Justice for an opinion, which

[...] the Organization was intended to exercise and enjoy, and is in fact exercising and enjoying, functions and rights which can only be explained on the basis of possession of a large measure of international personality and the capacity to operate upon an international plane. It is at present the supreme type of international organization, and it could not carry out the intentions of its founders if it was devoid of international personality. It must be acknowledged that its Members, by entrusting certain functions to it, with the attendant duties and responsibilities, have clothed it with the competence required to enable those functions to be effectively discharged.

Accordingly, the Court has come to the conclusion that the Organization is an international person. That is not the same thing as saying that it is a State, which it certainly is not, or that its legal personality and rights and duties are the same as those of a State [...]. What it does mean is that it is a subject of international law and capable of possessing international rights and duties, and that it has capacity to maintain its rights by bringing international claims¹⁷.

Numerous authors argue in favour of the possession of international personality by the Holy See. Pio Ciprotti indicates that the Holy See's international juridical status remained unchanged from 1870 to 1929, with the Roman Question not successfully addressed¹⁸. He bases his position on three arguments. Firstly, the

was rendered on 11 April 1949. See V. BUONOMO, «The Holy See» (cf. nt. 11), 12.

¹⁷ UN 49, 939.

¹⁸ See P. CIPROTTI, «The Holy See: Its Function, Form and Status in International Law», *Concilium* 8 (1970) 63-73.

rights of active and passive legation of the Holy See were not changed, ambassadors continued to be received and papal legates sent to states and particular Churches throughout the world. Secondly, international conventions and concordats signed by the Holy See during this period were negotiated and recognized by the signing parties; some were registered and acknowledged as in force by the League of Nations. Thirdly, the Holy See continued to accept invitations to participate in the arbitration and mediation of disputes arising among States, with Heads of States, including non-Catholic States, visiting the Supreme Pontiff during this period¹⁹. Ciprotti presents valid arguments clarifying the position of the continuity of the right of papal legation, even during historical periods of political unrest in the world. Robert Araujo discusses and presents the issues of the Holy See's international personality in a historical study²⁰ and writes more extensively about the transitional period from the 1870s to the 1920s and the League of Nations.²¹ Józef Krukowski, former Dean of the Faculty of Canon Law at the Catholic University of Lublin, presented his view that certain features define the "public juridical stance" of the Apostolic See, such as its sovereignty and neutral-

¹⁹ See P. CIPROTTI, «The Holy See: Its Function, Form and Status» (cf. nt. 18), 67-69.

²⁰ See R.J. ARAUJO, «The International Personality and Sovereignty of the Holy See», *Catholic University Law Review* 50 (2001) 291-360. For the summary of the history of the development of the notion of international personality, see also G. BARBERINI, *Le Saint-Siège* (cf. nt. 6), 9-20.

²¹ See R.J. ARAUJO – J.A. LUCAL, *Papal Diplomacy and the Quest for Peace*, Ann Arbor (MI) 2004.

ity in political affairs²². He maintained that the position that the Apostolic See has prerogatives, such as its legislative authority (bilateral pacts with individual States), its diplomatic capacity (active and passive legation) and actual participation in the work of international organizations (UN, FAO, UNESCO)²³, which are the core characteristics of international juridical status. G. van den Brande (University of Leuven) makes a valuable observation, that even though the Papal States no longer existed after 1870 and the Vatican City State had not yet been created, nevertheless, the Holy See's international juridical status still endured precisely due to its internationally recognized spiritual sovereignty, role and function in the world²⁴. As a subject of international law, the Holy See continued to enter into international agreement during the 1870-1929 period²⁵. Pope John Paul II spoke in similar terms

²² See J. KRUKOWSKI, «The Juridical Personality of the Church in Relation to the State», *Studia canonica* 14 (1980) 377-389.

²³ See J. KRUKOWSKI, «The Juridical Personality» (cf. nt. 22), 380-382.

²⁴ See G. VAN DEN BRANDE, «The Political Role of Papal Diplomacy», *Concilium* 9 (1982) 34-39: «This spiritual sovereignty in turn was based on deep-rooted juridical and social arguments in a centuries-old practical reality. It is analogous to, but not identical with, that of a State. It is rooted in a grouping which is distinct (based on purely spiritual values), organized (there is a definite hierarchy), and goes its own independent way, freely taking measures as it deems opportune for its mission or its unity» (*ibid.*, 35).

²⁵ See V. BUONOMO, «The Holy See» (cf. nt. 11), 19: «Examples of such Agreements are the following: with the Government of Russia (1882), the Concordat with Guatemala (1884), the Conventions with Switzerland for the Canon Ticino

of the Holy See's sovereignty and spiritual mission in his address to the UN General Assembly in 1979:

The formal reason for my intervention today is, without any question, the special bond of cooperation that links the Apostolic See with the United Nations Organization, as is shown by the presence of the Holy See's Permanent Observer to this Organization. The existence of this bond which is held in high esteem by the Holy See, rests on the sovereignty with which the Apostolic See has been endowed for many centuries. The territorial extent of the sovereignty of the Holy See is limited to the small State of Vatican City, but the sovereignty itself is warranted by the need of the papacy to exercise its mission in full freedom, and to be able to deal without any dependence on other sovereignties. Of course the nature and aims of the spiritual mission of the Apostolic See and the Church make their participation in the tasks and activities of the United Nations Organization very different from that of the States, which are communities in the political and temporal sense²⁶.

(1884–1888) and for the Diocese of Basilea (1886), the Concordat with Portugal on royal investiture in the East Indies (1886), the Concordat with Montenegro (1886), with Colombia (1887), the Agreements with Great Britain over the Island of Malta (1890), the Concordat with Ecuador (1890), the Convention with Spain (1904), the Concordat with Serbia (1914), the Concordats with Lettonia (1922), Bavaria (1924), Poland (1925), Romania (1927) and Lithuania (1927), The *Modus vivendi* with Czechoslovakia (1927), the Conventions with Portugal for the East Indies (1928) and with Colombia (1928)». Cf. in this context L. OPPENHEIM–H. LAUTERPACHT, *International Law*, vol. 1, (PLACE AND YEAR OF PUBLICATION!!!), 251–252.

²⁶ See JOHN PAUL II, address to the United Nations General Assembly «Dignity of the Human Person Founded on Justice and Peace», 02 October 1979, *AAS* 71 (1979) 1143, English translation in *ORe*, 15 October 1979, 1.

The appointment of pontifical legates to the United Nations is based upon the *ad extra* religious mission of the Church. The Church's universal nature and mission also includes being present to the world as a unifying force for peace and freedom. Therefore, the pontifical legates at the United Nations focus their work on the task of the Church as outlined in *Gaudium et spes*:

Christ did not bequeath to the Church a mission in the political, economic, or social order: the purpose he assigned to it was a religious one. But this religious mission can be the source of commitment, direction, and vigour to establish and consolidate the community of men according to the law of God. In fact, the Church is able, indeed it is obliged, if times and circumstances require it, to initiate action for the benefit of all men, especially of those in need, like works of mercy and similar undertakings [...].

By its nature and mission the Church is universal in that it is not committed to any one culture or to any political, economic or social system. Hence it can form a very close unifying effect on the various communities of men and nations, provided they have trust in the Church and guarantee it true freedom to carry out its mission. With this in view the Church calls upon its members and upon all men to put aside, in the family spirit of the children of God, all conflict between nations and races and to consolidate legitimate human organizations in themselves²⁷.

The right of papal legation is reiterated in the *motu proprio Sollicitudo omnium Ecclesiarum*: «the Roman

²⁷ GS 42, English translation in A. FLANNERY, *Vatican Council II: the Conciliar and Postconciliar Documents*, Northport (NY) 1996 (???), 828.

Pontiff has the natural and independent right freely to appoint, send, transfer and recall his representatives without prejudice to the norms of international law as regards the sending and recalling of constituted legates to states»²⁸. One can speak of two dimensions of legation: the right of legation *ad intra* which «[...] is an absolute right and carries with it complete freedom and independence from every authority whatsoever, with regard to nomination, assignment, transfer or recall» and the right of legation *ad extra* which «[...] should develop in conformity with International Law»²⁹.

Knut Walf makes critical observations concerning the system of papal legation in the global context. He acknowledges that legates of the Roman Pontiff enjoy a high degree of acceptance and esteem, known as having a universal, mediating, and peace-building function: «[...] the Vatican [possessing] qualities as a quasi supra-national institution that are otherwise sought at the United Nations and possibly also found there»³⁰. From the start of their participation in the work of the United Nations and its related agencies and bodies, the Holy See has consistently been invited

²⁸ SOE III, 1, in *ORe*, 17 July 1969, 3.

²⁹ M. OLIVERI, *The Representatives: The Real Nature and Functions of Papal Legates*, Gerrards Cross 1981, 79. See also G. PARO, *The Right of Papal Legation*, Canon Law Studies 211, Washington 1947, 46-184. Gino Paro wrote a historical-juridical study of the right of papal legation, tracing back its historical background to the fourth century.

³⁰ K. WALF, «The Nature of Papal Legation: Delineation and Observations», *The Jurist* 63 (2003) 98. See also H.E. CARDINALE, *The Holy See & the International Order* (cf. nt. 11), 93-95.

to make important contributions through interventions and discussions on a consultative basis. The status of Permanent Observer was also discussed at the 1975 Conference of Vienna, where agreement was reached for the Convention on the Relations of States with International Organizations of a Universal Character, proposing norms for Permanent Observer Missions to an International Inter-Governmental Organization, which hold equivalency to Permanent Missions of Member States³¹.

³¹ See V. BUONOMO, «The Holy See» (cf. nt. 11), 39–40: «It should be remembered that the *status* of Permanent Observer used by the Holy See was amply confirmed by the attitude assumed by the Pontifical Delegation to the Conference of Vienna in 1975, which had been called to adopt the *Convention on the Relations of States with International Organizations of a Universal Character*. On that occasion, indeed, the Holy See worked to obtain a double recognition: the insertion in the Convention of norms regarding the Permanent Observer Mission to an IGOs, which are equivalent *de facto* to the Permanent Observer Mission of the Member States, and then a substantial equivalence of Permanent Observers to the Delegates of Member States from a diplomatic-protocol perspective, albeit with different natures and tasks (art. 7). The same thing holds analogously for intergovernmental Conferences convened by IGOs (arts. 71-72). It should also be remembered that this Convention has not entered into effect and therefore does not constitute a conventional type of obligation. However, the greater part of the norms contained in it are in fact applied in international practice, and especially by States which have the headquarters of IGOs on their territory. It is therefore possible to include this fact among those international norms which are in force and binding as the result of customary procedure». The 1975 Vienna Convention on the Relations of States with International Organizations of a Universal Character requires 35 instruments of ratification or accession to come into force. To date, only 33 states participants have done so, leaving the Convention not in

As the Holy See is a signatory of the 1961 Vienna Convention on Diplomatic Relations, the norms of international law must be observed in regard to the appointment, sending and recalling of legates appointed to international organizations and bodies such as the United Nations. On 7 December 1959, the United Nations General Assembly passed resolution 1450 (XIV) convoking an international conference to develop a convention of diplomatic intercourse and immunities, which had not been comprehensively updated since the 1815 Congress of Vienna. As a result of the work completed by the International Law Commission and the preparation of draft articles to be considered, the United Nations Conference on Diplomatic Intercourse and Immunities met at the Neue Hofburg in Vienna, from 2 March to 14 April 1961. Present at the Conference were 320 delegates from 81 States (of which 75 were UN Members), including the Holy See, six members of related agencies or parties to the Statute of the International Court of Justice, with observers from four related agencies (ILO, FAO, UNESCO, IAEA) and two inter-governmental organizations (League of Arab States and the Asian-African Legal Consultative Committee)³².

The Vienna Convention on Diplomatic Relations consisting of 53 articles was adopted on 14 April 1961

force, see <[http://untreaty.un.org.proxy.bib.uottawa.ca/ ENGLISH/bible/englishinternetbible/partI/chapterIII/treaty_36.asp](http://untreaty.un.org.proxy.bib.uottawa.ca/ENGLISH/bible/englishinternetbible/partI/chapterIII/treaty_36.asp)> (23 May 2007). See also J.G. FENNESSY, «The 1975 Vienna Convention on the Representation of States in Their Relations with International Organizations of a Universal Character», *American Journal of International Law* 70/1 (1976) 62-72.

³² See UNITED NATIONS, UN Doc. A/Conf. 20/14, in *UN* 61, 511, 517.

and came into force on 24 April 1964, 30 days after 22 instruments of ratification or accession were deposited with the Secretary-General (according to art. 51 of the Convention).

The Preamble highlighted the purpose of the new Convention:

Recalling that peoples of all nations from ancient times have recognized the status of diplomatic agents,
Having in mind the purposes and principles of the Charter of the United Nations concerning the sovereign equality of States, the maintenance of international peace and security, and the promotion of friendly relations among nations,

Believing that an international convention on diplomatic intercourse, privileges and immunities would contribute to the development of friendly relations among nations, irrespective of their differing constitutional and social systems,

Realizing that the purpose of such privileges and immunities is not to benefit individuals but to ensure the efficient performance of the functions of diplomatic missions as representing States,

Affirming that the rules of customary international law should continue to govern questions not expressly regulated by the provisions of the present Convention,

Have agreed [...] ³³

The Holy See participated in the Conference at the Neue Hofburg, signed the Convention on 18 April 1961 and submitted instruments of ratification to the UN Secretary-General on 17 April 1964³⁴. The codifi-

³³ E. DENZA, *Diplomatic Law*, Oxford 1998, 423.

³⁴ See UNITED NATIONS, *Treaty Series*, vol. 596, New York 1964, 95-110, 212.

cation of diplomatic law in the form of an international convention on diplomatic intercourse, privileges and immunities was a major advancement in establishing regulatory provisions in this area of international law. As a signatory of the Convention, the Holy See and its diplomatic practices, legates, nunciatures and missions are therefore subject to the provisions of the Vienna Convention on Diplomatic Relations.

The United Nations Conference on Consular Relations was held at the Neue Hofburg in Vienna from 4 March to 22 April 1963, with 92 States represented, including the Holy See. Unanimously adopted on 22 April 1963, the Convention on Consular Relations, consisted of 79 articles which «codified the rules governing consular relations in general, facilities, privileges and immunities relating to consular posts, career consular officers and other members of a consular post»³⁵. The Convention came into force 19 March 1967, in accordance with article 77. The Holy See signed the Convention on 24 April 1963 and submitted instruments of ratification on 8 October 1970, becoming subject to the articles of the Convention on Consular Relations³⁶.

The level of acceptance of the Holy See's Permanent Observer Mission by the international community of nations present at the United Nations has grown and developed into a fruitful relationship of co-

³⁵ *UN 63*, 510-513.

³⁶ See UNITED NATIONS, *Treaty Series*, vol. 596, New York 1964, 261-282. As of 31 December 2004, there were 181 States parties to the 1961 Vienna Convention on Diplomatic Relations and 166 States parties to the 1963 Vienna Convention on Consular Relations, in *UN 2004*, 1317.

operation and attentiveness to the Holy See's contribution to substantive issues of debate, the formulation of international law legislation, interreligious dialogue, advocacy in the defence of the dignity of the human person and human rights throughout the world³⁷. In the 20th century, the Holy See has undergone a process of professionalization of papal diplomatic services conforming to a global diplomatic practice of requiring professional practitioners and a skilled diplomatic corps able to respond and adapt to developing diplomatic requirements and procedures³⁸. Diplomatic relations between the Church and States throughout the world in the post-Vatican II period underwent unprecedented expansion and extension of relations³⁹. The Holy See's expansion of global diplomatic activity included a focused attention to involvement and participation in the work of international organizations⁴⁰.

³⁷ See C. MIGLIORE, «Ways and Means of the International Activity of the Holy See», in MSGR. W. ONCLIN CHAIR 1999, *Church and State Changing Paradigms*, Leuven 1999, 31-41.

³⁸ See D. ALVAREZ, «The Professionalization of the Papal Diplomatic Service, 1909-1967», *The Catholic Historical Review* (1989) 233-248. Cf. I. MARTIN, «The Church's Relations with Foreign Governments», *Concilium* 8 (1970) 94-103; G. BENELLI, «Validità della diplomazia pontificia», *La Civiltà Cattolica* 123/2 (1972) 268-278.

³⁹ Cf. J.C. OTERO, «Church-State Relations in the Light of Vatican II», *Concilium* 8 (1970) 113-125. Cf. G. CAPRILE, «La diplomazia pontificia e i suoi compiti», *La Civiltà Cattolica* 123/2 (1972) 164-166; P. HUIZING, «Church and State in Public Ecclesiastical Law», *Concilium* 8 (1970) 126-135; G. MUCCI, «La diplomazia pontificia dopo il Concilio», *La Civiltà Cattolica*, 140/2 (1989) 535-546.

⁴⁰ Cf. B. BERTAGNA, «Santa Sede ed organizzazioni internazionali», *Monitor ecclesiasticus* 106 (1981) 250-286.

Although the Holy See participated in the work of such agencies as FAO and IAEA since the 1950s, the formal invitation of Secretary General U Thant in 1964 to the Holy See to send a Permanent Observer to the United Nations marked the beginning of a higher level of participation. In 2004, the United Nations General Assembly passed resolution A/Res/58/314 formally acknowledging and establishing the range and levels of participation of the Holy See as a Permanent Observer⁴¹.

Although the great majority of nations acknowledge the right of papal legation and the Holy See's important contribution at the table of the community of nations at the UN, certain NGOs (Non-governmental Organizations) have attempted to disseminate misleading information to discredit the Holy See's reputation and position at the United Nations. Objections presented by organizations such as The National Secular Society⁴², Catholics for a Free Choice⁴³, and The Center for Reproductive Law & Policy⁴⁴ among oth-

⁴¹ See UN GA, 58th Session, resolution 58/314 (=UN GA, resolution 58/314), 16 July 2004, in *Official Records of the United Nations General Assembly*, New York 2005, 1-2.

⁴² See NATIONAL SECULAR SOCIETY, «Catholic Church Abuses Its Position at the UN», 4 February 2004, <<http://www.secularism.org.uk/32964.html>> (15 November 2007).

⁴³ Catholics For a Free Choice is an organization based in Washington (DC), actively promoting a pro-choice agenda, publicly challenging the Catholic Magisterium on reproductive issues, with affiliated members in 40 US States at <www.catholics-forchoice.org> (23 November 2007).

⁴⁴ The Center for Reproductive Law & Policy is a legal firm located at 120 Wall Street, New York City, specializing in constitutional law, health & health care law, civil rights. With 10 staff attorneys, 50% percent of their practice is devoted to litigation, actively advocating pro-choice issues.

ers, challenge the Holy See's presence at the United Nations by making peripheral arguments about the separation of Church and State, Vatican statehood and the status of the Permanent Observer Mission at the United Nations and demanding that the Holy See should be reduced to an international NGO⁴⁵, outside of the participatory sphere of dialogue within the United Nations. These arguments have failed to be convincing and the vast majority of Member States of the United Nations fully support and highly value the contribution made by the Holy See.

In his final year of office, the former UN Secretary-General Kofi Annan spoke at the annual United Nations service held at Holy Family Church in New York, where he addressed the importance of faith in the work of the United Nations:

Men and women of faith are crucial to the United Nations. As teachers and guides, you can be agents of change, and inspire people to new levels of public service. You can help bridge the chasms of ignorance, fear and misunderstanding that plague our world. You can set an example of interfaith dialogue, cooperation and respect. My predecessor Dag Hammarskjöld once said (and I quote): «The United Nations stands outside – necessarily outside – all confessions. But it is, nevertheless, an instrument of faith. As such, it is inspired by what unites, and not by what divides, the great religions of the world». And it is still true: spiritual and religious practices differ widely, but at heart we are deal-

⁴⁵ See Y. ABDULLAH, «The Holy See at United Nations Conferences: State or Church?», *Columbia Law Review* 96 (1996) 1835-1875. Yasmin Abdullah presents an adversarial position against the Permanent Observer's presence at the United Nations.

ing in universal values: to be merciful, to be tolerant, to love thy neighbour. No tradition can claim a monopoly on such teachings; they are ingrained in the human spirit, and enshrined in international human rights law. They animate the United Nations Charter and lie at the root of our search for global harmony and peace [...] Let us pray that whatever challenges confront us, we may make this indispensable instrument as effective as it can be, in the interests of the people it exists to serve. As someone who believes in the power of prayer, I am grateful for all your prayers these past 10 years⁴⁶.

Secretary-General Kofi Annan recognized the importance of an integrated approach to international matters applying both faith and reason, and the universal human need for peace and security.

1.2 Diplomatic Status of Holy See Permanent Observer Mission at the United Nations

The status of the Holy See Mission as a Permanent Observer at the United Nations continued until 2004 on the basis of the 6 April 1964 invitation letter of UN Secretary-General U Thant to Pope Paul VI⁴⁷. The Holy See had received continuous invitations to attend and participate with interventions in a wide-range of United Nations meetings, international conferences and sessions of the General Assembly. With the pur-

⁴⁶ K. ANNAN, «Secretary-General's Remarks at the Holy Family Church», 11 September 2006, <<http://www.un.org/apps/sg/sgstats.asp?nid=2198>> (15 December 2007).

⁴⁷ See UN GA, resolution 58/314 (cf. nt. 41), 1.

pose of fulfilling its spiritual mission, the Holy See participated in the work of post World War II international organizations and United Nations Specialized Agencies as early as the late 1940s⁴⁸. Although the Holy See's participation had been extensive, there was no formalized acknowledgment of the range and level of participation of the Holy See as a Permanent Observer. This issue was addressed in 2004.

On 1 July 2004 The UN General Assembly at its 92nd plenary meeting in New York considered and adopted draft resolution A/58/L.64 as UN General Assembly resolution A/RES/58/314 B «Participation of the Holy See in the Work of the United Nations»⁴⁹. The resolution states that the General Assembly

1. *Acknowledges* that the Holy See, in its capacity as an Observer State, shall be accorded the rights and privileges of participation in the sessions and work of the General Assembly and the international conferences convened under the auspices of the Assembly or other organs of the United Nations, as well as in United Nations conferences as set out in the annex to the present resolution;

2. *Requests* the Secretary-General to inform the General Assembly during the current session about the implementation of the modalities annexed to the present resolution⁵⁰.

⁴⁸ Cf. H. DE RIEDMATTEN, «The Part Played by the Holy See in International Organizations», *Concilium* 8 (1970) 74-93. Cf. A. DE JONG, «Concordats and International Law», *Concilium* 8 (1970) 104-112; F. CAVALLI, «Spiritualità di fini e di metodi della diplomazia pontificia», *La Civiltà Cattolica* 114/1 (1963) 131-144.

⁴⁹ See UN GA, resolution 58/314 (cf. nt. 41).

⁵⁰ UN GA, resolution 58/314 (cf. nt. 41), 2.

The Permanent Observer of the Holy See, Apostolic Nuncio, Archbishop Celestino Migliore, addressed the General Assembly:

In the context of strengthening the role of the United Nations and revitalizing the work of the General Assembly, the adoption of this resolution is an important step forward and reflects the lofty values and collective interests shared by the Holy See and the United Nations.

We are committed to the same objectives, which necessitate the protection of fundamental human rights, the preservation of the dignity and worth of the human person and the promotion of the common good. To achieve those goals the international community must build upon the strong edifice of law B law not of whim and caprice, but of principles stemming from the very universality of human nature, which can guide human reason into the future. With an edifice built on such principles guiding our efforts, we can be assured of success in our common quest for lasting, universal justice and peace⁵¹.

The resolution first acknowledges the wide scope of participation of the Holy See in the work of the United Nations as both a Permanent Observer and member in various UN subsidiary bodies⁵². It also ac-

⁵¹ See UN GA, 58th Session, 92nd plenary meeting, document A/58/PV.92, 16 July 2004, in *Official Records of the United Nations General Assembly*, 2.

⁵² See UN GA, resolution 58/314 (cf. nt. 41), 1-2. The resolution lists the Holy See's current participation in a diverse range of international instruments, including the Vienna Convention on Diplomatic Relations, Vienna Convention on Consular Relations, Vienna Convention on the Law of Treaties, the Convention re-

knowledges that the Holy See contributes financially to the general administration of the United Nations, according to A/RES/58/1B of 23 December 2003⁵³.

lating to the Status of Refugees and the Protocol thereto, the Convention on the Rights of the Child and the Optional Protocols thereto, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention for the Protection of Cultural Property in the Event of Armed Conflict, the Paris Convention for the Protection of Industrial Property, the Treaty on the Non-Proliferation of Nuclear Weapons, the main disarmament treaties and the Geneva Conventions and the Additional Protocols. The Holy See is a Member in UN subsidiary bodies, Specialized Agencies and international intergovernmental organizations, including the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, the United Nations Conference on Trade and Development, the World Intellectual Property Organization, the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the International Committee of Military Medicine. The Holy See participates as an Observer at the FAO, ILO, WHO, UNESCO, UNIDO, IFAD, UNWTO, WTO, and is a full Member of the Organization for Security and Cooperation in Europe and a Guest of Honour in its Parliamentary Assembly. Moreover, the Holy See is an Observer in various other regional intergovernmental organizations, including the Council of Europe, the Organization of American States and the African Union, and regularly attends meetings of the Asian-African Legal Consultative Organization. In addition, the Economic and Social Council in 1977 recommended that the Holy See attend sessions of the regional commissions on the basis similar to those afforded to these UN Members which are not Members of the regional commissions.

⁵³ See UN GA, resolution 58/314 (cf. nt. 41), 2. See also UNITED NATIONS SECRETARIAT, document ST/ADM/SER.B/614 «Assessment of Contributions by Non-Member States Towards the 2004 Expenses of the United Nations for Their Participation

The UN Secretary-General sent a note on 16 August 2004 to the General Assembly in regard to UN General Assembly resolution A/RES/58/314 where he reiterated that

[...] as a State Member of at least one Specialized Agency, the Holy See enjoys the same rights and privileges of participation as Member States in all meetings and conferences convened under the auspices of the United Nations which are open to all Member States of the United Nations and States Members of Specialized Agencies [“all States”]. It should also be noted that, pursuant to the Statutes of the International tribunals for the Former Yugoslavia and for Rwanda, States Members of the United Nations and non-Member States maintaining Permanent Observer Missions at United Nations Headquarters, including the Holy See, have the right to submit nominations for, and to vote in, the elections of the permanent and *ad litem* judges of the aforementioned tribunals⁵⁴.

The UN General Assembly resolution A/RES/58/314 Annex lists ten points which outline the rights and

in United Nations Activities», 24 December 2003, in *Official Records of the General Assembly*, 2004. See also UN GA, 61st Session, resolution 61/237, 22 December 2006, in *Official Records of the General Assembly*, 13 February 2007, 2007, 7. The «Assessment of Contributions by Non-member States Towards the 2004 Expenses of the United Nations for Their Participation in United Nations Activities» was set for the Holy See at US\$ 7,180 and was reconfirmed in UN General Assembly resolution A/RES/61/237 of 13 February 2007 for the fiscal years 2007-2009.

⁵⁴ UN GA, 58th Session, note by the Secretary-General A/58/871, 16 August 2005, in *Official Records of the United Nations General Assembly*, 1.

privileges of participation of the Holy See. The first point states that the Holy See has «the right to participate in the general debate of the General Assembly»⁵⁵, the right to participate in the general debate after Member States and before Palestine⁵⁶. The acknowledgment of this right was important, as a formal recognition of the continuous and permanent presence of the Holy See Permanent Observer in the debates of the General Assembly. The UN General Assembly debates are an extraordinary world forum for making a contribution in the defence of the dignity of the human person. As a result of this resolution, expanding and formally regulating the Holy See's level of participation was a milestone in the history of the Holy See's presence at the United Nations.

The second point of the Annex to the resolution 58/314 reiterates that «[...] without prejudice to the priority of Member States, the Holy See shall have the right of inscription on the list of speakers under agenda items at any plenary meeting of the General Assembly, after the last Member State inscribed on the list»⁵⁷. In the case of the Holy See's participation in the UN General Assembly, "all States" conferences or «in any election of the permanent or *ad litem* judges of the International Tribunal for the Former Yugoslavia or the International Criminal Tribunal for Rwanda», the Holy See will have the same priority as Member States⁵⁸.

⁵⁵ See UN GA, resolution 58/314 (cf. nt. 41), 2.

⁵⁶ See UN SEC. GEN. NOTE, 2.

⁵⁷ See UN GA, resolution 58/314 (cf. nt. 41), 2.

⁵⁸ See UN SEC. GEN. NOTE, 3.

The third point states that «the right to make interventions, with a precursory explanation or the recall of relevant General Assembly resolutions being made only once by the President of the General Assembly at the start of each session of the Assembly», and the fourth point affords the Holy See «the right of reply»⁵⁹. Interventions presented by the Permanent Observer at the General Assembly are critical moments in the transmission of the message of peace and hope that the Holy See brings to all of the discussions and debates at the United Nations. The right of reply offers an additional opportunity to expand on important and often contentious issues or resolutions that have developed through the UN Committee debates and development processes to the floor of the General Assembly for reviews of the matters before the General Assembly before final voting by Member States proceeds. The effectiveness of the right of reply and presentation of interventions was further enhanced, for the first time, with points five and six which relate to the Holy See's new rights of communication at the United Nations. The Holy See now has [...]

(5) The right to have its communications relating to the sessions and work of the General Assembly issued and circulated directly, and without intermediary, as official documents of the Assembly; [and]

(6) The right to have its communications relating to the sessions and work of all international conferences convened under the auspices of the General Assembly issued and circulated directly, and without intermediary, as official documents of those conferences⁶⁰.

⁵⁹ See UN SEC. GEN. NOTE, 3.

⁶⁰ UN GA, 58th Session, resolution 58/314, 3.

These relate to the Holy See's right to circulate its communications, regarding agenda items and work of the General Assembly, directly and as official documents of the Assembly. Today, the Holy See has the right to circulate its communications as official documents at international conferences open to "all States" or not open to "all States" convened by the General Assembly⁶¹.

Points seven and eight of the Annex relate to the right to raise points of order and the sponsorship of draft resolutions and decisions. The Holy See has

- (7) The right to raise points of order relating to any proceedings involving the Holy See, provided that the right to raise such a point of order shall not include the right to challenge the decision of the presiding officer; [and]
- (8) The right to co-sponsor draft resolutions and decisions that make reference to the Holy See; such draft resolutions and decisions shall be put to a vote only upon request from a Member State⁶².

Point seven gives the Holy See the right to raise a point on agenda items related to the proceedings concerning the Holy See, with a ruling made by the presiding officer which is non-contestable. The Holy See does not have the right to make procedural motions to adjourn debate, the closure of debate and the suspension or adjournment of the meetings. These restrictions do not apply, however, if the Holy See is participating in an "all States" conference «or in an election of the permanent or *ad litem* judges of the International Tribunal for the Former Yugoslavia or the In-

⁶¹ See UN SEC. GEN. NOTE, 3.

⁶² UN GA, resolution 58/314 (cf. nt. 41), 3.

ternational Criminal Tribunal for Rwanda»⁶³. Point eight refers to the Holy See's right to co-sponsor (with a Member State) draft resolutions, draft decisions or amendments which make reference to the Holy See. Sole sponsorship is not permitted. These restrictions do not apply to "all States" conferences convened by the General Assembly⁶⁴.

The ninth point of the Annex refers to seating where «the Holy See shall be arranged immediately after Member States and before the other observers when it participates as a non-Member State Observer, with the allocation of six seats in the General Assembly Hall»⁶⁵. In Tribunal meetings regarding the Former Yugoslavia or Rwanda and UN General Assembly "all States" conferences, the Holy See will be seated alphabetically with other States⁶⁶.

The tenth and final point states that «the Holy See shall not have the right to vote or put forward candidates in the General Assembly»⁶⁷. The Holy See is unable to submit its own candidacy for any election or appointment or to submit candidate names for election or appointments and is unable to vote in these elections in the General Assembly. However, it does have the right to vote and submit names of candidates, including its own, in "all States" conferences and the election of permanent of *ad litem* judges for the International Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda⁶⁸.

⁶³ See UN SEC. GEN. NOTE, 3-4.

⁶⁴ See UN SEC. GEN. NOTE, 4.

⁶⁵ See UN GA, resolution 58/314 (cf. nt. 41), 3.

⁶⁶ See UN SEC. GEN. NOTE, 4.

⁶⁷ See UN GA, resolution 58/314 (cf. nt. 41), 3.

⁶⁸ See UN SEC. GEN. NOTE, 4.

After the UN General Assembly passed resolution A/RES/58/314 on 1 July 2004, Archbishop Celestino Migliore expressed his appreciation to the Assembly:

Let me say a word of thanks to you, Mr. President [Honourable Julian R. Hunte], for your unflinching and much-appreciated willingness to submit draft resolution A/58/L.64 as a presidential text. My gratitude goes also to the staff of the Office of the President and of the Department for General Assembly and Conference Management for their kind support. Through you, Sir, I wish also to thank the facilitator of the draft resolution, Ambassador Marcello Spatafora, Permanent Representative of Italy, for having assisted you and for having so skillfully and efficiently facilitated the consultations on the draft resolution, which led to a successful conclusion. I would be remiss if I failed to offer a word of gratitude to the many Permanent Representatives who expressed to me their Governments' support of the draft resolution just adopted. Last but not least, my thanks go as well to all Member States for their invaluable support in the adoption of the resolution⁶⁹.

The UN GA resolution 58/314 was a substantial step forward in formally acknowledging the Holy See's participation in the meeting of nations at the General Assembly and at international UN fora. By specifically stating the parameters of its participation and its rights, although some restrictions are applied, it gives the Holy See Permanent Observer Mission at the United Nations enhanced opportunities for partic-

⁶⁹ UN GA, 58th Session, 92nd plenary meeting, document A/58/PV.92, in *Official Records of the United Nations General Assembly*, 2004, 2.

ipation for the fulfilment of the Holy See's mission of being able to bring about as the "purification of reason", to defend the dignity of the human person, to strive for peace and development; in other words, making an important contribution to the debates among the delegates of UN Member States.

1.3 *Diplomatic Status of the Holy See Permanent Observer at the United Nations Headquarters in New York*

The first consular relations between the Papal States and the United States were established by President John Adams in March 1797⁷⁰. These relations moved from ambassadorial levels of diplomatic relations in 1847 to the termination of all formal relations in 1867 by the US Congress. Presidents F.D. Roosevelt, Truman, Nixon, Ford and Reagan chose to send personal representatives to the Holy See (1939-1981)⁷¹. President Reagan reestablished full diplomatic relations with the Holy See by appointing Ambassador William A. Wilson on 10 January 1984⁷².

Until recently, the United States government had not extended to the Holy See diplomatic privileges and immunities afforded other representatives of Member States at the United Nations. This issue was addressed

⁷⁰ See J.A. CORIDEN, «Diplomatic Recognition of the Holy See», *The Jurist* 48 (1988) 484.

⁷¹ See J.A. CORIDEN, «Diplomatic Recognition » (cf. nt. 70), 484-486.

⁷² See J.A. CORIDEN, «Diplomatic Recognition » (cf. nt. 70), 490.

and resolved in late 2006 and early 2007. Congressman Chris Smith (Republican Party B NJ), Chairman of the House International Relations Subcommittee on Africa, Global Human Rights and International Operations (109th Congress) authored a bill that would extend full diplomatic privileges and immunities to the Holy See Observer Mission to the United Nations⁷³. Congressman Smith, in his press release of 12 December 2006 stated the importance of the steps being taken to extend diplomatic privileges to the Holy See:

The strong relationship between the U.S. and the Holy See is based on a shared commitment to human dignity. As partners in this effort, we have worked together to advance human rights, religious freedom, justice, equality and the rule of law around the globe. Our mutually beneficial relationship will be strengthened by granting diplomatic privileges and immunities to the Holy See's Permanent Observer Mission to the UN [...]. For over 40 years, the Holy See has served as a Permanent Observer at the United Nations. The Holy See is held in high regard for their diplomatic efforts and much of that respect has been earned through their work at the UN⁷⁴.

The bill, part of a provision in the «Department of State Authorities Act of 2006» (H.R. 6060) was passed by both the U.S. House of Representatives and the

⁷³ See U.S. HOUSE OF REPRESENTATIVES, CONGRESSMAN CHRIS SMITH, «Congress Moves Holy See's UN Observer Mission Closer to Diplomatic Status», 12 December 2006, <http://www.house.gov/list/press/nj04_smith/HR6060holy-see.html> (20 January 2007).

⁷⁴ U.S. HOUSE OF REPRESENTATIVES. CH. SMITH, «Congress» (cf. nt. 73).

U.S. Senate in December 2006 and sent for signature to President George W. Bush. On 11 January 2007, President Bush signed it into law, giving full diplomatic privileges and immunities to the Holy See Permanent Observer Mission to the United Nations⁷⁵.

(continues)

ROMAN A. MELNYK

⁷⁵ See THE WHITE HOUSE, «President George Bush Signs H.R. 486, 4588, 6060 and 6345», 11 January 2007 <<http://whitehouse.gov/news/releases/2007/01/20070111-4.html>> (25 June 2007).

Direttore responsabile: SERGIO BASTIANEL, S.J.

Redactio: JAMES J. CONN, S.J., *Direct.* - ROBERT GEISINGER, S.J.,

DAMIÁN G. ASTIGUETA, S.J.

Autorizzazione Tribunale di Roma N. 841 del 12 Aprile 1949



Associato all'Unione Stampa Periodica Italiana

Finito di stampare...??????????

