

Mr. President,

I will be addressing these remarks to you and this Assembly on behalf of my own government as well as those of Australia and New Zealand.

Our position on this question is clear. We believe that the combined effect of Article IV of the Headquarters Agreement and subsequent state practice imposes a legal obligation on the host government to allow the Palestine Liberation Organization (PLO) to maintain a United Nations office in New York, which we see as essential to the carrying out of its functions as an invitee of the General Assembly. Moreover, we are concerned that implementation of legislative action recently taken by the host government as it affects the PLO Observer Mission could set a most unfortunate precedent for the status of all observer missions at the United Nations. At stake at this point is the effective functioning of the United Nations and the right of the Organization to hear the views of those invited to attend as observers.

The three Governments on whose behalf I speak had hoped that, following the adoption last December of General Assembly Resolution 42/210 B, the legislative branch of the United States Government would not proceed with any action directed at closing the PLO Observer Mission. These hopes have not been realized and the date for implementation of legislation to close the PLO office approaches. It is essential that consultations within the United States Administration resolve this matter quickly and satisfactorily, in accordance with United States obligations under the Headquarters Agreement.

Given the current situation, it is opportune to consider the mechanism specifically provided for the resolution of such disputes between the United Nations and the host country. The procedures for dispute settlement are set out in section 21 of the Headquarters Agreement. These provide for the establishment of an arbitral tribunal, and, if necessary, the seeking of an advisory opinion from the International Court of Justice.

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