

FIRST EVER REQUEST BY THE ECONOMIC AND SOCIAL
COUNCIL OF THE UNITED NATIONS FOR AN
ADVISORY OPINION OF THE COURT*

The following information is communicated to the Press by the Registry of the International Court of Justice:

The Secretary-General of the United Nations has informed the International Court of Justice that on 24 May 1989 the Economic and Social Council adopted a resolution calling for the Court to give, on a priority basis, an advisory opinion:

"on the legal question of the applicability of Article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, in the case of Mr Dunitru Mazilu, as Special Rapporteur of the Sub-Commission on the Prevention of Discrimination of Protection of Minorities."

The Sub-Commission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights urgently needed the completion and presentation of a report on "human rights and youth" by a former member of the Sub-Commission failed, however, to establish contact with Mr Mazilu, and the Government of Romania is reported to have declined to assist in the matter. When the Secretary-General invoked in this regard the above-mentioned provisions of the Convention on Privileges and Immunities, the Government of Romania denied their applicability.

*

Article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations reads, in part:

"Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions."

*

The Economic and Social Council, of which the Commission on Human Rights is an organ, was in 1946 authorized by the General Assembly to request advisory opinions of the Court on legal questions arising within the scope of its activities. It has not, however, made use of this authorization before.

* [This is the text of an unofficial communique no. 89/8 of 26 May 1989 by the Registry of the International Court of Justice, The Hague].

INTERNATIONAL COURT OF JUSTICE

No. 89/9
26 June 1989

Applicability of Article VI, Section 22, of the Convention
on the Privileges and Immunities of the United Nations*

The following information is communicated to the Press by the Registry of the International Court of Justice:

As mentioned in Press Communiqué No. 89/8 of 26 May 1989 the Economic and Social Council of the United Nations adopted, on 24 May 1989, resolution 1989/75, which requested, on a priority basis, an advisory opinion from the International Court of Justice:

"on the legal question of the applicability of Article VI, Section 22, of the Convention on the Privileges and Immunities of the United Nations, in the case of Mr. Dumitru Mazilu as Special Rapporteur of the Sub-Commission [on Prevention of Discrimination and Protection of Minorities]".

The letter from the Secretary-General of the United Nations transmitting the request for an advisory opinion by the Economic and Social Council (see Article 104 of the Rules of Court) was received in the Registry of the Court on 13 June 1989.

The President of the Court, by an Order of 14 June, decided that the United Nations and the States which are parties to the Convention on the Privileges and Immunities of the United Nations are likely to be able to furnish information on the question submitted to the Court (see Article 66, paragraph 2, of the Statute) and, bearing in mind that the request was expressed to be made "on a priority basis", fixed the time-limits in the case as follows:

- 31 July 1989 for the submission of written statements;
- 31 August 1989 for subsequent written comments on those statements.

The subsequent procedure is reserved for further decision.

*[This is the text of an unofficial communique released on June 26, 1989 by the Registry of the International Court of Justice, Peace Palace, The Hague.]

INTERNATIONAL COURT OF JUSTICE*

Applicability of Article VI, Section 22, of the Convention
on the Privileges and Immunities of the United Nations

Submission of written statements

The following information is communicated to the Press by the Registry of the International Court of Justice:

As mentioned in Press Communiqué No. 89/9 of 26 June 1989 the President of the Court, by an order of 14 June, decided that the United Nations and the States which are Parties to the Convention on the Privileges and Immunities of the United Nations are likely to be able to furnish information on the question submitted to the Court (see Article 66, paragraph 2, of the Statute) and, bearing in mind that the request was expressed to be made "on a priority basis", fixed the time-limits in the case as follows:

- 31 July 1989 for the submission of written statements;
- 31 August 1989 for subsequent written comments on those statements

By 31 July written statements have been filed by Canada, the Federal Republic of Germany, Romania, the United States of America and the United Nations.

These written statements are not yet available to the Press and public; under Article 106 of the Rules of Court, the Court or the President may decide that such statements shall be made accessible to the public on or after the opening of the oral proceedings.

Maritime Delimitation in the Area
between Greenland and Jan Mayen (Denmark v. Norway)

Filing of Memorial

The following information is communicated to the Press by the Registry of the International Court of Justice:

On 31 July 1989, within the time-limit fixed by the Court, Denmark filed in the Registry of the Court its Memorial in the case concerning Maritime Delimitation in the Area between Greenland and Jan Mayen (Denmark v. Norway).

The next step in the written proceedings is to consist in the filing, by 15 May 1990, of a Counter-Memorial by Norway.

* [These are the texts of unofficial Communiqués 89/15 & 89/16, 1 August 1989 issued by the Registry International Court of Justice, The Hague].

Applicability of Article VI, Section 22, of the Convention
on the Privileges and Immunities of the United Nations

Hearings on 4 October 1989

The following information is communicated to the Press by the Registry of the International Court of Justice:

The Court will hold public sittings opening at 10 a.m. on Wednesday 4 October 1989 for the purpose of hearing oral statements or comments in respect of the question submitted to it for advisory opinion, namely:

"the legal question of the applicability of Article VI, Section 22, of the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, in the case of Mr. Dumitru Mazilu, as Special Rapporteur of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights".

As mentioned in Press Communiqué No. 89/9 of 26 June 1989, the President of the Court, by an order of 14 June, decided that the United Nations and the States which are Parties to the Convention on the Privileges and Immunities of the United Nations were likely to be able to furnish information on the question (see Article 66, paragraph 2, of the Statute) and thus entitled to submit written or oral statements to the Court. Bearing in mind that the request was expressed to be made "on a priority basis", he fixed the time-limits in the case as follows:

- 31 July 1989 for the submission of written statements;
- 31 August 1989 for subsequent written comments on those statements.

Written statements were filed by Canada, the Federal Republic of Germany, Romania, the United States of America and the United Nations; written comments were filed by the United States of America.

These written statements and comments are not yet available to the Press and public; under Article 106 of the Rules of Court, the Court or the President may decide that they be made accessible to the public on or after the opening of the oral proceedings.

[This is the text of an unofficial communique from the International Court of Justice, Peace Palace, The Hague.]