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SUMMARY RECORD OF THE 4th MEETING

Chairman: Mr. MAVROMMATIS (Vice-President of the General Assembly)

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In the absence of the Chairman, Mr. Mavrommatis (Vice-President of the General Assembly) took the Chair.

The meeting was called to order at 9.45 a.m.

ADOPTION OF THE AGENDA OF THE FORTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY AND ALLOCATION OF ITEMS (continued)

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM SUBMITTED BY IRAQ (A/45/236 and Corr.1)

1. The CHAIRMAN informed the Committee that the representative of Iraq had asked to participate in the discussion of the item in accordance with rule 43 of the rules of procedure.
2. At the invitation of the Chairman, Mr. Mohammed (Iraq) took a place at the Committee table.
3. Mr. MOHAMMED (Iraq) said that the explanatory memorandum submitted by his delegation (A/45/236, annex) set out the reasons for its request for the inclusion of the proposed item in the agenda of the current session of the General Assembly. They were the United States aggression against Iraq and the dangers resulting from the enormous build-up of United States and allied forces, which had occupied territories of the Arabian peninsula and the waters of the Arabian Gulf. The memorandum had reviewed United States efforts to escalate tension in order to launch a devastating war with incalculable political and economic consequences for the region and the world at large. The current tour of the United States Secretary of State to a number of countries demonstrated the reckless desire of that country to provoke an explosion regardless of the dire consequences that would entail. The purpose of the tour was to make further preparations for launching a war against Iraq and to put pressure on other countries to join in that policy and offer their facilities. Proof of that objective was the aggressive agreement announced on 6 November between Saudi Arabia and the United States regarding the command and control of the invading United States forces. That agreement belied initial United States claims that their enormous military presence was only defensive. It had been offensive from the beginning, with the aim of attacking Iraq and gaining full control of the oil fields.
4. Iraq continued to seek a peaceful solution and had taken steps each day to alleviate the tension and move towards peace. First and foremost was President Saddam Hussein's peace initiative of 12 August aimed at resolving the Gulf crisis and all the crises of the region, in particular, the Palestinian issue. The United States Government had not only rejected the Iraqi initiative; it had attempted to thwart all other initiatives, such as the Arab initiatives, and Soviet and French efforts. It had even rejected calls for a peaceful solution. The escalation of tension by the United States made it incumbent upon all peace-loving States to strive to avert a tragic war and encourage Arab and international efforts to achieve a peaceful and just solution to the problems of the region. The inclusion of the proposed item in the agenda of the current

(Mr. Mohammed, Iraq)

session of the General Assembly would further dialogue, serve the cause of peace and justice and help to banish the spectre of war while there was still a chance for peace.

5. He noted the belligerent statement of the Prime Minister of the United Kingdom in the House of Commons on 7 November, in which she clearly threatened to use military force against Iraq. The United States had announced it was dispatching 30,000 United States soldiers from Germany to the Arabian peninsula and that it had completed the preparation of a draft resolution to be submitted to the Security Council authorizing the use of military force against Iraq. That was a gross violation of the purpose and principles of the Charter of the United Nations.

6. His delegation felt that a discussion of the proposed item on a priority basis in recognition of its sensitive nature, would help to create a constructive atmosphere and an international dialogue aimed at reaching a peaceful and just solution.

7. The CHAIRMAN said that the representatives of Kuwait and of Saudi Arabia had asked to participate in the discussion of the item. If he heard no objection, he would take it that the Committee wished to accede to those requests.

8. It was so decided.

9. At the invitation of the Chairman, Mr. Abulhasan (Kuwait) and Mr. Shihabi (Saudi Arabia) took places at the Committee table.

10. Mr. ABULHASAN (Kuwait) noted, after listening to the request of the representative of the Iraqi régime for the inclusion of an additional General Assembly agenda item entitled "United States military concentrations in the Arabian Gulf region: threats to Arab and international peace and security", that the Iraqi representative had described the situation as beginning on 7 August. He asked what the representative of the Iraqi régime thought had occurred between 2 August and 7 August. He wished to draw attention to several points, which the representative of the Iraqi régime had feigned to be unaware of:

11. First, the Iraqi régime had attacked Kuwait in an act of naked aggression, in clear violation of the Charter of the United Nations, the Charter of the League of Arab States, the principles of the Non-Aligned Movement and the Charter of the Islamic Conference. The Security Council had immediately condemned Iraq for its aggression, by a vote of 14 in favour to none against, with 1 abstention, and had demanded that Iraq withdraw immediately and unconditionally all its forces to the positions in which they were located on 1 August 1990, and had called upon Iraq and Kuwait to resolve their differences through negotiation.

12. Secondly, Iraq had rejected in word and in deed Security Council resolution 660 (1990) and had begun massing its armed forces on the border with Saudi Arabia.

13. Thirdly, Iraq had annexed Kuwait on the basis of false claims, which, if unchallenged, would upset the whole world order, the first victim of which would be Iraq itself.

(Mr. Abulhasan, Kuwait)

14. Fourthly, Security Council resolution 662 (1990) considered the annexation of Kuwait null and void. In response to the unprecedented unity of the Arab and Islamic world and the international community in calling for a full and unconditional withdrawal and the restoration of the legitimate Government of Kuwait, the Iraqi aggressor had murdered, tortured, plundered, looted and forced Kuwaitis to emigrate in order to replace them with Iraqis and change the demographic structure of Kuwait.

15. Fifthly, Iraq's disdain for the will of the international community had led to Security Council resolution 665 (1990), which authorized the use of all means, including military means, to ensure implementation of resolution 661 (1990). Resolution 665 (1990) thus legitimized the military presence in the Arabian Gulf.

16. Sixthly, in the face of Iraq's clear intentions, and in accordance with Article 51 of the Charter of the United Nations, Kuwait and some of its partners in the Gulf Co-operation Council had invited Arab, Islamic and friendly forces to defend it and ensure implementation of the relevant Security Council resolutions.

17. Seventhly, the delegation of Iraq had made no mention of the name of Kuwait in its explanatory memorandum. Was Iraq then a peace-loving State which abided by the Charter of the United Nations and Security Council resolutions, and upheld international peace and security?

18. The military presence in the region would come to an end as soon as Iraqi aggression against Kuwait ended and security was restored to the region. The reasons for that presence remained and gave rise every day to large numbers of Kuwaiti victims martyred in the defence of their country. The representative of Iraq would do better to consider the threat to international peace and security constituted by the Iraqi régime's enormous military machine in Kuwait. The invading forces must leave and the rule of law must be restored in Kuwait. For those reasons his delegation opposed the inclusion of the item submitted by the representative of the Iraqi régime; it stood outside the Charter of the United Nations and was against peace.

19. Mr. SHIHABI (Saudi Arabia) said that his delegation supported the statement made by the representative of Kuwait. The explanatory memorandum submitted by Iraq (A/45/236 and Corr.1) was a distortion and an insult to the intelligence of the States Members of the United Nations. It was not the States that had sent forces to resist aggression which posed a threat to peace and security, but, rather, Iraq itself through its occupation of Kuwait. The Committee should condemn and reject the attempt to include the proposed item in the agenda of the General Assembly. The position of his Government was quite clear: Iraq must withdraw from Kuwait, preferably peacefully, and sooner rather than later.

20. Mr. AL-SHAALI (United Arab Emirates) said that as a rule his delegation did not oppose the inclusion of additional items. However, such a request must be in order and conform to legal and procedural rules, in particular those of the Charter of the United Nations. That was not the case with Iraq's request, the purpose of

(Mr. Al-Shaali, United Arab Emirates)

which was to divert attention from the Iraqi aggression against Kuwait. His delegation opposed Iraq's request on a number of grounds.

21. First, the proposed item claimed that the military concentrations constituted a "threat to Arab and international security". If that was so, the appropriate organ of the United Nations according to the Charter of the United Nations was the Security Council and not the General Assembly.

22. Secondly, the proposed item mentioned United States military concentrations in the Gulf region. Those forces had been invited following Iraq's invasion of Kuwait and Iraqi threats to Saudi Arabia and other Gulf States, and their presence was connected with that aggression and the threat to peace and security in the region and the world. Forces from over 20 countries had been invited, all on the basis of the sovereign right of all States which was contained in Article 51 of the Charter of the United Nations.

23. Thirdly, Iraq had requested the inclusion of that item as an additional item under rule 15 of the rules of procedure of the General Assembly, which stipulated that such items should be of an important and urgent character. His delegation saw no urgency since those forces had been present since the Iraqi invasion of Kuwait over three months previously.

24. Mr. HUM (United Kingdom) said that the attempt by Iraq to introduce the proposed new item was nothing other than a perversion of the principles and procedures of the United Nations. The explanatory memorandum referred only to events which had occurred since 7 August 1990, but failed to mention the Iraqi invasion which had taken place five days earlier. The subsequent military deployments had been in direct response to Iraq's invasion, their sole aim being to end Iraq's aggression and its failure to comply with Security Council resolutions.

25. The intent of the Government of Iraq in seeking to introduce the proposed item was quite simply to thwart the Security Council and to set one United Nations organ against another. The fact was that the Security Council had been seized of the matter for three months. For the General Assembly to take action at the same time would be improper and would play into the hands of the Iraqi Government. His delegation opposed inclusion of the proposed new item.

26. Mr. PICKERING (United States of America) said that his delegation had always adopted a liberal policy with regard to the inclusion of agenda items. Yet at times attempts to propose new items were simply tendentious and ill-founded, and such was the case with the Iraqi proposal. The Security Council had determined in resolution 660 (1990) that Iraq was responsible for a breach of international peace and security. Kuwait and Saudi Arabia, in accordance with Article 51 of the Charter, had requested assistance, and the United States, together with a number of other States, had responded, pursuant to Security Council resolutions 661 (1990) and 665 (1990). The situation was under active consideration in the Security Council and any attempt to include the proposed item would fly in the face of the facts of the situation, as determined by the Council. His delegation urged the Committee to reject the Iraqi attempt to distort the truth and undermine the Council's findings.

27. Mrs. DIALLO (Senegal) said that while her delegation respected the right of Member States to propose new items, the Security Council was already seized of the situation between Iraq and Kuwait. Notwithstanding the action taken by the Security Council, Iraq continued to occupy Kuwait in violation of international law and the Charter. The States of the region had, in legitimate defence of their sovereignty, appealed to friendly countries in response to the Iraqi aggression of 2 August 1990. Yet Iraq had chosen to ignore the will of the international community and the risk that hostilities might ensue. It was incumbent upon Iraq to seek a peaceful solution in accordance with the resolutions of the Security Council. Iraq's attempt to introduce a new item did nothing to further that objective. The General Committee should reject the request.

28. Mr. MIKULKA (Czechoslovakia) said that it was well known that the action taken by the United States and other Member States was a direct consequence of Iraq's aggression, and that the Security Council had condemned Iraq and declared its occupation and annexation of Kuwait to be illegal. Member States were bound to implement the Council's resolutions. The military response was, therefore, quite legitimate and fully in accordance with the Charter.

29. The Charter stated that the Assembly should make no recommendation in respect of items before the Security Council unless the Council so requested, and it was for the Council to take responsibility for the maintenance of international peace and security. Inclusion of the proposed item would thus contradict the Charter, and it was clear that the Iraqi proposal was little more than an attempt to undermine Security Council action. His delegation would oppose its inclusion.

30. Mr. ROCHEREAU DE LA SABLIERE (France) said that his delegation was opposed to inclusion of the proposed new item, given that the Security Council was already seized of the matter, and the fact that it was already covered by item 153.

31. Mr. FLORES BERMUDEZ (Honduras) said that it was clear what the background to the situation was. Since the Council was already seized of the matter, his delegation was opposed to inclusion of the proposed new item.

32. Mr. FORTIER (Canada) said that it did not seem that further discussion would lead to an agreed conclusion, given which his delegation wished to move, in accordance with rule 116 of the rules of procedure, that no action should be taken on the Iraqi request.

33. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the Canadian motion under rule 116.

34. It was so decided.

35. Mr. Mohammed (Iraq), Mr. Abulhasan (Kuwait) and Mr. Shihabi (Saudi Arabia) withdrew.