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NOTE

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2184th MEETING

Held in New York on Monday, 31 December 1979, at 10.30 a.m.

President: Mr. CHEN Chu (China).

Present: The representatives of the following States: Bangladesh, Bolivia, China, Czechoslovakia, France, Gabon, Jamaica, Kuwait, Nigeria, Norway, Portugal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia.

Provisional agenda (S/Agenda/2184)

1. Adoption of the agenda
2. Letter dated 22 December 1979 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/13705)

The meeting was called to order at 11.55 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 22 December 1979 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/13705)

1. The PRESIDENT (*interpretation from Chinese*): In accordance with decisions taken at previous meetings, I invite the representatives of Australia, Canada, the Federal Republic of Germany, Japan and Singapore to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Anderson (Australia), Mr. Barton (Canada), Mr. von Wechmar (Federal Republic of Germany), Mr. Nisibori (Japan) and Mr. Koh (Singapore) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from Chinese*): Members of the Council have before them document S/13711/Rev.1, which contains the revised text of the draft resolution submitted by the United States of America.

3. Mr. N'DONG (Gabon) (*interpretation from French*): The continued holding of American diplomatic personnel at Teheran—despite the repeated appeals of the international community, despite resolution 457 (1979), which

urgently called on “the Government of Iran to release immediately the personnel of the Embassy of the United States of America being held at Teheran, to provide them with protection and to allow them to leave the country”, and despite the Order¹ by which the International Court of Justice has indicated provisional measures in the matter before us—is of deep concern to my delegation.

4. The grave situation created by the state of relations between the United States and Iran constitutes, in my delegation's view, such a serious threat to international peace and security that my delegation supported the holding of an urgent meeting of the Security Council.

5. Of course, the Council had already considered the matter at hand and had unanimously adopted resolution 457 (1979). On that occasion my delegation had defined its position clearly. It can be summed up as follows. First, total disapproval of the act of taking American diplomatic personnel hostage, in flagrant violation of international law and universally accepted diplomatic practice. Thus, as I declared on 1 December:

“despite our sympathy for the cause defended by the Iranians, we are bound to regret the fact that the diplomatic personnel of a mission, as well as its premises, should be the object of aggression and violation, because, need we recall, article 22 of the Vienna Convention of 1961 stipulates that ‘The premises of a mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission.’” [2175th meeting, para. 61.]

Secondly, scrupulous respect by all States for international law. Indeed, respect for international law is the best protection and defence for us small States. Thirdly, the imperative need for the immediate, unconditional release of all the hostages and for their protection. Fourthly, the use by all States of peaceful means in the settlement of disputes.

6. In view of all that, if the Security Council is called upon today—once again, less than a month later—to reopen this dossier, it is because the Iranian Government has not deigned to react positively to the request made by the Council in resolution 457 (1979). Furthermore, the Secretary-General correctly stated in his report that

“the expectation which had previously arisen for early progress towards a settlement of the crisis could, for the time being, not be fulfilled.” [S/13704, para. 11]

¹ *United States Diplomatic and Consular Staff in Teheran, Provisional Measures, Order of 15 December 1979, I.C.V. Reports 1979, p. 7.*

7. This negative attitude on the part of Iran is all the more cause for concern since the situation thus created continues, unfortunately, to be a dangerous threat to international peace and security. Therein lies the important problem of the limits of our organization with regard to the effective implementation of its decisions. When a State refuses to co-operate in implementing our decisions, the Council, unlike individual States, does not have the means to enforce its decisions. Must the Council then content itself with noting its own paralysis and therefore remain inactive in a deadlock such as the one with which we are now confronted?

8. In this connexion, my delegation believes that the Charter has provided for a whole gamut of sanctions to be used in an attempt to change the position of recalcitrant States or entities. The case of Rhodesia is so recent that I do not think I need to dwell on it.

9. The Security Council should never allow its prestige, its credibility or its authority to be undermined by States Members which refuse to abide by its decisions. Thus, my delegation supports the idea that the Secretary-General should go to Teheran to continue to lend his good offices and should intensify his efforts to ensure that Iran finally heeds the appeals of the international community and complies with them.

10. In this connexion, I wish to pay a well-deserved tribute to the Secretary-General for the efforts he has already made in the quest for a solution acceptable to the parties. We firmly support his efforts; we thank him and assure him of our support.

11. In this last stage, it is not difficult to recognize that in the absence of effective co-operation by Iran and a specific manifestation of its goodwill in the quest for a final solution to this situation, the Council would have no other course but to re-examine the question and—why not say so?—consider the adoption of specific and more appropriate measures under the relevant provisions of the Charter.

12. Before I conclude, since it is almost certain that this will be my last statement as a member of the Council, I wish to take this opportunity, Mr. President, to thank you all—my colleagues, the Secretary-General and the members of the secretariat of the Council, including of course the interpreters—for the understanding and the persistent support you have always given the delegation of Gabon during these past two years; this has enabled us to fulfil our duty as a member of the Council.

13. Although we do not leave with a feeling of complete satisfaction with the work that has been done on all the problems considered, the delegation of Gabon is comforted by the fact that it has been able to work with you all and to benefit from your experience. In particular, we appreciate the fact that, despite the difference in size of their respective countries and delegations and despite their ideological differences and their varied degrees of commitment to the problems being considered, the members of the Council work as a small family in which

the quest for consensus remains the golden rule. It is perhaps this method of work that constitutes and always will constitute the strength of the Council.

14. Mr. KAISER (Bangladesh): It has been the constant endeavour of Bangladesh to uphold the Charter of the United Nations and also to honour all international commitments and obligations. Accordingly, Bangladesh supported the resolution calling for the release of the American diplomatic personnel being held at Teheran, in accordance with the principles of immunity as assured to such personnel under international law and conventions. Bangladesh understands the natural concern and anxiety of the United States Government for the early release of the Americans held at Teheran. Bangladesh also appreciates the desire of the United States Government for action within the framework of international law and under the auspices of the United Nations. Bangladesh firmly believes that respect for international law and international institutions is the best way to promote the cause of international peace.

15. Bangladesh considers that the invitation extended by the Iranian Government to the Secretary-General to visit Iran is a development that should be welcomed by everyone. We hope that the Secretary-General's visit will lead to a peaceful and satisfactory solution of the existing problem acceptable to all parties. We feel that it is imperative that the international community, in particular the Security Council, should extend its full support to the visit of the Secretary-General and his efforts to seek a peaceful solution to the problem. It is therefore essential that we avoid any action that may in any way complicate the chances for a peaceful solution to the problem or aggravate matters any further. We request the Secretary-General to assure the Government of Iran that Iran's case, when presented to the Council, will receive a full and fair consideration under international law.

16. Bangladesh has already made an appeal to the Government of the United States to allow the international community some more time with a view to finding an alternative and peaceful solution to the problem. Bangladesh has also made an appeal to the Government of Iran to respond favourably to the call of the international community for the immediate release of the diplomatic personnel being held at Teheran.

17. It is against that background that we have carefully studied the reformulated draft resolution submitted by the United States delegation. It appears to us that the objective of securing the release of the hostages would be better served by postponing consideration of this matter until the Secretary-General reports back to the Council after his visit to Iran. Consequently, we feel that reference at this stage to Articles 39 and 41 of the Charter and the decision to use sanctions on a specified date would result only in dividing the international community and might be prejudicial to the Secretary-General's mission.

18. Bangladesh believes it is essential that the solution found to the problem be a peaceful one and that in the search for such a solution all parties exercise maximum

possible restraint. The need for restraint has become all the greater in the wake of recent developments in Afghanistan, which constitute a grave threat to international peace and stability. It is imperative that we proceed with caution and avoid any action that may in any way increase tension in the region.

19. It is for these reasons that Bangladesh proposes to abstain on the draft resolution before us.

20. The PRESIDENT (*interpretation from Chinese*): Now I should like to make a statement as the representative of CHINA.

21. Almost a month has elapsed since the adoption of resolution 457 (1979) on the question of Iranian-United States relations. However, this resolution has not been implemented thus far. The Chinese delegation cannot but express its regret at this.

22. With regard to the events which have occurred between Iran and the United States, the Chinese delegation already expounded its position in its statement at the Council's meeting of 1 December [2175th meeting]. We always maintain that the principles guiding international relations and the accepted diplomatic immunities should be universally respected. We stand for the implementation of the provisions of resolution 457 (1979), in which the Council called on Iran to release immediately the personnel of the Embassy of the United States being held at Teheran, and other relevant provisions.

23. The Chinese delegation appreciates the efforts made by the Secretary-General in seeking a solution to this question and supports him in continuing his unrelenting efforts in this respect. We sincerely hope that the Secretary-General's efforts and his forthcoming visit to Iran will lead to an early and peaceful solution of this question.

24. We wish to appeal to the parties concerned to exercise restraint and to render active co-operation in the implementation of the relevant Security Council resolution, so that it can be put into effect speedily. It is our earnest hope that a reasonable and appropriate solution to this event can be reached at an early date through peaceful negotiations in strict accordance with the principles of international law and diplomatic practice.

25. The Chinese delegation will vote in favour of the draft resolution contained in document S/1371/Rev.1. However, we deem it necessary to state the following: with regard to operative paragraph 6, the Chinese Government is of the opinion that, should it be necessary for the Security Council to review the situation and adopt measures in accordance with the said paragraph, it should take a prudent attitude. The decision which the Council might take should really be conducive to the relaxation of the prevailing tension and the release of the hostages.

26. Now I resume my capacity as PRESIDENT of the Council.

27. It is my understanding that the Council is ready to proceed to the vote on the draft resolution submitted by the United States and contained in document S/13711/Rev.1.

28. I shall first call on those representatives who wish to make statements before the vote.

29. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): The Soviet delegation has already explained in the Council the position of principle of the Soviet Union with regard to the Iranian-American conflict. As representatives know, the Soviet delegation supported the statement of the President of the Council with regard to the need for the observance of the principle of the inviolability of diplomatic personnel and premises and for the immediate freeing of the American diplomatic personnel held in Iran.

30. At previous meetings of the Council on this question, we confirmed the position of the Soviet Union that violations of the Vienna Convention on Diplomatic Relations by anyone at all represents an act which is contrary to international law, and we expressed the hope that the conflict which has arisen between the United States and Iran would be settled to the mutual satisfaction of both parties, on the basis of respect for the Convention.

31. On the basis of that position, the Soviet delegation supported resolution 457 (1979). That resolution contains, as representatives will recall, along with an appeal to the Government of Iran immediately to release the personnel of the Embassy of the United States of America being held at Teheran, an appeal to the Governments of Iran and the United States to take steps to resolve peacefully the remaining issues between them to their mutual satisfaction in accordance with the purposes and principles of the United Nations, and to exercise the utmost restraint in the prevailing situation. The resolution expressed the profound concern which existed with regard to the dangerous level of tension between Iran and the United States, which could have grave consequences for international peace and security, and attention was drawn to the obligation of States to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, would not be endangered. In that resolution the Council requested the Secretary-General to lend his good offices for its immediate implementation.

32. The Soviet delegation has studied attentively the report on this question which the Secretary-General submitted to the Council on 22 December, and we should like to express to him our gratitude for his efforts to promote a settlement of the Iranian-American conflict. We would like to draw attention to the conclusion of the report, where the Secretary-General says:

"... the expectation which had previously arisen for early progress towards a settlement of the crisis could, for the time being, not be fulfilled. The Foreign Minister has, however, assured me of the safety of the hostages and of Iran's intention to seek a peaceful settlement." [S/13704, para. 11].

We also welcome the statement of the Secretary-General to the effect that he is resolved, for his part, to pursue his endeavours, in exercise of the mandate entrusted to him by resolution 457 (1979), "with the determination to find a means for achieving a mutually acceptable solution to this most serious situation" [*ibid.*, para. 12].

33. At this stage of our consideration of the Iranian-American conflict, the Soviet delegation would like to confirm once again that the Soviet Union recognizes the existence of a problem created by the holding of personnel of the United States Embassy at Teheran as hostages. At the same time, we believe it to be necessary to stress that assertions to the effect that, as a result of the actions of Iran, a threat has been posed to international peace and security are wrong. Attempts to represent matters in this light actually distort the true state of affairs and are not in keeping with the spirit and content of resolution 457 (1979).

34. The dispute between the United States and Iran is a bilateral dispute which does not fall within the ambit of Chapter VII of the Charter of the United Nations. It is unjustified to attach to this dispute the question of some kind of sanctions. The application of sanctions—some kind of physical action with regard to Iran—could only serve to exacerbate the situation and create a threat to peace.

35. The Soviet Union is firmly in favour of settling the dispute between the United States and Iran on a basis mutually acceptable to both parties. What we need here is the exercise of restraint and cool-headedness. We are convinced that there is not only a need to resolve but actually a possibility of resolving this problem by peaceful means. To those ends, we have by no means exhausted the existing resources available for bringing about a peaceful settlement of a bilateral dispute, including those available to the United Nations.

36. So far as the Security Council is concerned, it should act in such a way as to seek ways of easing the tension existing in connexion with the question of the holding of diplomatic personnel of the United States at Teheran and thus make a real contribution to the peaceful settlement of the dispute. If the Council chooses any other course of action, it will actually be taking the course of exacerbating, rather than easing, the situation and will only make more difficult the achievement of the goal of a peaceful settlement, at which it should be aiming.

37. That position determines the attitude of the Soviet delegation to the draft resolution which has been submitted by the delegation of the United States.

38. Mr. BISHARA (Kuwait): On 2 December I had the honour to express the policy of the Government of Kuwait on this complicated issue. I said that:

"It is important first, and above all, to strengthen the hand of the Secretary-General in his unflinching efforts to ensure a peaceful settlement. He has established a line of communication with the Government of Iran

and has succeeded in containing the crisis in many ways." [2176th meeting, para. 6.]

We still hold that view. We do not believe that all avenues for a peaceful settlement of the crisis have been exhausted. In this respect, it is gratifying that the Secretary-General is already on his way to Teheran in order to have discussions with the Iranian authorities about the problem in all its aspects. We welcome this step.

39. My Government has supported, and it will continue to support, any call for the immediate release of the hostages detained at Teheran. We believe that this demand is overriding on moral, legal and political grounds. We do not waver in our support for such a demand.

40. My delegation has constantly called for patience in solving this problem. When emotions are charged, old scars are opened and old wounds surface, it is necessary to think of the unconventional in order to resolve the extraordinary. Conventional approaches use or resort to conventional ways, to articles of conventions, to traditionally accepted norms or charters or treaties. The problem the Council is now facing is totally divorced from the conventional. No doubt the situation baffles the usual norms of logic. But what is urgent now is to acquire time for a breathing spell that soothes and calms the high passions. We should forestall and abort the escalation towards confrontation. We should try to inject sense into a situation that defies the usual pattern of sense.

41. My delegation is a staunch believer in patience, which by definition rejects haste. Undue haste is not the right answer to an abnormal situation. One should under the circumstances ask what is the objective. My answer is that it is the release of the hostages. The question is how to secure this objective. My delegation believes that that could be done by quiet, tranquil and non-sensational approaches. The question of sanctions against Iran, in accordance with Chapter VII of the Charter, so strongly advocated in many statements here, is in essence contrary to the spirit in which this problem should be solved.

42. The Secretary-General's visit to Iran should not be overshadowed by the provisions of Chapter VII; such a visit will be undermined by the clear reference to punitive measures against a party whose co-operation is needed for the solution of the problem. The visit by the Secretary-General and his efforts should not be encumbered by the unnecessary introduction of Chapter VII. We have strong reservations on operative paragraph 6 of the draft resolution submitted by the United States. In our opinion, the Council should not brandish the notion of punitive measures against a party whose goodwill and co-operation are needed to overcome the problem and to whose land the Secretary-General is proceeding at this very moment. The glimpses of hope should not be unnecessarily quashed. We are certain that the references to Chapter VII and punitive measures is bound to increase the suspicion of the side with which the Secretary-General is going to engage in talks on this problem. We have serious doubts and reservations concerning the reference to Chapter VII in this draft resolution.

43. This brings home to all of us the necessity of reconciling the legitimate demand of the United States with the stability of my area. We in Kuwait believe that a reference to Chapter VII, under the present circumstances and in our area is, from the vantage-point of a Kuwaiti, a threat to the stability of our region. Under no circumstances can I be a party to a document that is bound further to destabilize our region. My delegation therefore cannot accept a call that in our view would add flames to the already inflammable situation.

44. On 4 December Kuwait joined others in the adoption of resolution 457 (1979). The Council adopted that resolution unanimously. On the question of the hostages the United States enjoys the international consensus on its side. It is also clear that the legitimate grievances of Iran enjoy international recognition. In this debate my delegation has heard strong words about the prestige of the Council. The objective here is not to restore the prestige of the Council but to restore the freedom of the hostages. This cannot be obtained by language that implies a threat. We hold the view that it is better to light a candle than to curse the darkness.

45. During the two years of Kuwait's membership in the Council, my delegation has laboured seriously and worked hard to vote in favour of all resolutions adopted by the Council during this period. We have never abstained and we have never opposed any resolution that has been adopted; we have acted in this way out of our spirit of responsibility. We have taken a positive approach to every issue simply because we believe that positive participation is the best means of discharging responsibility. However, on this occasion, for the reasons that I have just stated, we cannot vote for the draft resolution submitted by the United States. We shall not be able to support it chiefly because of operative paragraph 6 and because of other minor objections.

46. Nevertheless, we wish the Secretary-General every success in his visit, and we wish him good luck in his historic endeavour on the last day of the year and in the last hours and minutes of a decade that has been full of convulsions and uncertainties.

47. We are leaving the Council; our term is nearing its end. We shall, no doubt, miss the spirit of togetherness, notwithstanding divergent views. We believe that the Council is a unique body; its uniqueness arises from its capacity to underscore human oneness, which is by far stronger than political considerations.

48. To all members we pay a sincere tribute and express our gratitude for their understanding and sense of accommodation. It is a strange part of life that human beings always benefit from one another, regardless of their political postures, and the power of the Council indeed not only emanates from its diversity—which sometimes creates some sense of confusion—but is also derived from its drive in its search for oneness.

49. We thank all the members of the Council and of the Secretariat—including the interpreters—and we wish everybody a very happy new year.

50. Mr. MUTUKWA (Zambia): I wish on behalf of the delegation of Zambia to explain our vote before the voting which is scheduled to take place shortly.

51. I said in our statement yesterday and I repeat here now that Zambia does not want to see the Security Council divided in its approach to this crisis, as we have succeeded in avoiding division since this crisis erupted in November. We have always advocated the view that the Council should speak with one voice. We have unanimously agreed to use the authority of the Council to secure the safe release of the American diplomatic personnel who have been held hostage at Teheran for nearly two months now.

52. In Zambia's view, it would be unfortunate to adopt a resolution which in effect closes peaceful diplomatic channels towards seeking the safe release of the American hostages. We believe that it is important to leave room for negotiations. It would have been more rational to review the situation after the Secretary-General's mission and not before. In this regard, it is significant that the Iranian authorities have agreed to the visit by the Secretary-General at this point in time.

53. The United Nations has not come to the end of the road in seeking to have the hostages released by peaceful means and we wish our American friends to realize this position.

54. Zambia has strong reservations on operative paragraph 6 of the draft resolution submitted to the Council by the delegation of the United States. If a separate vote were taken on that operative paragraph, Zambia would not go along with it. We have carefully examined the paragraph and reached the inescapable conclusion that it pours cold water on the two-stage approach to this issue.

55. Members of the Council are being asked to make prior commitments to evoke sanctions against Iran even before we have determined that Iran has failed to comply. Would it not be prudent to make such a determination after the other options have been tried? As a matter of principle and procedure Zambia, as a non-aligned country, does not wish to commit itself in advance on issues which it should have an opportunity to assess at an opportune time. However, because Zambia views the holding of hostages as an affront to the principles of international law and wishes to see these hostages released without delay, we shall go along with this draft resolution. Our going along is in the hope that the Council's action will yield the intended results.

56. Operative paragraph 6 of the draft resolution will require the Council to meet in a week's time to adopt measures under Articles 39 and 41 of the Charter in the event of non-compliance. We hope this will not be necessary. By going along with this draft resolution, Zambia does not commit itself to the adoption of the measures proposed in paragraph 6. We shall consider the issue on its own merits at an appropriate time.

57. In conclusion, let me offer Zambia's prayers for the Secretary-General in his delicate mission of peace on behalf of mankind and in the service of mankind.

58. The PRESIDENT (*interpretation from Chinese*): I shall now put to the vote the draft resolution contained in document S/13711/Rev.1.

A vote was taken by show of hands.

In favour: Bolivia, China, France, Gabon, Jamaica, Nigeria, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia.

Against: None.

Abstaining: Bangladesh, Czechoslovakia, Kuwait, Union of Soviet Socialist Republics.

The draft resolution was adopted by 11 votes to none, with 4 abstentions.²

²See resolution 461 (1979).

59. The PRESIDENT (*interpretation from Chinese*): There are no further speakers. The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

60. Before adjourning the meeting, which is the last for this year, I should like to express, on behalf of the Council and on my own behalf, gratitude to the representatives of the delegations of the five non-permanent members who will be leaving the Council at the end of this year for the contributions that they have made to the work of the Council. They are Bolivia, Czechoslovakia, Gabon, Kuwait and Nigeria.

61. I wish a happy new year to the Secretary-General and to representatives on the Council and their families.

The meeting rose at 12.40 p.m.