



## Security Council

PROVISIONAL

S/PV.2663  
18 February 1986

ENGLISH

### PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND SIX HUNDRED AND SIXTY-THIRD MEETING

Held at Headquarters, New York,  
on Tuesday, 18 February 1986, at 3.30 p.m.

President: Mr. ADOUKI

(Congo)

Members: Australia  
Bulgaria  
China  
Denmark  
France  
Ghana  
Madagascar  
Thailand  
Trinidad and Tobago  
Union of Soviet Socialist Republics  
United Arab Emirates  
United Kingdom of Great Britain and  
Northern Ireland  
United States of America  
Venezuela

Mr. WOOLCOTT  
Mr. TSVETKOV  
Mr. LIANG Yufan  
Mr. BIERRING  
Mr. de KEMOULARIA  
Mr. GBEHO  
Mr. RABETAFIKA  
Mr. KASEMSRI  
Mr. MOHAMMED  
Mr. SAFRONCHUK  
Mr. AL-SHAALI  
  
Sir John THOMSON  
Mr. OKUN  
Mr. AGUILAR

This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be printed in the Official Records of the Security Council.

Corrections should be submitted to original speeches only. They should be sent under the signature of a member of the delegation concerned, within one week, to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

The meeting was called to order at 4.30 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION BETWEEN IRAN AND IRAQ

LETTER DATED 12 FEBRUARY 1986 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17821)

The PRESIDENT (interpretation from French): I wish to inform members of the Council that I have received letters from the representatives of Bahrain, Iraq, Jordan, Kuwait, Oman, Saudi Arabia, Tunisia and Yemen in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Aziz (Iraq) took a place at the Council table; Mr. Al-Sabbagh (Bahrain); Mr. Salah (Jordan); Mr. Abulhasan (Kuwait); Mr. Al-Ansi (Oman); Mr. Shihabi (Saudi Arabia); Mr. Bouziri (Tunisia) and Mr. Al-Eryani (Yemen) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from French): I should like to inform members of the Council that I have received from the Permanent Representative of the United Arab Emirates to the United Nations a letter dated 18 February 1986 which reads as follows:

(The President)

"I have the honour to request the Security Council to extend an invitation under rule 39 of the Council's provisional rules of procedure to Mr. Chedli Klibi, Secretary-General of the League of Arab States, in connection with the consideration of the agenda item entitled 'The situation between Iran and Iraq'."

If I hear no objection, I shall take it that the Council agrees to extend an invitation to Mr. Chedli Klibi under rule 39 of its provisional rules of procedure.

There being no objection, it is so decided.

In due course I shall invite Mr. Klibi to take a place at the Council table and to make his statement.

The Security Council will now begin consideration of the item on its agenda.

The Security Council is meeting today in response to a letter dated 12 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council. That letter is contained in document S/17821.

I wish also to draw the attention of members of the Council to the following documents:

S/17814: Letter dated 10 February 1986 from the Alternate Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council;

S/17819: Letter dated 12 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary General;

(The President)

S/17822: Letter dated 12 February 1986 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General;

S/17824: Letter dated 13 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General;

S/17825: Letter dated 13 February 1986 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General;

S/17826: Letter dated 13 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General;

S/17827: Letter dated 13 February 1986 from the Permanent Representative of Zambia to the United Nations addressed to the Secretary-General;

S/17828: Letter dated 13 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General;

S/17829: Letter dated 13 February 1986 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General;

S/17830: Letter dated 14 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General;

S/17831: Letter dated 14 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General;

S/17833: Letter dated 14 February 1986 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General;

S/17834: Letter dated 16 February 1986 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General;

(The President)

S/17835: Letter dated 16 February 1986 from the Chargé d'affaires ad interim of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General; and

S/17836: Letter dated 17 February 1986 from the Chargé d'affaires ad interim of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General.

(The President)

The first speaker is Mr. Chedli Klibi, Secretary-General of the League of Arab States, to whom, at this meeting, the Council has extended an invitation in accordance with rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

Mr. KLIBI (interpretation from Arabic): Mr. President, I am happy to associate myself with the honourable heads of delegations who have rendered homage to your wise conduct of the proceedings of the Security Council. At the same time I cannot fail to pay due tribute to your predecessor, His Excellency the Ambassador of the People's Republic of China, for the worthy qualities that won him the general esteem of the Council.

Let me thank the members for the honour they have done me in giving me this opportunity to address the Council and also express to you, Mr. President, and the other members my deepest consideration and gratitude.

The Security Council has since 1980 had to meet several times to examine the issue of the Iraq-Iran conflict and has each time adopted a set of measures to deal with the dangers arising from this conflict. Yet today's meeting assumes an exceptional importance commensurate with the extreme gravity that characterizes the wide-scale attack launched on the eve of 10 February 1986 by the Iranian forces against Iraqi territory, which was followed by the occupation of parts of that territory, thus creating a case of open aggression against Iraq's sovereignty, with all that that implies in terms of violating the United Nations Charter, defying the entire international community and trampling upon the principles on which this community rests.

At this very moment, as the Council meets to look into this deliberate and blatant aggression against an independent Member State of the United Nations, the

(Mr. Klibi)

Iranian offensive is continuing unabated. Worse still, Iran is declaring its firm resolve to expand the area of occupation in utter disregard of all calls to avoid any further escalation and to resort to the rule of international law.

Tens of thousands of victims of that conflict have so far fallen on each side. Many more are falling even now, under the fire of the new escalation. It is no exaggeration to say that this conflagration has also laid waste innumerable economic infrastructures, installations and production sources and drained off incalculable resources both parties would have badly needed for development purposes.

What is more, although this grinding conflict pits two neighbour countries against each other, it has become amply clear that its impact is not limited to them and that it extends to the whole Middle East and affects some vital interests of concern to the entire international community at both the economic and the security levels.

Allow me at this point to call the attention of the Council to three basic truths about this conflict which, six years after its outbreak, are increasingly evident.

The first truth is that Iraq has expressed over and over again its total responsiveness to all past and present mediating efforts and peace initiatives made in order to put an end to the conflict. Iraq has likewise declared its full acceptance of all Security Council decisions in this respect and stressed its absolute readiness to make peace and to settle the conflict through negotiated means in conformity with the principles of international law. Need I recall here resolution 522 (1982) of October 1982, in which the Council welcomed the fact that

"one of the two parties has already expressed its readiness to co-operate in

(Mr. Klibi)

the implementation of resolution 514 (1982) and calls upon the other to do likewise".

Up to this very moment, Iraq continues to hold to this position.

The second truth is that Iran has constantly rejected all mediating efforts, no matter where they have come from, and also has rejected all calls for peace, no matter where they have originated. It has instead adamantly clung to the pursuit of this devastating conflict, unconcerned with the death and destruction it has wrought, indifferent to the calls of the universal conscience, and turning a deaf ear to the resolutions the international Organization has adopted in this regard.

To the Arab efforts and international mediation in favour of peace and a halt to the bloodshed, Iran has responded with a series of crippling conditions that clearly are tantamount to absolute rejection. To this moment there has been no signal from Iran indicating any possible change of attitude.

The third truth is that the League of Arab States, in the light of the two truths I have just enunciated, and in accordance with its national duties as well as its responsibilities for world peace and security, has from the outset defined a clear-cut Arab position vis-à-vis the Iraq-Iran conflict. This position, which draws upon the Arab League and United Nations Charters, rests upon two major principles: first, systematic opposition to any aggression perpetrated against any Arab State and total Arab solidarity with the aggressed State; and, secondly, the consideration that peaceful negotiations based on the rules of international law and the resolutions of the international Organization constitute the sole means to end the conflict and to secure a solution guaranteeing the legitimate rights of both parties while meeting the requirements dictated by bonds of history, civilization, good-neighbourliness and common interest. These two principles continue to be stressed forcefully and unambiguously by the League of Arab States.



(Mr. Klibi)

That is the unchanging position of the Arab States with regard to the conflict now under consideration by the Security Council. I do not think there is any need to stress further that that position clearly reflects the commitment of the Arab States to a peace process based on international law, a process they believe to be the only means by which to achieve a just and honourable solution to this extremely grave conflict.

It is in strict adherence to that position that the League of Arab States has contributed to helping with the implementation of Security Council resolutions on this issue and has backed all bilateral and inter-Arab efforts and efforts in the framework of the Organization of the Islamic Conference, the Non-Aligned Movement and other international organizations and bodies, always for the purpose of achieving a peaceful settlement of this conflict in conformity with international legality.

In the light of what I have said, and to put it briefly, I reaffirm the genuine concern for peace of Iraq and the entire Arab nation. We look forward eagerly to the day when this conflict can be ended and the two countries, reconciled, can set out on a process of co-operation whereby, with the help of brothers and friends, they can heal their wounds, rebuild what the war has destroyed and ensure for their respective peoples the dignified and secure life to which they aspire. But the Arab nation, which rejects aggression and occupation in all their forms and with all their implications, cannot but reassert its firm resolve to stand in a unified and solid front in opposition to the aggressor and to declare its complete commitment to its national obligations towards Iraq, the Arab country which is the victim of aggression.

(Mr. Klibi)

In the face of the extreme gravity of this new Iranian aggression against Arab lands and its possible expansion and escalation, we must refer frankly to the responsibility of some States for the continuation of this destructive conflict owing to their having failed to press peace efforts to their hoped-for conclusion. The big Powers are called upon today to move from mere expressions of concern and preoccupation and simple calls for peace to a practical stand enabling all necessary conditions to be met for an end to this tragic conflict. Obviously enough, those conditions cannot obtain if adequate pressure and all political and other means are not used to convince the belligerent party, which persists in its rejection of peace.

Nor can we fail to point out here that the big Powers have not given the Iraq-Iran conflict its due importance, commensurate with the danger it represents, so much so that we must wonder whether some of those influential Powers might not object to the continuation of the conflict. There is hardly any need at this point for us to recall that many of those powerful countries possess direct vital interests in the Arab world. Seen from the longer-term angle, that should call for serious, sincere and effective involvement by those countries in the peace efforts, all the more so since the new qualitative developments in the conflict, resulting from the recent Iranian strike, have hurled the entire Arab region into the ambit of this blazing conflict, in consequence exposing world peace and security to direct danger.

By its obstinate rejection of calls by the United Nations, Iran has breached one of the most important principles of international law, which enjoins every nation to meet, in good faith and with good intent, the commitments inherent in the principles, generally recognized and accepted rules of international law, in particular with reference to the preservation of world peace and security and to

(Mr. Klibi)

refraining from any action likely to impair the effectiveness of the United Nations system based on the United Nations Charter.

Similarly, Iran has violated the fundamental principle upon which international relations rest: the principle of non-interference in the affairs of any other country, which is universally recognized as the conditio sine qua non for peaceful coexistence between nation. In fact, the practice of any form of interference is not merely a violation of the letter and spirit of the United Nations Charter and the principles of international law concerning friendly relations and co-operation among States, as set out in General Assembly resolution 2625 (XXV) of 24 October 1970, but it is also a step towards the creation of situations threatening international peace and security.

When Iraq declares its firm commitment to United Nations principles and repeatedly confirms its respect for United Nations resolutions, it has no aspiration other than the preservation of its national rights, its territorial integrity and its sovereignty over its national water resources; it can in no way be described as having any claims whatsoever regarding Iranian territory.

Conversely, by its recent attack, Iran has demonstrated in the clearest terms its intent to occupy new areas of Iraqi territory, with a view to depriving Iraq of its natural access to the waterways of the Gulf, thus preventing that neighbouring State from freely exercising its trade and shipping rights in the manner of all the other Gulf States.

Among the other principles of international law set out in General Assembly resolution 2625 (XXV) is each State's obligation to refrain from any threat or use of force for violating the international borders separating one country from another, or from resorting to such violations as a means of settling international disputes, including those relating to national borders and territorial waters.

(Mr. Klibi)

Every State is obliged under international law also to refrain from the threat or use of force against the territorial integrity or political independence of another State or to undertake any action in contravention of the rules and regulations of the United Nations. In fact, such potential or actual use of force is a violation of international law and the United Nations Charter, and can in no way be considered as a means to settle international conflict, as is clearly stipulated in the General Assembly's Declaration in that regard.

As I have said, the Security Council has on several occasions considered the developments in this conflict since 1980. It has adopted a series of resolutions on the issue, in which it expressed its concern over the continuing conflict and called for a cease-fire, an end to hostilities, the withdrawal of military forces to the internationally recognized borders and the settlement of the conflict by peaceful means. The Council has also called for respect for the freedom and security of shipping, and has ordered the dispatch of United Nations observers to monitor the cease-fire and withdrawal operations.

While highly valuing all those resolutions and viewing them as positive steps along the road to peace, the Arab States must draw attention to the fact that the recent Iranian aggression against Iraqi territory has created a new, infinitely more dangerous situation with which the Security Council must deal in a different manner, commensurate with the exceptional gravity of the challenge.

The case put before the Council today is crystal clear: Iran's armed forces have attacked and occupied a part of Iraqi territory near Kuwait, which Iran forthwith proclaimed a neighbouring State. The offensive rages to this moment. Thus, there has been a clear-cut attempt against the sovereignty of Iraq, a State Member of the United Nations, and the territorial integrity of that country has been violated. In addition, the security of the region is now in the line of fire, and international peace and security are directly threatened.

(Mr. Klibi)

Such is the situation the Security Council has been called on to examine: an act of aggression against an independent State and the occupation of parts of that State. The debate should not swerve from that basic issue. Previous resolutions of this Council, along with those of the General Assembly and other international and regional efforts to which I have already referred, all have their importance, which we by no means doubt, and, had they been implemented, would have led to the settlement of the conflict.

Allow me at this point to pay a special tribute to the United Nations Secretary-General for the tremendous efforts he has made to contain the conflict and for his repeated calls for a cease-fire, the latest of which came as recently as last Saturday.

However, with great regret, we note that the conflict is far from over. Hence the need for all of us in the Council to seek the proper means whereby international resolutions can be put into effect. No less than that is the responsibility of this august Council, and no less pressing is the need for real collective effort to reassert the credibility of this Council's decisions so that the principles upon which the United Nations rests may prevail and endure.

That having been said, and with regard to the case under debate, the Arab States expect the Security Council to implement urgently the provisions of the United Nations Charter, in particular Articles 36 and 37 of Chapter VI, and Chapter VII.

In view of its responsibilities for checking aggression, adopting sanctions against the aggressor, and maintaining peace and security, this venerable Council is called upon to take a decision commensurate with the danger the Iraq-Iran conflict poses to security in the region and to world peace and security at large. To achieve that end, the Council's decision must be aimed at the realization of a

(Mr. Klibi)

total peace - that is, a definitive end to all hostilities and a comprehensive settlement of the conflict in accordance with the principles of international law. That is why it is necessary that the Council's decision include well-defined practical measures likely to ensure their effective implementation.

As it submits this issue to the arbitration of the Security Council, the League of Arab States expresses its firm conviction that peace - real peace based on international law - is the sole means of settling international disputes. We nurture the hope of seeing the United Nations and its organs, foremost among them the Security Council, impose the primacy of international legality and the inviolability of the principles of international law in all matters relating to the defence of the rights of peoples and the preservation of world peace and security.

The PRESIDENT (interpretation from French): I thank Mr. Chedli Klibi for the kind words he addressed to me.

The next speaker is the Deputy Prime Minister and Minister for Foreign Affairs of Iraq, Mr. Tariq Aziz. I welcome him and call on him to make his statement.

Mr. AZIZ (Iraq) (interpretation from Arabic): I thank you, Mr. President, and, through you, the other members of the Security Council for acceding to our request to participate in this series of meetings. I am confident that under your wise and experienced leadership the Council's meetings will be crowned with success.

This is not the first time this august Council has met to consider the conflict between Iran and Iraq. Ever since the Council held its first meeting on this subject five and a half years ago and adopted its first resolution on the matter, on 28 September 1980, the conflict has continued to be one of the major preoccupations of the United Nations Security Council, General Assembly and Secretariat.

(Mr. Aziz, Iraq)

We have come here once again today for the Council's consideration of this issue at the invitation of the Arab Committee, which the Arab League Council has entrusted with the task of following up the Iran-Iraq conflict, in the wake of Iran's new attempt to invade Iraq, which began during the night of 9/10 February and continues to date.

The new Iranian invasion not only represents a grave escalation of the situation but at the same time reveals many facts and explains many of the events that have taken place during the years of the conflict and earlier.

The first fact revealed by Iran's newly attempted invasion is that Iran, as it has declared openly in its military communiqués and in statements of the President of the Iranian Republic, aims at occupying the northern part of the Arab Gulf and creating a new political, military and economic situation in the region as a whole - one that would serve Iran's expansionist objectives. That is what led to the outbreak of the war on 4 September 1980; that is why the war has continued ever since. That expansion is aimed not only at Iraq but also at the other States of the region. Hence, concern over this invasion, both Arab and international, is greater now than at any other time, despite the continuous calls for an end to the war and the achievement of peace in the area.

Iran's aggression against Shatt al-Arab and its military occupation of the Iraqi port of al-Faw, together with its official announcements and statements which speak of Iranian forces moving to occupy the southern part of Iraq along the Arab Gulf and towards the City of Basrah, unmask the lies and prevarications which Iran has used throughout six years of continued aggression against Iraq, particularly during the past three years, and, as I have said, explain many of the facts and events.

(Mr. Aziz, Iraq)

From the beginning of Iran's aggression against Iraq on 4 September 1980 to the end of 1982, the Council and the General Assembly were concerned first and foremost with bringing the war to an end and achieving a comprehensive settlement to the conflict. I refer here in particular to the Council's important resolution 514 (1982), adopted on 12 July 1982, and General Assembly resolution 37/3, adopted on 22 October 1982.



(Mr. Aziz, Iraq)

However, the years 1983, 1984 and 1985, regrettably, witnessed a new tendency in the Secretariat and the Security Council, which gave greater attention to secondary matters arising from the conflict and reduced the emphasis on the comprehensive settlement the Council had previously stressed. Those attempts began in 1983, when the Gulf region faced the effects of the continuation of the war. On 31 October 1983 the Council adopted resolution 540 (1983), which was the first resolution not to deal with all the elements of the conflict comprehensively, but concentrated instead upon some specific elements. The resolution called for the immediate cessation of all hostilities in the Gulf region, including all sea lanes, navigable waterways, harbour works, terminals, offshore installations and all ports with direct or indirect access to the sea.

Although the resolution offered no comprehensive solution to the conflict and was limited to only one theatre of military operations, and although its practical implementation would lead to the prolongation of the war on land and to the minimization of international concern over the dispute, and hence the reduction of pressure for a comprehensive settlement, Iraq accepted it at the time. That position was in harmony with Iraq's firm stand from the inception of the conflict on co-operating with the Security Council and the Secretariat in all ways leading to a comprehensive peace. Iraq also accepted the resolution out of its sense of responsibility towards security and stability in the Gulf region and the legitimate interests of the littoral States and those that have trade links with the region.

On its part, the Iranian régime, which was complaining noisily about what was described at the time as the oil slick and the dangers of environmental pollution, rejected that resolution, which would have solved that and other issues, amongst which were the safety of trade and oil exports and sparing civilian population

(Mr. Aziz, Iraq)

centres the dangers of war. The Iranian régime also rejected even the efforts made then by some States to ensure a de facto implementation of the resolution without an official declaration. We explained then to the Organization and to all the States that approached us the reasons behind Iran's rejection of the resolution. We pointed out that the Iranian régime, which had been planning an offensive for the occupation of the Basra area, was not interested in reaching any arrangements that would spare the Arab Gulf region the dangers of war.

Indeed, the Iranian régime considered the arrangements in resolution 540 (1983) an impediment to its preparations for invasion. While it was preparing for the offensive, the régime's sole concern was to keep international public opinion and the Organization occupied, through lies and prevarications, in order to win time. In fact, the Iranian offensive against the area of Basra took place in February of 1984. It turned out to be a large-scale attack, with the clear military objective of occupying the southern part of Iraq.

However, after we had destroyed that offensive and dealt the aggressive invaders a big defeat, and when the Iraqi air force began to impose a serious blockade on Iranian ports, in the face of the blockade that Iran had imposed on our southern ports since the early days of the conflict, and when Iran felt it was beginning to lose, the Iranian régime started to complain of the threat to its navigation in the Gulf. As it has done on all other issues, Iran dealt with the problem through force, arrogance and blackmail. Instead of accepting the verdict of the Organization, as expressed in resolution 540 (1983), Iran sought refuge by attacking vessels belonging to Gulf States that were not involved in the armed conflict, with a view to forcing those States to put pressure on Iraq to lift its blockade on Iranian ports, while maintaining its blockade on Iraqi ports. That was because Iran, despite its defeat in the battle of February 1984, had not abandoned its intention to reinvade and occupy the southern part of Iraq.

(Mr. Aziz, Iraq)

Naturally, the Gulf States whose ships and interests were affected by the Iranian aggression did not succumb to Iran's threats and blackmail. They turned to international legitimacy, to the Council, which adopted resolution 552 (1984) in 1984. Iran rejected that resolution with contempt, and has persisted to date in threatening international navigation and attacking vessels belonging to Gulf States that are not involved in the armed conflict.

In another attempt to deceive and mislead world public opinion and the Organization, Iran began to show a readiness to stop attacking Iraqi vessels if Iraq abstained from attacking those belonging to Iran. We uncovered that trick, pointing out that Iraq had no vessels in the Gulf region, for the party with no ports in operation would consequently have no vessels. When we reminded Iran that such an arrangement required the cessation of threats to Iraqi ports, so that Iraq could have vessels in operation, Iran rejected our arguments, because its objective was, as it still is, to occupy the ports of Iraq, control the Gulf from the north and threaten its western coasts. Accordingly, Iran rejected any logical and balanced arrangements in that regard.

After the failure of Iran's attempt to invade Iraq in February 1984, a new episode began with Iranian attempts to deceive world public opinion and divert the Organization's attention away from the fundamental question of finding a comprehensive settlement to the conflict. The story now was one of attacking cities and population centres.

If we go back a little in history, we find that Iran began its aggressive war against Iraq on 4 September 1980, by shelling cities and densely populated areas. When the scale of military operations increased, Iraq did not use its air force to hit any population centre. Iranian jets, on the other hand, carried out dozens of

(Mr. Aziz, Iraq)

raids daily on Baghdad, Mosul, Basra and other cities in Iraq, killing civilians and destroying houses, hospitals, schools and anything else that its bombs could reach. Iran's air force continued, despite the great destruction it had suffered, to carry out raids whenever it could against our towns and villages in order to hit population centres. We mentioned the latest example in our letters of 31 December 1985 (S/17706) and 28 January 1986 (S/17768).

(Mr. Aziz, Iraq)

Following the withdrawal of the Iraqi forces from the Iranian territories in June of 1982, and the concentration of Iranian forces along the borders, a regular and continuous shelling began to be carried out against all Iraqi towns and villages within range of Iranian artillery. At the same time, the Iranian régime persisted in its lies by claiming that it was not attacking towns and villages in Iraq. Iranian lies were then confirmed in the report prepared by the United Nations mission on the subject (S/15834). Moreover, in the records of the Security Council, there exist numerous letters in which Iraq reported these Iranian acts, including statements from the texts of Iranian military communiqués.

On 7 June, 1983, the President of the Republic of Iraq proposed the conclusion of a special agreement between Iraq and Iran, under the auspices of the United Nations, to abstain from attacking population centres (S/15825). That proposal was rejected by Iran. Resolution 540 (1983) of the Council contained a specific paragraph calling for the immediate cessation of all military operations against civilian targets, including cities and residential areas. But Iran rejected that resolution too, as is well known.

Before it carried out its major offensive to occupy the southern part of Iraq in February 1984, Iran had not been interested in reaching any agreement on this issue, as it was only content with its misleading propaganda campaigns against Iraq in this respect. But after we destroyed that major offensive, which left Iran in need of a breathing space to prepare for yet another, it began to show interest in this matter and called upon the Organization to take action on it. The Secretary-General appealed to both parties, on 9 June 1984 (S/16611), to halt all deliberate attacks against purely civilian population centres. Unlike the manner with which it has dealt with the resolutions and initiatives of the Organization,

(Mr. Aziz, Iraq)

Iran accepted the said appeal immediately. Iraq, of course, also accepted the appeal, for it agreed with its usual stand and with the proposal announced by the President of the Republic of Iraq a year earlier. As a result, the agreement of 12 June 1984 came into being on the abstention from deliberate military attacks against purely civilian population centres.

In order to ensure the faithful implementation of that agreement and to prevent it from being exploited to prepare for aggression, I addressed two letters to the Secretary-General in which I warned against the utilization of Iranian border towns and villages for the purposes of military concentrations in preparation for a new Iranian offensive against Iraq - an offensive the launching of which the Iranian officials continued to threaten. I mentioned, in my letter of 27 June 1984 to the Secretary-General (S/16649), the names of the Iranian towns and villages in which Iranian forces were concentrated together with the names of the military units placed therein. I also requested the United Nations Secretariat to provide a sufficient number of observers in all the sectors of operations, so that their inspection would be immediate and accurate on a battle front extending over 1,180 kilometres along which on both sides were dozens of towns and villages.

This proposal, however, was not considered and the Iranian régime refused in the beginning even to receive the team appointed by the Secretary-General to inspect the implementation of the agreement inside Iran, demanding that the team should remain outside Iran. Afterwards, it agreed, under considerable pressure, to let the team stay only in Tehran, refusing its presence in, or periodic inspection visits to, other Iranian towns and villages.

(Mr. Aziz, Iraq)

What does this mean? Does it mean that Iran is sincere in claiming the desire to save those towns and villages, and their population, the scourge of war? Or is it that Iran wanted to use the agreement as a cover for preparing a new large-scale offensive with the objective of occupying the territory of Iraq?

In any case, and in spite of our prior knowledge of Iran's intentions, we accepted the said agreement and implemented its provisions faithfully, because it was in harmony with our firm and principled stand to respond positively to any initiative that might reduce the scourge of war and increase the chances for peace.

We adhered to that agreement despite its fundamental lacunae. But as the time of the large-scale offensive which Iran was threatening to unleash drew nearer, Iranian officials began to escalate their false allegations about Iraqi violations of the agreement. On 8 February 1985, the President of the Iranian régime gave a speech in which he threatened to shell the city of Basra and called upon its inhabitants and those of the other border towns and villages to evacuate (S/16948).

On 4 March, while we were here considering the question of the prisoners of war and trying to find solutions to their tragedy, the Iranian régime exploited an incident of bombardment by Iraqi planes of a plant on the outskirts of the city of Ahwaz, to issue a warning that its forces would shell the city of Basra within twelve hours and called upon its inhabitants to evacuate at once.

The agreement of 12 June 1984 provides that both sides shall abstain from deliberate attacks on "purely civilian population centres". This provision does not cover other targets, including industrial plants. Had the agreement covered plants, we would have agreed on other arrangements, which would have enabled us to bring back into operation dozens of our vital industrial plants in the Basra area

(Mr. Aziz, Iraq)

that have been out of operation and subjected to constant Iranian bombardment.

This is confirmed by the fact that Iran did not ask the United Nations team entrusted with investigating such matters to go to Ahwaz and conduct the necessary investigation. Instead, Iran issued the said warning and carried it out on 5 March 1985 by subjecting Basra and the other Iraqi border towns to bombardment with heavy artillery on a large scale. When we invited the United Nations team stationed in Baghdad to visit Basra and verify the Iranian shelling of the population centres in that city, the Iranian régime refused to grant safe conduct to the mission, a fact documented at the United Nations and in the Council. In the circumstance, we were compelled, in the exercise of our right to self-defence, to retaliate.



(Mr. Aziz, Iraq)

None the less, we responded to the Secretary-General's appeal of 9 March 1985 with a letter dated 10 March 1985, in which I proposed holding proximity talks with the Iranian side, under the auspices of the Secretary-General, to arrive at effective measures that would ensure that the agreement of 12 June 1984 would not be abused for aggressive military purposes and would be protected against future violation.

Three days after the Secretary-General had issued his appeal the Iranian régime launched the largest offensive in the history of the war on the Iraqi borders. In that offensive Iran employed huge numbers of forces and used immense quantities of military and engineering equipment and supplies in order to cross the marshes and the Tigris River. As was the case last year, the aim of the Iranian régime was to occupy the Basra area.

Although we fully abided by the agreement to abstain from attacking purely civilian population centres from June 1985, that did not prevent the Iranian régime from continuing the war, nor did it prevent it from undertaking its current invasion of Iraqi territory.

From the foregoing it becomes quite clear that there is a basic conflict of intentions between the international community - of which we are a part - and the Iranian régime on the question of abstaining from attacks on purely civilian population centres. While the international community hopes to spare civilians the ravages of war and considers this a doorway to a comprehensive settlement of the conflict, the Iranian régime exploits this sensitive question without any moral constraint in order to create circumstances favourable to continuing the war and carrying out invasion.

In spite of the anguish and the human and material losses caused by the two major Iranian offensives in 1984 and 1985, the attention of the Security Council and the world Organization was focused, in the first place, on secondary questions arising out of the conflict, while no concentrated effort was exerted towards a

(Mr. Aziz, Iraq)

comprehensive settlement. We strongly warned against that approach, and we said that it would not, in fact, serve the objective of a comprehensive peace; rather, it would serve the Iranian plan of deception to continue the war and aggression against Iraq with the aim of occupying its lands, imposing full hegemony on the Arab Gulf area, enslaving its peoples, plundering its wealth and spreading anarchy and destruction therein. It was on those grounds that the Iranian régime dealt with the eight points proposed to the two sides by the Secretary-General on 21 March 1985, points he discussed later in the capitals of the two countries, in April of the same year. The Secretary-General was informed of the positions of the two countries, which he recorded, and, together with his own assessment, presented in his report to the Council (S/17097). Although this clearly shows that Iraq did not reject those points but, rather, discussed them with the Secretary-General in depth and in all sincerity and proposed the addition to them of two further points - namely, the withdrawal of forces to international borders and the full exchange of prisoners of war within a short period - the Iranians continue to claim falsely in international forums that their régime accepted those points and Iraq rejected them. The truth of the matter, however, is that the Iranian attitude vis-à-vis the said points reflects the same selective method that Iran has adopted in its approach to the implementation of obligations arising from international law.

International law is founded upon fundamental rules, the most important of which are respect for the sovereignty and independence of other States, the right of the State to self-defence in the face of aggression, and resort to peaceful means for the settlement of disputes. International law also contains subsidiary and supplementary rules, but it is not correct in law to adhere to subsidiary and supplementary rules and to persist in violating the fundamental rules.

International law as a whole grants rights to States and imposes obligations upon them. It is not legally correct for a State to adhere to its rights without at

(Mr. Aziz, Iraq)

the same time honouring its obligations and respecting the rights enjoyed by another State under international law. In the conflict it is now considering the Security Council is faced with a strange and grave situation in which one of the parties to the conflict insists on violating all the fundamental rules of international law while adhering to the substance of the subsidiary rules. And even in adhering to those subsidiary rules that party, while maintaining its own rights under them, omits to recognize the rights that the same rules give the other party.

In addition to that aberrant stand with regard to international law, the Iranian régime adopts a strange position in dealing with the Security Council. The Iranian régime refuses to participate in the deliberations of the Council on the conflict and imposes on the Council conditions unprecedented in the history of the United Nations or international practice.

The United Nations Charter explicitly provides for the competence of the Security Council to consider all conflicts that threaten peace and security in the world, without any preconditions or limitations. There is no precedent of States having made their acceptance of the Council's competence conditional or optional. No State Member has ever taken the position that the Iranian régime insists upon taking a position that has, regrettably, not met with the required decisive action by the Security Council and the Secretariat.

In fact, the Iranian régime has succeeded in pursuing that strange course while the Organization has engaged itself in dealing with certain aspects of the war without placing any strong pressure upon Iran to put an end to it through peaceful settlement. That policy has in effect helped the Iranian régime to realize its objective of continuing the war and has served its endeavours to occupy Iraq; it has thus contributed to the continuation of the threat to security and stability in the Arab Gulf region.

(Mr. Aziz, Iraq)

Since the inception of that policy in 1983 - a policy based on the hope that the scourge of war can be gradually reduced to the point at which the achievement of a comprehensive peaceful settlement might be possible - the Iranian régime has exploited it to the greatest possible extent. The concrete outcome of that policy is that the Iranians have been given time to prepare for repeated invasions of Iraq. Does anyone need further evidence of that after these three years during which the Iranian régime has repeatedly tried to invade Iraq? It did so in February 1984, after the consideration of the freedom and security of navigation, and in March 1985, after the consideration of the prevention of deliberate attacks on purely civilian population centres; and another invasion followed the presentation of the Secretary-General's eight-point plan of 1985.

(Mr. Aziz, Iraq)

I should like to remind the Council of what I stated in my letter of 19 December 1985, circulated in document S/17687. I pointed out in that letter that the Iranian régime was preparing to launch a large-scale aggression with the aim of occupying Iraqi territory and thereby threatening Iraq's sovereignty and national security. Unfortunately, this Organization took no measure to prevent that aggression. I should like to remind the Council also of my letter of 10 February 1986, circulated in document S/17814, in which I stated that my Government had previously warned the United Nations, and particularly the Security Council, of the Iranian régime's aggressive and expansionist intentions. These intentions have been confirmed by deed and word through Iran's invasion of southern Iraq, in addition to other known evidence.

I stated that we had appealed to the Council to shoulder its responsibilities under the Charter to deter the Iranian aggression and to achieve a comprehensive peaceful settlement in accordance with international law, instead of concerning itself with only certain aspects of the conflict, thus providing the Iranian régime time and time again with the opportunity of prolonging its aggressive war against Iraq. I conveyed to the Council the conviction of the Iraqi Government that it was high time the Council faced decisively the grave situation threatening international peace and security in the region as a result of the Iranian policy of continued aggression, and that it seriously shouldered its responsibilities under the Charter in order to put an end to the aggression and achieve the just and comprehensive peace that would ensure the rights and interests of both parties. We said all that bearing in mind the principles and provisions of the United Nations Charter and international law, and in particular the provisions of Articles 24 and 25 of the Charter.

(Mr. Aziz, Iraq)

I declare in this forum, with full candour and firmness, that Iraq will not accept any course different from that prescribed in the Charter and international law and consecrated in State practice to resolve international disputes. Enough of the policies of selective and divisible treatment, of ambiguous formulas; enough of not focusing our efforts upon the central point of the settlement - namely, putting an end to the war in accordance with the norms that have been established internationally.

Erroneous diplomatic interpretations have resulted in streams of blood, brought about untold destruction and encouraged the Iranian régime to persist in waging war with an arrogance unprecedented in the history of the United Nations. Iraq will not accept, participate in or assume the responsibility of any interpretation which does not focus clearly and unambiguously upon the means for ending the war.

Our people have defended our country's sovereignty, our territorial integrity, our dignity and honour with full valour and capability. They have made great sacrifices in human lives and in material property for this noble objective, which we share with numerous nations in the world that have struggled and continue to struggle against aggression and tyranny.

Iraq is presenting to the Security Council its conflict with Iran, and is acquainting the Council with the Iranian aggressive schemes and the attempts of the Iranian régime to occupy its territory, not out of weakness or powerlessness but in exercise of its rights and responsibilities as a Member of the United Nations and out of its concern to establish peace and security with its neighbours and its respect for the rules of the Charter and international law. Hence, it is incumbent upon the Council to shoulder its responsibilities which are provided for in the Charter. The Council should confront the Iranian régime with its responsibilities

(Mr. Aziz, Iraq)

in a decisive manner. Either it accepts these principles which were drawn up to regulate relations between nations in the modern age or it should isolate itself from the international community. It is for the international community, through the Security Council, which is entrusted with the task of the maintenance of peace, security and stability in the world, to take the measures appropriate to the situation.

The PRESIDENT (interpretation from French): I thank the Deputy Prime Minister and Minister for Foreign Affairs of Iraq for the kind words he addressed to me.

The next speaker is the Deputy Prime Minister and Minister for Foreign Affairs of Yemen, Mr. Abdulkarim Al-Eryani. I welcome him and invite him to take a place at the Council table and to make his statement.

Mr. AL-ERYANI (Yemen) (interpretation from Arabic): First, it gives me great pleasure to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. We have full confidence that, with your well-known experience and statesmanship, you will conduct the Council's work and preside over its deliberations in an outstandingly able and wise way.

I express great appreciation, too, to your predecessor as President of the Council, who also performed his task very ably.

The Security Council is meeting today to consider a new act of aggression by Iran against Iraq. As the Council knows, on the night of Sunday, 9 February, Iranian forces penetrated the international borders of the Iraqi Republic and occupied part of its territory. Fighting has been raging ever since.

This is not the first time that Iran has committed such an act of aggression against the territory of Iraq. Over recent years it has committed similar acts of aggression against Iraq.

(Mr. Al-Eryani, Yemen)

My country, the Yemen Arab Republic, as a matter of principle denounces aggression by any State against another State. It rejects the use of armed force in the settlement of international disputes and the occupation of the territory of others.

Since the item before the Council relates to blatant aggression - acknowledged by Iran itself - no investigation or fact-finding by the Security Council is necessary.

The matter with which the Council is now dealing is one link in the chain of a war that has been waged for years between two parties that are Members of the United Nations. One of them insists on continuing the fighting. It refuses to agree to an end being put to it. It constantly declares its determination to continue to fight until it gains acceptance for the unfair conditions it has posed, conditions that are unprecedented in history.



(Mr. Al-Eryani, Yemen)

Those conditions are truly impossible to meet; they run counter to all the dictates of reason and logic. That party clings to its belligerence, shutting the door on all mediation efforts by many parties and international and regional organizations.

The other party - Iraq - seeks peace and an end to bloodshed. It has consistently declared its absolute readiness to engage in dialogue and has welcomed mediation by any party.

My country, the Yemen Arab Republic, which I am honoured to be representing here, has tried to assist, through mediation between the two belligerent parties. It has also strongly supported all good offices and other sincere initiatives by certain States and by international and regional organizations to extinguish the flames of the war raging between Iran and Iraq, two neighbouring Muslim States, to end the bloodshed and killing and the devastation and destruction of the infrastructure and property of the two brother countries, and to establish good-neighbourly relations between them on the basis of mutual respect and peaceful and brotherly coexistence.

But we have not detected any positive response from Iran to our initiatives or to the initiatives of others. On the other hand, Iraq has stated and continues to state its readiness and to welcome those initiatives.

It is no secret that this devastating war has exacted an exorbitant toll in lives, funds and resources, and in the great suffering endured by the peoples of these two neighbour States. But despite its length - it is nearly half way into its sixth year - the war continues to rage and to wreak havoc every day.

The war is widening, and has thus become a war of attrition, wasting the human and material resources of the two peoples. There is no doubt that the lack of a just and prompt end to the war would pose a grave threat not only to the peace and security of the region, but to international peace and security in general.

(Mr. Al-Eryani, Yemen)

We appreciate the position taken by Iraq because it is characterized by reason and wisdom, and because it expresses an earnest wish to end this devastating war, promptly and justly, on the basis of mutual respect for the international borders of Iraq and Iran, non-interference by one State in the internal affairs of the other, and the establishment of constructive coexistence between them.

I have no doubt that members of the Council share our anguish and the anguish of all the world's peoples at the continuing bloodshed and the attendant devastation of resources. Today more than ever before the Council must, in view of the increased danger posed by the escalation of the war, shoulder its duty and responsibilities, especially given that it is on the Security Council's ability to put an end to the hostilities, restore peace and spare the world the dangers and horrors of war that the hopes of the two neighbour peoples of Iran and Iraq are pinned, along with the hopes of all mankind. Without question, that is the Council's most important function under the United Nations Charter.

We ask the Council to call upon the two belligerent parties to declare an immediate cease-fire and to withdraw their forces to their respective international borders, this to be accompanied by a prompt and effective effort by the Council and the Secretary-General to prevail upon the two parties to accept and comply with that appeal and implement its elements. In that connection, the Council should send a group of United Nations observers to monitor this and to ensure compliance by the two States. It would be natural too for the Council's appeal to include a call upon the two parties to take immediate steps to co-operate with the Secretary-General in the initiation of urgent, comprehensive and honourable negotiations on all consequences of the conflict, in conformity with the principles of the Charter, including respect for sovereignty, independence and territorial integrity and non-interference by one State in the internal affairs of another.

(Mr. Al-Eryani, Yemen)

Also to be dealt with by the Council is a humanitarian question linked to and resulting from this war. I refer to the question of Iraqi and Iranian prisoners of war, a question requiring serious consideration and urgent, objective treatment by the Council in the context of its examination of the overall matter. It is unfair that that question should remain unresolved.

We ask the Council, therefore, to call upon the two parties promptly to exchange their prisoners of war in co-operation with the International Committee of the Red Cross. The Council considered this question in March 1985, at which time I spoke of it at length. But it is still pending and remains unresolved.

The Security Council has great prerogatives and powers. Its permanent members include the major Powers of the contemporary world. More than any other body, it is capable of shouldering the task of ending the war which for approximately six years has been raging between Iran and Iraq, and of prevailing on Iran to respond positively to Iraq's position, to accept a cease-fire, to halt fighting and to heed the international community's wish that peace return to that sensitive region and that harmony be restored between Iran and its neighbour, Iraq.

(Mr. Al-Eryani, Yemen)

It is high time for the Security Council to move in that direction, towards the achievement of that noble humanitarian objective, in order to put an end to the bloodshed, preserve the resources and achievements that are being wasted, maintain the remaining infrastructures and installations of the two countries, and put an end to this wholly unwarranted devastating war.

If this devastating and bloody war is not promptly brought to an end, we are afraid that its scope will widen and possibly become internationalized. I have no doubt that representatives are fully cognizant of what I am saying. Therefore, let all earnest efforts be concerted to prevent the occurrence of that which we all fear and to put an end to this war before the "sword pre-empt the blame" - to cite an Arabic proverb. No other is as able as the Council to undertake this task.

The continuation of this war, wantonly and without an end in sight, constitutes a very serious challenge to the Council's ability to exercise its powers and prerogatives and perform its appropriate role.

Finally, I wish the Council every success in what it is called upon and invited to do.

The PRESIDENT (interpretation from French): I thank the Deputy Prime Minister and Minister for Foreign Affairs of Yemen for the kind words he addressed to me.

There are no further speakers for this meeting. The next meeting of the Security Council to continue consideration of the item on the agenda will be held tomorrow, Wednesday, 19 February 1986, at 3.30 p.m.

The meeting rose at 6.05 p.m.