



General Assembly

Distr.
GENERALA/42/915/Add.4
11 May 1988

ORIGINAL: ENGLISH

Forty-second session
Agenda item 136

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

Report of the Secretary-GeneralAddendum

1. By its resolution 42/230 of 23 March 1988 the General Assembly requested once again the Secretary-General to report to it on developments regarding the Permanent Observer Mission of the Palestine Liberation Organization to the United Nations in New York.
2. On 24 March 1988, the Secretary-General addressed to the President of the International Court of Justice a letter authorizing the Legal Counsel of the United Nations to present written and oral statements on his behalf in the matter of the Advisory Opinion concerning the Applicability of the Obligation to Arbitrate under section 21 of the United Nations Headquarters Agreement of 26 June 1947. Pursuant to this authorization the Legal Counsel transmitted to the Court on 24 March 1988 a written statement on behalf of the Secretary-General.
3. Written statements were also submitted, within the time-limit fixed by the Court, by the United States of America, the German Democratic Republic and the Syrian Arab Republic.
4. At a public sitting on 11 April 1988 an oral statement was made to the Court by the United Nations Legal Counsel; at a further public sitting, held on 12 April 1988, he also answered questions that had been put to him by certain members of the Court.
5. The Advisory Opinion was issued by the Court on 26 April 1988 and a note by the Secretary-General transmitting it to the General Assembly was issued on 29 April 1988 (A/42/952).

6. On 22 March 1988 the United States Attorney filed a summons against the Palestine Liberation Organization in an action for declaratory and injunctive relief to enjoin the PLO from continuing violations of the Anti-Terrorism Act, thus initiating legal proceedings in the domestic courts of the United States. In reply to an inquiry by the Federal District Court for the Southern District of New York as to whether the United Nations intended to submit an amicus curiae brief in this matter, on 31 March 1988 the Legal Counsel of the United Nations addressed a letter to the Honorable Edmund L. Palmieri, United States District Judge, informing him of the wish of the United Nations to submit, in due course, an amicus curiae brief to assist the Court in resolving the international legal issues raised in the domestic court proceedings.

7. On 11 April 1988, the PLO filed a motion in the Federal District Court to dismiss the action filed against it by the United States Attorney for lack of jurisdiction.

8. It is expected that a briefing schedule will be established by the District Judge within the next few days and the amicus brief will be submitted by the United Nations at the appropriate time.
