



Security Council

PROVISIONAL

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ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND SIX HUNDRED
AND SEVENTY-SEVENTH MEETING

Held at Headquarters, New York,
on Wednesday, 16 April 1986, at 3.30 p.m.

President: Mr. de KEMOULARIA

(France)

Members: Australia
Bulgaria
China
Congo
Denmark
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. GARVALOV
Mr. LIANG Yufan
Mr. BALE
Mr. BIERRING
Mr. DUMEVI
Mr. RAKOTONDRAHMANA
Mr. KASENSARN
Mr. MOHAMMED
Mr. DUBININ
Mr. AL-SHAALI

Mr. MAKEY
Mr. OKUN
Mr. ACUILLAN

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The meeting was called to order at 4.10 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

LETTER DATED 15 APRIL 1986 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17991)

LETTER DATED 15 APRIL 1986 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF BURKINA FASO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17992)

LETTER DATED 15 APRIL 1986 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE SYRIAN ARAB REPUBLIC TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17993)

LETTER DATED 15 APRIL 1986 FROM THE PERMANENT REPRESENTATIVE OF OMAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17994)

The PRESIDENT (interpretation from French): In accordance with decisions taken at previous meetings on this item, I invite the representative of the Libyan Arab Jamahiriya to take a place at the Council table. I also invite the representative of the Syrian Arab Republic to take a place at the Council table. I invite the representatives of Algeria, Burkina Faso, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, the German Democratic Republic, Hungary, India, Mongolia, Oman, Pakistan, Poland, Qatar, Saudi Arabia, the Ukrainian Soviet Socialist Republic, Viet Nam and Yugoslavia to take the places reserved for them at the side of the Council Chamber.

At the invitation of the President, Mr. Azzarouk (Libyan Arab Jamahiriya) and Mr. Al-Atassi (Syrian Arab Republic) took places at the Council table; Mr. Djoudi (Algeria), Mr. Ouedraogo (Burkina Faso), Mr. Maksimov (Byelorussian Soviet Socialist Republic), Mr. Velazco San Jose (Cuba), Mr. Cesar (Czechoslovakia), Mr. Al-Alfi (Democratic Yemen), Mr. Hucke (German Democratic Republic), Mr. Endreffy (Hungary), Ms. Kunadi (India), Mr. Nyamdoo (Mongolia), Mr. Al-Ansi (Oman), Mr. Shah Nawaz (Pakistan), Mr. Noworyta (Poland), Mr. Al-Kawari (Qatar), Mr. Shihabi (Saudi Arabia), Mr. Oudovenko (Ukrainian Soviet Socialist Republic),

Mr. Bui Xuan Nhat (Viet Nam) and Mr. Sekulic (Yugoslavia) 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 letters from the representatives of Afghanistan, Benin, the Islamic Republic of Iran and the Lao People's Democratic Republic 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, and with the consent of the Council, I propose 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. Nenragary (Afghanistan), Mr. Ogouma (Benin), Mr. Damavandi Kamali (Islamic Republic of Iran) and Mr. Somvorachit (Lao People's Democratic Republic) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from French): The Security Council will now continue its consideration of the item on its agenda.

Members of the Council have received photocopies of a letter dated 16 April 1986 addressed to the President of the Security Council by the Chargé d'Affaires a.i. of the Permanent Mission of Ghana to the United Nations, a letter dated 16 April 1986 addressed to the President of the Security Council by the Chargé d'Affaires a.i. of the Permanent Mission of Nicaragua to the United Nations and a letter dated 16 April 1986 addressed to the President of the Security Council by the Permanent Representative of Italy to the United Nations. Those letters will be published as Security Council documents S/18003, S/18004 and S/18007, respectively, tomorrow morning.

(The President)

The first speaker is the representative of Qatar. I invite him to take a place at the Council table and to make his statement.

Mr. AL-KAWARI (Qatar) (interpretation from Arabic): It gives me pleasure to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I am convinced that, because of your tact and experience, you will achieve success during your term of office, which occurs at a time when the Council is seized of issues of great importance for the future of international peace and security. I am also pleased to mention here the very friendly relations that bind our two countries.

I should also like to pay a tribute to your predecessor Ambassador Bierring, the Permanent Representative of Denmark, who presided over the work of the Council last month, and to congratulate him on the outstanding manner in which he guided the Council's deliberations during its consideration of extremely serious and sensitive questions.

At the outset, I should like to refer to the statement made here by my brother, the representative of the United Arab Emirates, Mr. Al-Shaali, in which he said that we do not lack the evidence to rebut the pretexts invoked to justify that act of aggression. Although an attempt was made to support the acts of aggression by references to international law and to the Charter of the United Nations, it has in no way altered the true state of affairs, which is based upon arrogant power and conceit.

However, in replying to the allegedly objective arguments of the aggressor, who claims that its acts of aggression are in self-defence, we intend to concentrate our statement on this pretext in order to shed light on the true status of international law with regard to those acts and determine whether the current actions are indeed examples of the exercise of the legitimate right of self-defence.

(Mr. Al-Kawari, Qatar)

What are facts? The inherent right of self-defence provided in Article 51 of the Charter is an exception to the general rule set forth in Article 2 (4), which states that all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State. As an exception, therefore, the inherent right of self-defence must be interpreted narrowly rather than broadly, for otherwise the door would be opened to violations of the general rule by arguing that the use of force is, indeed, the legitimate recourse to the right of self-defence.

According to Article 51, for the use of force to be legitimate, it must be preceded by armed attacks against the State attempting to justify that use on the basis of the Article. Under the Charter, as in other instruments of international law governing relations among States, prior armed attacks, which justify the legitimate use of self-defence, must entail aggression by one State against another. That implies that the aggressor State must have used its own forces against the territory or political independence of the State victim of aggression, which then is empowered to have recourse to its inherent right of self-defence.

(Mr. Al-Kawari, Qatar)

Some American jurists have defined the words "armed attack", as employed in Article 51 of the Charter, as cases in which armed forces cross international borders persistently and in large numbers. This was set forth on page 195 of the book War Crimes by Professor Richard Falk, published in 1971. He states that there is no armed attack in the sense intended by Article 51 unless

(spoke in English)

"military forces cross an international boundary in visible, massive and sustained form".

(continued in Arabic)

Even if we adopted leniency towards that condition of the Article and said that armed aggression, short of transgressing international borders, justifies self-defence, as long as action and reaction are proportionate, armed action must still be carried out by armed forces belonging to the aggressor State against the armies of the State that wishes to exercise the right of self-defence.

There is a second condition, namely that acts of self-defence must take place directly following armed aggression and before the cessation of military operations by the forces of the aggressor State, since the right of self-defence has been recognized in order to rebuff aggression and to prevent the aggressor from carrying out its objectives. If such aggression ceases, there is no longer any pretext for making use of force on grounds of self-defence; otherwise such use of force would be mere retaliation, designed to teach the aggressor a lesson, or geared to other purposes irrelevant to self-defence in its strict legal sense. This concept can be applied to self-defence in international as well as national law.

The third condition, which is not present in the case of the United States military operations, is that of proportional action and reaction. We are not considering such a case here. We have heard the highest sources in the United

(Mr. Al-Kawari, Qatar)

States of America declare that the act of aggression of 15 April was a pre-emptive action carried out in self-defence aimed at preventing the occurrence of further incidents. The truth, however, is that in international law the concept of "pre-emptive self-defence" does not exist, since armed aggression has to precede acts of self-defence according to the first condition of that limited exception to the rule of non-use of force stipulated by Article 51 of the Charter. Otherwise, the invoking of pre-emptive self-defence could be the pretext for all imaginable acts of armed aggression. Suffice it in this regard to refer to the testimony of the representative of the United Kingdom - which participated in the aggression under discussion - speaking on behalf of the ten members of the European Economic Community at the fifty-third meeting of the General Assembly at its thirty-sixth session. That representative then categorically rejected pre-emptive self-defence and stated that he thought that armed military operations carried out under that pretext did not fall within the concept of self-defence in international law. His remarks may be found in the verbatim record of that meeting, which is contained in document A/36/PV.53, page 33.

The true meaning of self-defence was given more than 140 years ago by the United States Secretary of State, Mr. Webster. He defined it as an immediate need that allowed no possibility of choice or reflection. He stated
(spoke in English)

"a necessity of self-defence, instant, overwhelming, leaving no choice of means and no moment for deliberation".

(continued in Arabic)

Is this applicable to the military operations carried out by United States military forces against Libya at dawn on 15 April, which were premeditated and concerted operations that left a good deal of time for choice and prudence?

(Mr. Al-Kawari, Qatar)

The United States of America intentionally turned its back on all peaceful means and openly affronted the Security Council when it carried out its aggression while the Council was meeting to consider peaceful means of settling the conflict in accordance with the Charter. Thus the United States proved, according to the words of its famous Secretary Webster, that it was not a case of self-defence. The only possible description of the operation is "aggression", according to Article 2 (4) of the Charter. In turning its back on Webster the United States Administration has come to be viewed as the direct heir of the thought of American diplomat James Williams, who stated, absolutely illogically, that

(spoke in English)

"as for a war of aggression, we will never wage it except in self-defence".

(continued in Arabic)

Perhaps the only excuse for Williams, if he had any at all, was that he was speaking at a time, long before the Charter, when the principle of non-use of force had not been established and had not become a principle of international law and before the legal concept of the right to self-defence had been formulated and restricted to Article 51 of the Charter.

To arouse sentiments under the pretext of combating terrorism and to carry out military actions on that pretext is unworthy of a great Power. To the contrary, it is that great Power's responsibility to try to eradicate the causes of that violence, rather than creating a new cycle of violence.

In any case, experts in international law have recognized that combating so-called terrorist acts never justifies the use of force in violation of Article 2 (4) of the Charter and does come under the provisions of Article 51. Suffice it to refer to the study conducted by H. Scott Fairley, published in the tenth volume, 1981, of the Georgia Journal of International and Comparative Law, in particular pages 62 and 63. On pages 1 to 28 that Journal contains another story on self-defence.

(Mr. Al-Kawari, Qatar)

Those two studies contain sufficient references to other works that reaffirm what I have just said regarding the proper legal concept of self-defence. There are other references as well, but I shall spare the Council's time by not citing them specifically. However, everyone here is free to consult them to discover the truth of the unjustifiable claims made here concerning self-defence.

Finally, I should like to quote several paragraphs of the official declaration published by my Government on the question now before the Council:

"While deploring the use of force in resolving international disputes as being in violation of the provisions of the Charter and the norms of international law, and of no use in the resolution of such disputes, the State of Qatar vigorously condemns the United States air raids on an Arab sister State and supports the fraternal people of Libya.

"The State of Qatar appeals to the entire international community represented in this international Council, which is now meeting to consider the Libyan-American conflict, to act quickly in order to ensure that the Mediterranean region is spared any other such military operations, which would have serious consequences not only for regional peace and security but for international peace and security as well."

The PRESIDENT (interpretation from French): I thank the representative of Qatar for the kind words he addressed to me.

Mr. RAKOTONDRAMBOA (Madagascar) (interpretation from French):

Mr. President, history has recorded that our two countries, although geographically so distant from each other, very early on established relations of friendship and co-operation. The recent official visit to France by His Excellency Mr. Didier Ratsiraka, President of the Democratic Republic of Madagascar, testifies to the mutual willingness of our leaders to strengthen these ties even further. My delegation is particularly happy, therefore, to see you presiding over the Council during this month of April. While expressing its best wishes for your success in the discharge of your delicate duties, my delegation wishes to assure you of its wholehearted co-operation.

To the Permanent Representative of Denmark, your predecessor in this post, we should like to pay tribute for his patience, courtesy and diplomatic skills which he demonstrated last month in conducting our proceedings.

Permit me also to take this opportunity, on behalf of the delegation of Madagascar, to extend a warm welcome and best wishes for success to the new Permanent Representative of the Union of Soviet Socialist Republics.

It is now three weeks since the Security Council began to meet, practically without interruption, to examine the very serious situation in the central Mediterranean.

Since the beginning of the year the United States Government has been carrying out repeated naval manoeuvres in that extremely sensitive region and, invoking the right of freedom of navigation in international waters, has on several occasions placed an impressive armada in the Gulf of Sidra, which, as is very well known, has been claimed since 1973 by the Libyan Arab Jamahiriya as an integral part of its territorial waters by virtue of its being an "historic bay".

(Mr. Rakotondramboa, Madagascar)

Preceded and accompanied by harsh public declarations and unilateral sanctions, especially in the form of economic boycott, these incessant military manoeuvres off the coast of a country with which diplomatic relations were broken off constituted deliberate provocations.

After the military engagement of 24 and 25 March 1986, as an entirely foreseeable consequence of this provocation the United States, on 14 April 1986, launched armed attacks against Libyan territory.

In both cases the provisions of Article 51 of the Charter were invoked to justify these actions. Now, self-defence requires three conditions to be met: first of all, there must have been an attack by the adversary; secondly, that attack must have been unjust; and, thirdly, the riposte should be in proportion to the attack.

In the circumstances the last two conditions do not seem to have been met. Indeed, provocation constitutes, if not an absolute justification, at least an extenuating circumstance which can lend legitimacy to the attack in whole or in part. As to the proportionate nature of the riposte, suffice it to recall that on 24 March 1986 the United States forces did not go on the offensive until six hours after the launching of the first Libyan missile, simply because they knew they were not running any great risk: it was a one-sided confrontation.

To conclude these few brief reflections on the concept of self-defence, my delegation must confess that we feel somewhat uneasy about the implication that self-defence is justified once the exercise of this right has been, according to Article 51 of the Charter, "immediately reported to the Security Council" - as if scrupulous respect for form sufficed to vindicate the deed.

We felt uneasy, too, on learning that the armed attacks of 14 April were in reprisal for an attack in a Berlin discotheque on 5 April, as well as a

(Mr. Rakotondramboa, Madagascar)

"preventive" act of self-defence because of the discovery of plans for about 30 future attacks. Accused of masterminding these past and future attacks, Libya issued a categorical denial. Yet we are told that incontrovertible evidence exists - evidence which, however, cannot be produced because of its source.

The fact remains that our uneasiness became active consternation when we learned that the armed attacks against Libya had taken place at the very time that the Security Council was busy considering the question. I want my delegation's position to be absolutely clear: the Democratic Republic of Madagascar unequivocally condemns as criminal all acts, methods and practices of terrorism, in particular those which are prejudicial to friendly relations among States and to their security, as well as any acts which imperil or destroy innocent human life. --

The PRESIDENT (interpretation from French): I am sorry to have to interrupt. For security reasons I suspend the meeting for a few minutes at the request of the United Nations Security services. All members and the public also must leave the room, calmly.

The meeting was suspended at 4.40 p.m. and resumed at 4.55 p.m.

The PRESIDENT (interpretation from French): I apologize to the representative of Madagascar for having interrupted him, which I did at the request of the Chief of Security.

Mr. RAKOTONDRAMBOA (Madagascar) (interpretation from French): Several States Members of the Organization, having faith in preventive diplomacy, have brought the situation to the attention of the Security Council, in conformity with the provisions of Article 35 of the Charter. Specifically, as a Member whose interests are "specially affected", the Libyan Arab Jamahiriya participated in the discussion of the question before the Council.

Under those circumstances, the international community in general and the Security Council in particular were entitled to hope that the dispute would be resolved peacefully, in conformity with the procedure laid down in Chapter VI of the Charter.

While it is true that in certain conditions the Council must take urgent action, it must none the less give itself some space for reflection in order to avoid taking hasty and unconsidered decisions.

In the meantime, both the letter and the spirit of the Charter and of many other international instruments require the parties concerned to continue in their mutual relations to respect their obligations under the basic principles of international law concerning the sovereignty, independence and territorial integrity of States, as well as other generally recognized principles and rules of contemporary international law. Those parties must refrain from any action which could exacerbate the situation to the point of endangering the maintenance of international peace and security and of making more difficult, or impeding, the peaceful settlement of the dispute, and must, in this respect, act in keeping with the purposes and principles of the United Nations.

(Mr. Rakotondramboa, Madagascar)

Neither the existence of a dispute nor the failure of a process of the peaceful settlement of a dispute authorizes any State party to a dispute to resort to force or the threat of force.

Mindful of those universally accepted principles, my delegation has endorsed the communiqué adopted on 15 April 1986 at an emergency session by the Ministers and Heads of Delegation of the Co-ordinating Bureau of the Movement of Non-Aligned Countries (S/17996), and the communiqué issued by the Organization of African Unity. We do this not merely out of our solidarity with the Libyan Arab Jamahiriya stemming from our common membership of those two organizations, but also, and above all, in a spirit of justice.

(Mr. Rakotondramboa, Madagascar)

In conclusion, I should like to read out the text of a message that Mr. Didier Ratsiraka, President of the Democratic Republic of Madagascar, addressed today to Mr. Rajiv Gandhi, Prime Minister of India and current Chairman of the Movement of Non-Aligned Countries:

"The recent events in the Socialist People's Libyan Arab Jamahiriya have once again shocked the conscience of the countries of the third world in general and the countries belonging to the Movement of Non-Aligned Countries in particular. I learned with satisfaction of the initiative Your Excellency has taken in condemning, on behalf of our Movement, the unspeakable aggression committed against the fraternal Libyan people.

"For their part, the Democratic Republic of Madagascar and its revolutionary authorities, on the basis of unswerving principles, can only express their vigorous and whole-hearted condemnation of the bombing of Libyan cities, including the capital, which caused the loss of innocent human lives.

"In the past, we have expressed opposition to acts of international terrorism - of course, we do not include under that heading violence committed on the battlefield by peoples humiliated on their own soil and struggling for their freedom, as is the case in South Africa, in Namibia and in Palestine. Nothing can be allowed to justify acts of undeclared war or of blind violence.

"The ordeal of our Libyan brothers starkly highlights the vulnerability of the non-aligned countries. Because our Movement, which is so rich in values, has delayed in providing itself with the means for effective solidarity on a sound economic basis, it could lose the initiative for the establishment of a world of peace where man enjoys respect.

(Mr. Rakotondramboa, Madagascar)

"Warmongers and other believers in the tenet of 'might makes right' have certainly earned universal condemnation, but the damage of historic scope done to the cause of the third world should induce us to apply ourselves resolutely to the strengthening of our Movement; that is what our oppressed peoples expect of us."

The PRESIDENT (interpretation from French): I thank the representative of Madagascar for the kind words he addressed to me.

The next speaker is the representative of Mongolia. I invite him to take a place at the Council table and to make his statement.

Mr. NYAMDOO (Mongolia) (interpretation from Russian): I congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of April. I am confident that you will guide the work of the Council on the basis of your long diplomatic experience, and I wish you every success. My delegation wishes also to extend its sincere gratitude to your predecessor, Ambassador Bierring, the Permanent Representative of Denmark, on his skilful conduct of the Security Council's proceedings in March.

The reports of the new criminal action by the United States aroused deep indignation among Mongolian people and the Government of the Mongolian People's Republic. That is reflected in the statement issued today by the Government of the Mongolian People's Republic in regard to that action. Only a few days ago, the Security Council discussed the question of United States aggression against Libya, and many delegations, including the Mongolian delegation, demanded that the United States immediately cease its hostile acts against that non-aligned State and compensate it for the damages caused. The United States authorities, however, not only totally disregarded this just demand by the international community, but also

(Mr. Nyandoo, Mongolia)

perpetrated a new, dangerous crime against a sovereign State. The United States Administration, pursuing its imperial and neo-global policy, carried out a new, utterly unprovoked, large-scale act of aggression against non-aligned Libya, subjecting three of its cities, including its capital, to massive bombing. Many regions of the capital of Libya were the targets of this piratical attack, including the residence of the President of the country himself. Libya suffered great loss of life and considerable material damage.

The use by the United States of armed force against a small Arab State, against its territorial integrity, political independence and State sovereignty, is a glaring violation of the most fundamental norms and principles of international law. This once again creates an extremely serious threat to the cause of peace and security within the region and also beyond its borders. No matter what arguments Washington may put forward to justify its actions, it is perfectly obvious to everyone that the United States is trying to impose its will on a small sovereign State. Moreover, in so doing it employs all kinds of means, including the repeated use of armed force. That has been pointed out in the statements of previous speakers.

It should also be noted that the United States is trying to teach Libya a lesson for the sole reason that that country is carrying out an independent policy on the international arena and has consistently supported the Palestinian people's struggle for the implementation of its inalienable right to self-determination.

Such adventurist actions by the United States can only be viewed as an open challenge to the United Nations Charter and to the international community, and as a step that is extremely dangerous to the cause of international peace and security.

(Mr. Nyandoo, Mongolia)

It is also of particular concern that the United States, in carrying out its new, barbaric attack on Libya, made use not only of its enormous war machine in the Central Mediterranean but also of its aircraft based in one of the countries that is Washington's close partner in the aggressive bloc of the North Atlantic Treaty Organization (NATO).

(Mr. Nyandoo, Mongolia)

All of that clearly reveals that the NATO military bloc and American forward-based forces in Europe are used by Washington against non-aligned, developing States and national liberation movements.

The Mongolian delegation vigorously condemns here in the Security Council the piratical attack by the United States on Libya as a most dangerous manifestation of the policy of State terrorism carried out by Washington towards States that refuse to submit to American diktat. We believe it is necessary for the Council not only to condemn the United States armed aggression against Libya, but also to take effective measures to prevent such American actions against Libya and any other State. In that connection, the Mongolian delegation fully supports the statement of the Non-Aligned Movement on 15 April, which categorically condemns the United States aggression against Libya.

The Mongolian delegation believes the United States must bear full responsibility for its acts of aggression against Libya. Our delegation once again demands that the United States immediately compensate Libya for all damage caused to it as a result both of the earlier and the most recent barbaric military adventures by the American Administration against that Arab country.

In conclusion, our delegation once again expresses its full solidarity with the friendly people of Libya and its Government, which have become the target of new, overt acts of aggression.

The PRESIDENT (interpretation from French): I thank the representative of Mongolia for the kind words he addressed to me.

The next speaker is the representative of Poland. I invite him to take a place at the Council table and to make his statement.

Mr. NOWAKOWYTA (Poland) (interpretation from French): I am happy to take this opportunity to congratulate your country, Sir, and you yourself on your assumption of the presidency of the Council. All that is best about the history of France is its attachment to justice, its respect for the sovereignty of other States, big and small, its rationalism and its imagination and clear-sightedness, which make it possible to foresee the consequences of all actions, particularly in the long term. All those qualities are exemplified in you, Sir, as has been made clear to me in the past few days, and as I had discovered immediately after my arrival in New York.

(spoke in English)

At the same time I express my delegation's appreciation to the representative of Denmark, Ambassador Biering, for the efficient manner in which he dealt with the difficult questions on the Council's agenda.

For the second time in a fortnight the Security Council is seized of the grave and dangerous situation in the central Mediterranean, brought about by the military actions of the United States against Libya and the repeated use of force against that country. Despite the overall opposition to the escalation of military tension in the region, an unprecedented campaign against Libya has been launched in the American mass media, followed by official United States representatives' pronouncements of imminent strikes against targets in Libya.

American actions cannot be described as anything but an act of aggression against a sovereign Arab State, a Member of the United Nations and the Non-Aligned Movement, perpetrated by a permanent member of the Security Council at a time when the Council was seized of the problem and was considering measures with a view to safeguarding peace in the region. Those actions show a complete disregard of the constructive efforts of the United Nations. They cannot be described as anything other than an act of State terrorism by a big Power against a small State, violating the generally recognized norms of behaviour of the civilized world.

(Mr. Noworyta, Poland)

Poland condemns the arrogant use of armed force against a small non-aligned country, which resulted in human and material losses, including damage to foreign embassies and losses among the civilian population. It also constitutes a threat to the life and safety of Polish citizens employed in Libya. We express our profound indignation over those acts and extend full solidarity with, and support to, Libya in safeguarding and defending its independence, sovereignty and territorial integrity.

An inadmissible justification of the use of force by the United States testifies to a lack of responsibility, and must be considered as a deliberate attempt to undermine international security.

The accumulation of American military power in the Mediterranean, its provocative manoeuvring and its most recent air strikes against Libya, with the use of military aircraft taking off from American forward bases in the United Kingdom, contribute to the heightening of tensions and increase the danger of conflict that threatens peace in Europe and throughout the world.

The American actions can be construed only as an attempt to undermine the search for an improvement of international relations and to extinguish the positive trends and expectations which have emerged as a result of the Geneva Summit of November 1985. We very much regret that.

The actions against Libya have largely been condemned by the representatives of countries speaking in the Security Council on previous occasions and also by the Ministers and Heads of Delegations of the non-aligned countries, meeting in emergency session in New Delhi on 15 April 1986, which indicate the political isolation of the United States position.

(Mr. Noworyta, Poland)

The attack on Libya was made despite the repeated warnings of the socialist countries and the non-aligned countries, and also despite the reservations of the majority of the United States allies. That shows a complete lack of sensitivity by the United States to world public opinion.

We view with particular concern the official statements by the United States that the method of punitive military expeditions will continue to be practised in the future. Such a policy is fraught with uncalculable consequences for world peace and security.

(Mr. Noworyta, Poland)

Many prior speakers in this debate have drawn attention to the fact that fundamental principles of international law and the United Nations Charter are at stake.

The nations of the world expect the Security Council to live up to its responsibilities under the Charter for international peace and security, to demand that the United States of America put an immediate halt to its military operations and to take urgent action to condemn that act of aggression and prevent the repetition of such acts.

The PRESIDENT (interpretation from French): I thank the representative of Poland for the particularly kind words he addressed to my country and to me.

The next speaker is the representative of Hungary. I invite him to take a place at the Council table and to make his statement.

Mr. ENDREFFY (Hungary): At the outset, may I express my delegation's gratitude to you, Mr. President, and to the members of the Security Council, for the opportunity given us to put forward our position on the issue before the Council. I should also like to say how happy we are to see you presiding over the Council this month. We are confident that you will guide our work with your trusted wisdom, sensitivity and widely recognized diplomatic skills.

It was not quite three weeks that the Hungarian delegation expressed its deepest concern over the situation along the Libyan coast, urging the Security Council to take appropriate action to reduce the tension in the Mediterranean.

Today, in the light of the renewed American military attacks against Libya, we feel compelled once again to voice our grave concern. These military attacks, which have resulted in the loss of innocent civilian lives, disregard the established norms of international law as well as the Charter of the United Nations and seriously threaten stability in the Mediterranean and, in a wider sense, international peace and security.

(Mr. Endreffy, Hungary)

The Charter of the United Nations clearly stipulates that

"All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered"

and that

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations."

The isolated suggestion that the armed attack carried out by the United States was an act of self-defence is nothing but an ill-conceived attempt to justify the illegitimate and to misinterpret another clear rule of law.

Those rules are clear, and those rules are to be respected. Therefore, we concur with the request that the Security Council, as the organ of the United Nations with the primary responsibility for the maintenance of international peace and security, devote its attention to the situation in the Mediterranean and take appropriate action to prevent any further illegal use of force in the region.

I should like to take this opportunity to reaffirm our position with regard to the conflict between the United States of America and the Socialist People's Libyan Arab Jamahiriya. Hungary is deeply concerned over the heightened tension in the region and at its potential escalation beyond all control. We reaffirm our solidarity with the Socialist People's Libyan Arab Jamahiriya. We urge the immediate cessation of aggressive acts, as well as the prevention of their recurrence, and call for strict respect of the sovereignty and territorial integrity of Libya.

As a policy of principle, the Hungarian People's Republic has always advocated that all international disputes should be solved by peaceful means, through

(Mr. Endreffy, Hungary)

negotiations, as so clearly envisaged in the Charter. That position is also valid regarding the issue now before the Security Council.

The PRESIDENT (interpretation from French): I thank the representative of Hungary for his kind words addressed to me.

The next speaker is the representative of Viet Nam. I invite him to take a place at the Council table and to make his statement.

Mr. BUI XUAN NHAT (Viet Nam): Mr. President, you represent a country which has adopted a reasonable attitude towards the question under discussion. We are therefore pleased to see you presiding over the work of the Council for this month. Your vast experience and diplomatic skills will surely be a great asset to the Council, particularly at this critical time we are facing.

I would also like to congratulate Ambassador Bierring of Denmark for the competent manner in which he conducted the work of the Council for the month of March. Finally, I wish to thank all other members for giving me another opportunity to speak before the Council.

Spring comes in April, and its presence can be felt right here, around the United Nations Headquarters. Yet, far away in Libya, it brought the rumbling of United States warplanes, warships, bombs and shells. Innocent people were killed and wounded, cities and property damaged. Is that not the harbinger of spring the United States Administration sent to the Libyan people? It is hypocrisy for the one that claims to be the anti-terrorist champion to send in planes and bombs to kill people in their sleep.

Just two weeks ago, during the debate in this Council on the situation in the Mediterranean, many speakers condemned in the most vehement terms the threat posed by the presence of United States armed forces to the independence and sovereignty of Libya and to the peace and security of the region. They also called upon the parties concerned to desist from the use of force and to resort to preventive

(Mr. Bi Xuan Nhat, Viet Nam)

diplomacy and peaceful means to settle their differences. But the United States turned a deaf ear to and acted in total disregard of world public opinion. It is now no longer a threat. It is open United States armed aggression against Libya. The United States planes that took off from air bases in Great Britain and United States aircraft carriers in the Mediterranean indiscriminately bombed the cities of Tripoli and Benghazi, causing heavy losses to the local people.

(Mr. Bui Xuan Nhat, Viet Nam)

The air raid was sneakily conducted early in the morning and it bore a strange resemblance to those raids the United States carried out in North Viet Nam more than a decade ago. I took the liberty, in the last debate, to draw the Council's attention to the similarities between the so-called Gulf of Tonkin and Sidra incidents and to those acts that might follow. In so doing we were not trying to prophesy; we only spoke from our own experience of the escalation, American style, during the Viet Nam war. It was first the hue and cry about the "attacks" on the United States warships; then came the order by the United States President for air and naval forces "to retaliate". I need not tell the other half of the story, because by now it has become an open secret. What is happening in the Libyan case falls noticeably into the same pattern.

The air raid by the United States on Libya is a serious act of aggression against a sovereign State. It cannot be justified, even with the efforts on the part of the United States to bend the words of Articles 2 (4) and 51 of the United Nations Charter. This adventurist act constitutes a flagrant violation of the Charter and international law and living testimony to the fact that as a big and strong Power the United States has arrogated to itself the right to bully other smaller, third world, countries: Viet Nam, Nicaragua, Grenada and now Libya are just a few examples that can be cited here.

Let us show our indignation at and raise our voices in vehement condemnation of the United States act. Otherwise it will escalate its acts of war and we will know the grave consequences that arise therefrom. The air raid on Libya is only an appetizer for more violent acts to follow. We should do everything we can to stop the bloody aggression from spilling over. It is remarkable that the United States act met with drastic condemnation and protests not only from the Arab community and progressive forces throughout the world but from United States allies as well.

(Mr. Bui Xuan Nhat, Viet Nam)

The Socialist Republic of Viet Nam condemns in the strongest terms the aggression by the United States against Libya and demands that it put an immediate end to this criminal act. The urgent meeting of the Foreign Ministers of the non-aligned countries in New Delhi issued a timely communiqué condemning the United States aggression. We call upon the Council to take appropriate measures to help save the innocent people of Libya and thus live up to its solemn pledge to safeguard world peace and security. We fully support the Libyan people and their legitimate right to self-defence in the face of the aggression by the United States. We are confident that that people will overcome the hardships and difficulties and stand firm on the ground they have chosen.

On 15 April the Government of the Socialist Republic of Viet Nam issued a statement condemning United States acts of aggression against Libya. In part, the statement reads as follows:

"On 14 April 1986 the United States Government openly sent its aircraft to barbarously attack several places in Tripoli, causing heavy human and material losses to the Libyan people.

"These were new and very serious acts of aggression by the United States after its attacks on Libya in March 1986. For the previous decade the United States rigged up the pretext of fighting against international terrorism; it has sought to cover up its unswerving policy of intervention and aggression against Libya. It must be pointed out that the United States imperialists are the biggest international terrorists and have carried out the most barbarous war of aggression against Viet Nam and committed the most brutal crimes against nations.

(Mr. Bui Xuan Nhat, Viet Nam)

"Now, under the pretext of countering international terrorism, the United States wants to camouflage its blatant acts of aggression against Libya, thus trampling upon the independence and sovereignty of other nations and jeopardizing world peace.

"This was an insolent challenge to the Libyan people, the Arab countries, the non-aligned countries and peace and justice-loving forces throughout the world and a gross violation of international law and the United Nations Charter.

"The people and Government of Viet Nam strongly condemn these new acts of aggression by the United States against the Socialist People's Libyan Arab Jamahiriya and call on the world public to urge the United States to stop immediately and unconditionally its hostile policy towards the Libyan people and strictly respect the independence, sovereignty and territorial integrity of Libya and other countries.

"The people and Government of Viet Nam reaffirm their full and strong support for the just struggle of the people of Libya and other Arab countries against all acts of intervention and aggression by the United States imperialists and the Israeli expansionists to defend firmly their independence, national sovereignty and territorial integrity."

The PRESIDENT (interpretation from French): I thank the representative of Viet Nam for the kind words he addressed to me.

The next speaker is the representative of Burkina Faso. I invite him to take a place at the Council table and to make his statement.

Mr. OUEDRAOGO (Burkina Faso) (interpretation from French): Allow me at the outset, Sir, to congratulate you on your assumption of the presidency of the Security Council for the month of April. Your outstanding diplomatic qualities are

(Mr. Ouedraogo, Burkina Faso)

too well known for me to stress them here. We are confident that with your enlightened guidance the Council will achieve just and constructive results on the question of concern to us.

I should also like to take this opportunity to pay a tribute to your predecessor, Ambassador Bierring, Permanent Representative of Denmark, for the outstanding and particularly competent manner in which he conducted the proceedings of the Council last month.

Like all peace and justice-loving countries, Burkina Faso felt great shock and indignation on receiving the news of the United States armed attacks against the Libyan cities of Tripoli and Benghazi, in which it had the collaboration, which we equally condemn, of the United Kingdom, which allowed American aircraft to make use of its territory. Thus from threats and plots secretly hatched and economic embargoes the United States passed to open aggression in its efforts to bring Libya to its knees.

(Mr. Ouedraogo, Burkina Faso)

My country finds it inadmissible that the United States, a great Power and a permanent member of the Security Council, should, on the basis of the notion that might makes right and of presumptions as to responsibility for terrorist acts - which Burkina Faso condemns - bomb, without a declaration of war, the major cities of an independent and sovereign State. As a non-aligned country, Burkina Faso vigorously condemns these unprovoked acts of aggression against a non-aligned country. For my delegation, these acts are a violation of international law and the principles enshrined in the Charter of the United Nations.

My delegation continues firmly to support the position taken by the Co-ordinating Bureau of the Non-Aligned Countries at its meeting in New York in February 1986, when it warned the United States

"against any hasty action in situations which would be better resolved through dialogue and not through pressure or use of force".

On 26 March 1986, the same Bureau in New York demonstrated its great concern given the provocation and use of force undertaken against the Socialist People's Libyan Arab Jamahiriya. I wish to state here that my country more than ever endorses the communiqué adopted by the Ministers and Heads of Delegation of Non-Aligned Countries in New Delhi on 15 April 1986 on the question that is the topic of our present debate. In that document they reaffirmed their full support for and solidarity with the Socialist People's Libyan Arab Jamahiriya in its struggle to safeguard and defend its independence, sovereignty and territorial integrity. The international community, through the Security Council, must condemn these acts of aggression against the two Libyan cities and take measures to prevent a repetition and continuation of such acts.

I cannot conclude without asking the Libyan delegation kindly to transmit the sympathy of the Revolutionary Government and people of Burkina Faso to the Libyan authorities and people on the human and material losses suffered by them.

The PRESIDENT (interpretation from French): I thank the representative of Burkina Faso for the kind words he addressed to me.

The next speaker is the representative of Saudi Arabia. I invite him to take a place at the Council table and to make his statement.

Mr. SHIHABI (Saudi Arabia) (interpretation from Arabic): It is my pleasure, Sir, to congratulate you on your assumption of the presidency of the Security Council. I am sure that your excellent personal qualities and wide expertise in various fields will be a great help to us in arriving at a positive result in our deliberations. I should like also to express my appreciation to your predecessor, Ambassador Ole Bierring, Permanent Representative of Denmark, for his competence in directing the proceedings of the Council during his presidency last month.

All of us seated in this Council have some knowledge of history. We know that the world is becoming more civilized from one generation to another and is maturing century after century in the methods of interaction between individuals, groups and States. We know that the law of the jungle was once the basis of interaction. Then we advanced over the centuries and divine beliefs became our spiritual and moral guide. These in turn were translated into international laws and universal conventions, until we arrived at the United Nations Charter, which is the covenant of the civilized world today. While the nations and peoples of the world have progressed to different extents in this respect until now, all of them have nevertheless achieved the level of responsibility that requires from them adherence to their commitments to the United Nations Charter.

The United States has committed an armed attack against Libya - aggression against an independent nation by a super-Power in violation of international conventions. It is an attack upon sovereignty that killed and wounded hundreds under the pretext of stopping terrorism.

(Mr. Shihabi, Saudi Arabia)

There is none amongst us here who would not condemn terrorism in all its manifestations, individual or collective, the most dangerous of which is State terrorism since terrorism destroys the fabric of society, negates the values of life and imposes a grave injustice upon all fundamental rights. None of us here would not support measures to deter terrorism, provided that such measures reinforce the social fabric, preserve the values of life, uphold justice and remove injustice against individuals and groups.

We should not confuse the foregoing with the right of a subjugated people to resist occupation in order to recover its usurped rights and free its country. Most of the peoples of the United Nations today have already been through such an experience.

The Kingdom of Saudi Arabia deplores the United States attack on Libya and condemns this method that violates all norms.

Voices are being raised in some countries, especially the United States, accusing the Arabs of terrorism. Is it not time for this Council to consider the reasons for such accusations and their motives? Has the Council ever thought of linking the appalling injustice, oppression and terrorism being committed in Palestine, the land of the Palestinian Arab people, with what some Arabs do, after the world has ignored their rights, in sacrificing their lives, not for personal gain but in protest to the grave injustice in which some of you have participated and even refuse to recognize? Would it have been possible for any Arab today to commit a sacrificial act of any type had the problem of Palestine not been created and remained without solution? If members gave this some thought it might be easy for the Council to remedy an important aspect of the world crisis. Does the United States believe that by attacking Libya with its fleet and aircraft it can subdue the struggle against the injustice taking place in Palestine as well as against the oppression that Israeli aggression is inflicting upon the region?

(Mr. Shihabi, Saudi Arabia)

Israel is the largest terrorist establishment in history. It was created originally by terrorist gangs that were then led by the current leaders of the Israeli régime. We are all aware of how it is committing the most repugnant acts of terrorism inside and outside of Palestine, undeterred. It is even protected here from accountability by the veto. Have you fought terrorism, what are your criteria for fighting terrorism and is the life of the Arab human being cheaper in your opinion than the life of others? Certainly the Arabs do not consider this to be the case.

We are surprised that the United States of America, a key United Nations Charter signatory, has attacked the Libyan people under the pretext of liquidating terrorism. Can you by such an aggression liquidate terrorism? History before you has demonstrated similar lessons in the escalation of violence.

If the United States wants - and there is no doubt that it does - to stop violent acts, then it has to address the Zionist aggression about which we all complain and work to remove the causes. And if the United States is unable to address those grievances and alleviate the escalating Zionist oppression against them, then it is no doubt aware that feeding Zionist oppression is a grave responsibility whose tragedy is being lived by millions of Arabs to the detriment of their freedom and means of livelihood.

The attack against Libya is a violation of international conventions and rights that is deplored by the United Nations Charter and all of us. This attack, with its unacceptable pretext, is a licence for Israeli terror to attack wherever, whenever, and however it wants under the pretext of self-defence. And we ask ourselves: How would it be possible for the United States to condemn the Zionist war machine when it attacks an Arab nation under the pretext of self-defence, while we all know that Israel is the real threat to every Arab country? Moreover, how

(Mr. Shihabi, Saudi Arabia)

would it be possible for it to condemn any other country, whether large or small, which may attack another country under the pretext of self-defence in the manner that it is justifying unto itself.

As to the media campaign against Arabs and so-called Arab terrorism, especially in the United States, we have to ask ourselves: Does this campaign really benefit the United States and its interests? This campaign creates gaps between nations. Is not Israel its largest beneficiary?

We know, they know and history will record that this political Zionist terrorist media campaign against the Arabs is not in the interest of America, nor is it in the interest of its allies. It aims, amongst other actions committed by Zionism, to create an historical enmity between the Arabs and some Western nations.

We in the Kingdom of Saudi Arabia, while condemning the aggression and standing beside the Libyan Arab people and every other Arab people that is exposed to attack and aggression, request the Council to take a position whose strength as a matter of principle, action and responsibility is commensurate with the gravity of the American attacks against Libya and any future aggression committed by any country against another, a position that addresses the causes and motives of terror as well as recovers for the world some of its moral and international values.

The PRESIDENT (interpretation from French): I thank the representative of Saudi Arabia for the kind words he addressed to me.

Because of the large number of speakers still on my list for this meeting and in the light of the budgetary restrictions - and here I am looking at the Secretary-General - I propose to adjourn the meeting now. However, the representative of the Libyan Arab Jamahiriya has asked to speak in exercise of the right of reply. In calling on him now, I express the hope that his statement will not be too long in view of the lateness of the hour.

Mr. AZZAROUK (Libyan Arab Jamahiriya) (interpretation from Arabic): I apologise, Sir, for speaking at this late hour, following upon a long list of speakers. But what was said this morning and Monday morning by the representative of the United States of America, and also this morning by the representative of Australia, does require an answer.

Unfortunately, we do not appreciate the words of the representative of Australia, who tried to justify the acts of the United States against civilians, which resulted in many innocent victims losing their lives - children, women and the elderly.

To try to ascribe terrorism to my country is part of the defamation campaign launched by the United States against my country in order to isolate it and to undermine its reputation, since all the other American attempts at destabilization had failed. That is why the United States decided to carry out a premeditated military plan of action designed to eliminate the revolutionary and progressive Government in the Libyan Arab Jamahiriya.

The United States laid the ground for this plan by propagating a great number of lies and allegations to make Libya appear responsible for all acts of terrorism, wherever they occur. Despite categorical denials and condemnations by the Libyan Arab Jamahiriya of such acts, the United States, in order to bring its plot to fruition - and the culminating point was the raid on residential areas in Tripoli and Benghazi - continued to pursue its plan.

This morning the representative of Australia repeated the same allegations reported by the American media. We expected of that representative that he would denounce the use of force in international relations, in keeping with Article 2 (4) of the United Nations Charter.

(Mr. Azzarouk, Libyan Arab
Jamahiriya)

We were surprised to hear him repeat out-and-out lies. It sounded as if he wanted to reformulate Article 51, thereby making it appear that the United States had acted in self-defence; thus the Libyan Arab Jamahiriya, the victim of this barbaric raid, would seem to be the aggressor.

It is not so easy to distort truth and the facts. The international community's condemnation in this Council of that barbaric raid is the best possible answer to all the lies and false allegations.

It gives me pleasure now to read out from a statement by the leader of our country and of our revolution. At a press conference today he said:

"After many contacts and much consideration of the international situation, I have decided not to escalate military operations in southern Europe. Italy and Spain must prevent any action against us by the Sixth Fleet and from United States bases.

"We have given no orders that anyone, anywhere in the world, should be killed. Rather, it was Reagan who ordered our children killed and our cities bombed.

"We hail the position of France; that State refused to permit its airspace to be used in the bombardment of our country. We welcome and respect that position. We also welcome the position taken by Malta, a friendly country which is making sincere efforts to bring an end to tension in the Mediterranean.

"Libya has not ordered anyone killed. We are not responsible for operations that have been carried out in Europe or anywhere else. It is Reagan who is the killer of children. It is he who sent his aeroplanes to destroy our hospitals, schools and airfields and to kill our citizens."

The PRESIDENT (interpretation from French): The next meeting of the Security Council to continue consideration of the item on its agenda will take place tomorrow, Thursday, 17 April 1986, at 10.30 a.m.

The meeting rose at 6.05 p.m.