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SIXTH COMMITTEE
Agenda item 136

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

Algeria, Bahrain, Democratic Yemen, Djibouti, Iraq, Jordan,
Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco,
Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab
Republic, Tunisia, United Arab Emirates and Yemen: revised
draft resolution

Report of the Committee on Relations with the Host Country

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and its relevant provisions,

Guided also by the Headquarters Agreement of 26 June 1947, 1/

Taking note of the report of the Committee on Relations with the Host Country, 2/

Having been apprised of the action being considered by the host country, the United States of America, implying, inter alia, impediment of the discharge of official functions of the Permanent Observer Mission of the Palestine Liberation Organization to the United Nations in New York,

1/ Resolution 169 (II).

2/ Official records of the General Assembly, Forty-second Session,
Supplement No. 26 (A/42/26).

Recalling its resolutions 3237 (XXIX) of 22 November 1974 and 3375 (XXX) of 10 November 1975,

Taking note with appreciation of the Secretary-General's position on the Observer Mission of the Palestine Liberation Organization of 22 October 1987, which reads as follows: "The members of the Palestine Liberation Organization Observer Mission are, by virtue of resolution 3237 (XXIX), invitees to the United Nations. As such, they are covered by sections 11, 12 and 13 of the Headquarters Agreement of 26 June 1947. There is therefore a treaty obligation on the host country to permit Palestine Liberation Organization Observer Mission personnel to enter and remain in the United States to carry out their official functions at United Nations Headquarters",

Taking note with appreciation of the statement issued on 5 November 1987 by the President of the General Assembly at its forty-second session in which he stated, inter alia, that "resolution 3237 (XXIX) and the relevant paragraphs of the Headquarters Agreement concluded between the United States and the United Nations in 1947 are binding obligations under international law, which have to be adhered to",

1. Reiterates that the Permanent Observer Mission of the Palestine Liberation Organization to the United Nations in New York is covered by the provisions of the Headquarters Agreement and thus should be enabled to establish and maintain premises, headquarters, etc., and that the personnel of the Mission should be enabled to enter and remain in the United States to carry out their official functions;

2. Considers that any action which would prevent or impede the Permanent Observer Mission of the Palestine Liberation Organization from carrying out its official functions at the United Nations Headquarters would constitute a violation of the Headquarters Agreement;

3. Requests the Government of the United States, the host country, to refrain from taking any action that would hinder or impede the discharge of the official functions of the Permanent Observer Mission of the Palestine Liberation Organization to the United Nations;

4. Requests the Secretary-General to take the appropriate measures to ensure full respect for the Headquarters Agreement and to report to the General Assembly on any further developments in this respect;

5. Decides to reconvene to consider taking appropriate action, in the event the Government of the United States, the host country, takes any action which would impede or prevent the Permanent Observer Mission of the Palestine Liberation Organization from carrying out its official functions at United Nations Headquarters or establishing the adequate facilities for carrying out such functions.