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Report of the Secretary-General

1. This report is submitted in compliance with resolution 588 (1986) adopted unanimously by the Security Council on 8 October 1986 which, inter alia, requested the Secretary-General to intensify his efforts with the Islamic Republic of Iran and Iraq to give effect to resolution 582 (1986) and to report to the Council by 30 November 1986.
2. Immediately upon the adoption of resolution 588 (1986), I dispatched identical cables (annex 1) to the Foreign Ministers of the Islamic Republic of Iran and Iraq, requesting them to inform me of the present position of their respective Governments on resolution 582 (1986), keeping in view the responses transmitted previously by them, and also requesting any proposals or ideas on how efforts could be intensified to secure the essential aims of that resolution. I further suggested that the two Governments might wish to consider, as one of the possible options to initiate a process to that end, the reactivation of the eight-point plan which I had presented to both parties in March 1985.
3. The response of the Government of Iraq, dated 13 October 1986 (annex 2) reaffirms Iraq's declared position on resolution 582 (1986) as contained in document S/17897 dated 5 March 1986, the principal elements of which are summarized below:

If the Iranian Government undertook to accept the resolution formally and made an effort to implement it unconditionally and in good faith, Iraq was ready to co-operate with the Security Council and with the Secretary-General in the implementation of resolution 582 (1986) in good faith, once agreement was reached on the following points.

Iraq considered that the resolution represented a comprehensive and indivisible approach to settling the conflict, with the elements of the settlement interconnecting at all stages according to an established time-table so that the implementation of each stage would be a guarantee that the next stage would be also implemented; the point of departure would be an immediate cease-fire, a cessation of all hostilities and withdrawal of all forces to the internationally recognized boundaries without delay, the time-limit between the cease-fire and the completion of withdrawal being established clearly and not exceeding a few weeks; Iraq reaffirmed its

confidence in the Secretary-General and in the mediation efforts he already had made with a view to achieving peace; a comprehensive exchange of prisoners of war within a short period after the cessation of hostilities in co-operation with the International Committee of the Red Cross under defined procedures was essential; Iraq could not undertake to comply with the resolution or any element thereof unless the points listed above were dealt with.

4. As regards the eight-point plan, Iraq's response of 13 October 1986 states that it does not consider the plan a balanced and practicable means for the initiation of a process towards the achievement of a comprehensive settlement of the conflict, which represents the fundamental aim of resolution 582 (1986), and refers to the explanation of the Iraqi position, as contained in my report to the Security Council on my visit to the Islamic Republic of Iran and Iraq in March 1985. 1/ On that occasion Iraq had stated that any specific measures to mitigate the effects of war must be clearly linked to a comprehensive cease-fire within a time-table as otherwise they would have the effect of prolonging the war. Further, Iraq had maintained that the measures envisaged should include a mutual withdrawal of troops, a comprehensive exchange of prisoners of war and the need to envisage the reactivation of all ports. Iraq also had reiterated that all issues must be dealt with in an integrated framework.

5. The position of the Government of the Islamic Republic of Iran on resolution 582 (1986), as conveyed in its response dated 25 November 1986 (annex 3), is summarized below:

The first two paragraphs of the resolution, although containing certain positive elements, fall short of explicitly identifying Iraq as the aggressor, or of concrete measures for preventing Iraq from further use of chemical weapons, attacks against civilians and on third-party vessels, threats against civil aviation and other violations of the rules of international law, particularly the principles of international humanitarian law. The third paragraph is inoperative because the main purpose of the Iraqi invasion on 22 September 1980 was to divide Iran, to appoint a client régime in the occupied territories and ultimately to topple Iran's Islamic régime, and such Iraqi objectives have not changed; further, the 1975 Algiers Agreement, which had provided elaborate mechanisms for the peaceful settlement of disputes between Iran and Iraq, was officially proclaimed null and void on 17 September 1980 by President Saddam Hussein, and this does not augur well for future compliance by Iraq with its treaty obligations; therefore, Iran is determined not to sign any agreement with the current Iraqi régime; also, Iraq has been continuously receiving sophisticated military equipment from abroad, and Iran is not prepared to allow the flow of arms to Iraq by conceding a cease-fire and thus to enter into an arms race with Iraq. Regarding the fourth paragraph, Iran is prepared to co-operate within the framework of the Third Geneva Convention of 1949. Iran has always welcomed the provisions of the seventh paragraph.

While observing that the framework of resolution 582 (1986) has serious shortcomings, Iran is prepared to extend its full co-operation in the following areas:

- (a) The formulation of suitable security arrangements for the long-term security of the Persian Gulf region as proposed in its letter of 29 May 1986 (S/18381);
- (b) The adoption of measures for the implementation of paragraph 7 of the resolution and for the prevention of the geographic spread of the war;
- (c) Upholding the authority of the rules and principles of international law governing the conduct of war, particularly international humanitarian law;
- (d) The exchange of certain groups of prisoners of war by considering proposals in accordance with the Third Geneva Convention of 1949.

As regards the eight-point plan, Iran considers that it could serve as a suitable basis for future efforts.

6. On the basis of the responses outlined above, the respective positions of the two parties on resolution 582 (1986) may be distilled as follows:

Iraq's position is that the conflict should not be prolonged; there should be an immediate cease-fire with a cessation of all hostilities, followed by withdrawal of troops and exchange of prisoners of war within a short time-frame. Thereafter all aspects of the conflict should be subject to mediation or other means of settlement, including negotiation.

Iran's position is that because the original Iraqi aim in invading Iran - the toppling of the Iranian régime - has not changed, and because Iraq abrogated the Algiers Agreement of 1975, Iran is not prepared to accept a cease-fire or to sign any agreement with the present Iraqi régime. Iran is prepared to co-operate in arrangements for security in the Persian Gulf region, for preventing the widening of the conflict, for observance of international law governing the conduct of war and for the exchange of certain groups of prisoners of war.

As is clearly evident from the positions of the two parties described above, at present they show no degree of coincidence which would provide a basis for the presentation of specific proposals designed to give effect to resolution 582 (1986).

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7. I wish to take the opportunity of this report to the Security Council to address the justifiably deep concern of the international community, and in particular of neighbouring regional States, over the danger of the widening of this unfortunate and prolonged conflict between Iran and Iraq. A major source of this risk lies in the potential repercussions of the increasingly large number of

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attacks on merchant vessels in the region. By 25 November 1986, 97 attacks on merchant vessels had been reported this year compared to 61 during the year 1985. The casualty toll in 1985 was 5 fatalities, 20 injured and 2 missing, while so far this year it is 34 fatalities, 40 injured and 10 missing.

8. Since October 1984 I have received several communications from various maritime organizations protesting against the loss of life and property caused by attacks on shipping and appealing for the use of my good offices to bring about the cessation of such attacks. Such approaches emanated from the following organizations:

International Transport Workers Federation, London
International Chamber of Shipping, London
International Shipping Federation, London
International Confederation of Free Trade Unions, Brussels
International Association of Independent Tanker Owners, Oslo
Liberian Shipowners Council, New York.

9. The contents of these appeals were conveyed on occasion to the Governments of Iran and Iraq, most recently on 12 June 1986, the International Maritime Organization and the International Labour Organisation being kept appropriately informed. On 3 November 1986 I received another approach on similar lines from nine international maritime organizations, including three from among those listed above.

10. Since, despite my past efforts, the attacks on merchant shipping have continued and even escalated, I feel duty bound to inform the Security Council of my previous contacts, and to bring this latest appeal (annex 4) to the attention of the Security Council. I also attach, for their information, the texts of my message of 12 June 1986 and of the responses received (annexes 5, 6 and 7).

11. I consider it opportune to bring these aspects of the situation to the attention of the Security Council having in mind the fundamental interest of the international community in preserving the principle and practice of the freedom of navigation, also for humanitarian considerations and, further, in view of resolution 582 (1986) which, inter alia, deplores attacks on neutral shipping and calls upon States to exercise the utmost restraint from any act which may lead to a further escalation and widening of the conflict. It is generally recognized that international law does not permit States engaged in military operations total freedom of action against merchant vessels of third States engaged in legitimate commerce.

12. A further disturbing development in the region is the expansion of the area in which the attacks on shipping are occurring, and reports that some may have taken place in or near the territorial waters of littoral States. Another source of risk arises from the recent raids on the oil installations of some of these States. These trends cannot but be cause for alarm to their Governments.

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13. It is self-evident that the primary and overriding goal of all the efforts exerted by the Security Council and by the Secretary-General in dealing with the situation between Iran and Iraq has been the termination of this ruinous and increasingly dangerous conflict. The realization of this aim also would, ipso facto, bring about the end of several deplorable practices affecting both combatants and non-combatants as well as neutral parties which have been recounted in this and earlier reports to the Security Council. 2/ As long as the hostilities continue, it remains in the vital interest of the international community to make every endeavour to preserve internationally established rules intended to mitigate the effects of armed conflict. The sharp escalation this year in attacks on merchant vessels, and the current intensification in attacks on civilian areas, add urgency to the situation.

14. The protracted nature of these hostilities, now in their seventh year, forcefully demonstrates the intractability of the underlying issues and the wide gap between the positions of the two sides: while Iraq declares its willingness to comply with resolutions of the Security Council, Iran remains unprepared to accept them on the grounds indicated above. Such a situation unfortunately creates an impasse in efforts to promote a settlement. Nevertheless, I feel constrained to reiterate my view that the Security Council must persevere in establishing a basis upon which both Iran and Iraq will find it possible to extend their co-operation to the United Nations in dealing with the threat to regional and international peace and security and to advance the prospects for a peaceful settlement.

15. For my part, I shall maintain my contacts with both parties in a continuing effort to identify any opportunity to promote a cessation of hostilities. The Fifth Islamic Summit Conference in Kuwait in January 1987 will present an occasion for my holding direct talks with leaders of the Islamic Republic of Iran and Iraq, as well as of other Governments in the region. In the meantime I shall continue to closely study all developments impinging on the situation, including those on which information recently has become available, and whose full implications may take time to emerge.

16. At all times I shall remain, of course, in close touch with the Security Council in the endeavours of the United Nations to promote a peaceful settlement, on the basis of justice and honour, of this conflict which, tragically, already has reaped a grim harvest of precious life.

Notes

1/ S/17097.

2/ S/15834, S/16433, S/16962, S/17127 and Add.1 and S/17911.

Annex 1

Text of message dated 8 October 1986 from the Secretary-General to
the Foreign Ministers of the Islamic Republic of Iran and Iraq

I have the honour to transmit herewith the text of resolution 588 (1986) adopted unanimously by the Security Council at its 2713th meeting on 8 October 1986:

[Text of resolution]

With reference to paragraph 2 of the present resolution, I would be grateful if, initially, you would inform me of your Government's present position on resolution 582 (1986), keeping in view the response contained in Security Council document S/**. Further, I would be grateful also to receive, in this context, any proposals or ideas your Government might wish to present on how efforts could be intensified to secure the essential aims of resolution 582 (1986), as set out in its paragraphs 3, 4 and 5.

As a means to initiate a process to that end, your Government may wish to consider, as one of the possible options, the reactivation of the eight-point plan which I presented to both parties in March 1985. I would be grateful if you could convey to me any specific proposals you might have on how this plan could be made effective and practicable.

Upon receipt of your response I shall be in contact with you again in order to determine any further steps that might be required.

** Document S/17864 and Corr.1 for the Islamic Republic of Iran; document S/17897 for Iraq.

Annex 2

Text of response dated 13 October 1986 from the Deputy
Prime Minister and Foreign Minister of Iraq to the
Secretary-General

I have the honour to acknowledge receipt of your message dated 8 October 1986, in which you transmit the text of resolution 588 (1986) adopted unanimously by the Security Council on that date.

I should like to inform you that the Iraqi Government welcomes that resolution, which has once again expressed the consensus of the international community on the achievement of a comprehensive, just and durable peace between Iraq and Iran in conformity with the Charter and the principles of justice and peace.

With regard to the provisions of paragraph 2 of the said resolution, I should like to inform you that the position of the Iraqi Government on Security Council resolution 582 (1986) remains the same as that conveyed to you in the letter addressed to you by the Permanent Representative of Iraq on 5 March 1986 (S/17897).

With regard to the eight-point plan, Iraq, as it has affirmed to you on numerous occasions in the past, does not consider it to be a practicable and balanced means of initiating a process for reaching a peaceful and comprehensive settlement of the conflict, which is the essential aim of Security Council resolution 582 (1986). We have had occasion to explain to you our point of view on that plan, as clearly set forth by you in your report to the Security Council contained in document S/17097. Accordingly, our view is that any practicable and effective plan for the achievement of a comprehensive solution must be balanced from the outset and at all subsequent stages and must embrace the essential elements set out in paragraphs 3, 4 and 5 of Security Council resolution 582 (1986).

I should like to reiterate the confidence of the Iraqi Government in you and in the efforts made by you in order to achieve peace. The Government of the Republic of Iraq is determined, as in the past, to maintain its readiness to assist you and to co-operate in your efforts to reach a just and honourable settlement which will ensure the rights and interests of both parties in conformity with the Charter and international law.

(Signed) Tariq AZIZ
Deputy Prime Minister and
Minister for Foreign Affairs

Annex 3

Text of response dated 25 November 1986 from
H.E. Dr. Ali Akbar Velayati, Foreign Minister
of the Islamic Republic of Iran, to the
Secretary-General

In response to your letter dated 8 October 1986, I have the honour to reiterate the position of my Government regarding the role of the Security Council in connection with the imposed war as elaborated in our letter of 4 April 1985 (S/17084). The statement of the Ministry of Foreign Affairs of my Government, dated 25 February 1986 (S/17864) also conveyed to the international community the reaction of my Government concerning Security Council resolution 582 (1986).

Without prejudice to the above-mentioned documents, I hope that the following response will explain my Government's position in a more precise manner and provide you with the necessary grounds for restoring the rights of the victimized people of Iran.

It is regrettable, however, that these communications are being exchanged when the Security Council has further distanced itself from a fair and constructive stance by adopting a hasty procedural resolution, which may even restrict your freedom of initiative in addressing all aspects of the imposed war.

I wish to reiterate that almost all the decisions of the Security Council, under the influence of some Arab States and certain influential members of the Council, were not made as instruments of suppressing the Iraqi aggression or forcing the aggressor immediately to withdraw its forces from our territories, but as instruments of pressurizing the Islamic Republic of Iran to concede to the aggressor and to negotiate with the latter in order to save it from the punishment it deserves for violating its bilateral treaties with my Government as well as all the rules of international law.

In the face of the gravest aggression in contemporary history, started on 22 September 1980 by Iraq, which occupied major parts of five important provinces of the Islamic Republic of Iran, the Security Council by its initial silence and acquiescence, provided ample time for the Iraqi forces of occupation to strengthen their positions deep inside our territories and only then decided to adopt resolution 479 (1980), which, having totally failed to address the aggression, did not even ask the Iraqi forces of occupation to withdraw from our territories. Instead, by demanding a cease-fire it tried to deprive the victimized people of Iran of their right to self-defence in total disregard of Article 51 of the Charter of the United Nations, and to usher us towards an unconditional surrender to the enemy.

Hence, there was no doubt that for the liberation of their territories and to bring justice to the aggressor, the Muslim people of Iran could count only on their own efforts and sacrifices and not on the international organizations allegedly entrusted with the maintenance of international peace and security.

After the adoption of Security Council resolution 479 (1980), when vast sections of Iranian territory were under Iraqi occupation and large cities like Ahadan, Dezful, Shush in the south all the way up to Bakhtaran in the west, and Sar-e-Pol-e-Zahab in the north were the targets of Iraqi missiles and heavy gun-fire, sustaining a high toll of human casualties and material damages on a daily basis, the Security Council found no reason to show concern for international peace and security. However, to the surprise of my Government, the liberation of devastated Khorramshahr and the expulsion of the Iraqi forces of aggression from an important part of our occupied homeland happened to be such a grave danger to international peace and security as to warrant an emergency session of the Security Council and the adoption of resolution 514 (1982). In other words, when the enormous sacrifices of our people had already forced the Iraqi army to retreat, the Council recalled its constitutional responsibility by calling for the withdrawal of forces to international boundaries. This decision could only boost the morale of the defeated army of Iraq by disguising their retreat as compliance with the decisions of the international body.

Due to double-standards and partiality on the part of the Security Council, further resolutions were adopted that only gave protection to the aggressor. Meanwhile, the Iraqi aerial and missile attacks on civilians, the large-scale and repeated use of chemical weapons, threatening the safety of civil aviation, attacks on civilian aircraft, attacks on nuclear installations for peaceful purposes, attacks on third-party merchant vessels in the Persian Gulf and the maltreatment of prisoners of war, as well as the expulsion of Iraqi nationals to Iran in flocks, war crimes which are well documented by impartial international agencies, were continued by the Iraqi régime.

When the Islamic Republic of Iran embarked on military operations in order to dismantle the Iraqi military installation in the Faw, and thereby lessen the intensity of Iraqi attacks against residential areas and commercial vessels and tankers in the Persian Gulf, the Security Council again found international peace and security in great jeopardy and therefore adopted resolution 582 (1986) in February 1986, whereas subsequent to our Faw operation, the recapturing of Mehran by the Iraqi forces did not pose any threat to international peace and security.

In the light of the foregoing, I wish to reiterate that the success of the Security Council in tackling the major issues of the war will remain in serious doubt so long as it lacks the necessary impartiality and political courage to deal with the current régime of Iraq as the aggressor that is to be punished accordingly and held responsible for all the damages incurred.

Nevertheless, the position of the Islamic Republic of Iran regarding resolution 582 (1986) remains as follows:

1. The first two operative paragraphs, though containing certain positive elements, are short of explicitly identifying Iraq as the aggressor or of concrete measures to prevent Iraq from further use of chemical weapons against civilians, attacks on third-party vessels and threats against civil aviation and other violations of the rules of international law, particularly the principles of international humanitarian law.

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2. The third operative paragraph is inoperative because:

(a) The main purpose of the Iraqi invasion on 22 September 1980 as stated by Iraqi officials, including President Saddam, was to divide Iran, appoint a client régime in the occupied territories and ultimately topple our Islamic régime. Such Iraqi objectives, emanating from its racist opportunist and expansionist policies and also from its ambitions for supremacy over the Arab States of the Persian Gulf, have not changed. The desperate calls by Iraq for a cease-fire is caused by the dire need to rebuild its defeated army.

(b) Apart from the Charter of the United Nations, the 1975 Algiers Agreement, which provided the most elaborate mechanisms for peaceful settlement of disputes between the two countries, was officially proclaimed as null and void on 17 September 1980 by Saddam Hussein. In a television address to the Iraqi people, he asserted that the Algiers Agreement had been signed at a time when Iraq was weak, and now that Iraq had regained its strength, it no longer needed the agreement. The record of Iraq in unilaterally abrogating its bilateral treaty obligations and violating the most fundamental principles of the Charter does not augur well for future compliance by Iraq with its treaty obligations. Having the record of the Security Council during the past six years, we are determined not to sign any agreement with the current Iraqi régime.

(c) During the course of the imposed war, Iraq has been continuously receiving sophisticated military equipment from the hegemonic Powers of the East and the West. We are not prepared to eliminate the limited number of current obstacles to the flow of arms to Iraq by conceding to a cease-fire and thus to enter into an arms race with Iraq.

3. In regard to the fourth operative paragraph, my Government is prepared to co-operate within the framework of the Third Geneva Convention of 1949.

4. My Government has always welcomed the provisions of the seventh operative paragraph.

While the framework proposed by the resolution has serious shortcomings, which prevent it from dealing seriously and constructively with the issue, my Government is prepared to extend its full co-operation in the following areas:

(a) The formulation of suitable security arrangements for the establishment of the long-term security of the Persian Gulf region proposed in our letter of 29 May 1986 (S/18381);

(b) The adoption of measures for the implementation of paragraph 7 of resolution 582 (1986) and the prevention of the geographical spread of the war;

(c) The alleviation of the pain and suffering of the war victims by upholding the authority of the rules and principles of international law governing the conduct of the war, particularly international humanitarian law.

In this connection, the Islamic Republic of Iran welcomes any plan aimed at preventing the use of chemical weapons, attacks against civilian and non-military targets, threats against the security of civilian airliners, attack against neutral vessels and tankers, and guaranteeing the full security of the Persian Gulf waterway.

(d) The exchange of certain groups of prisoners of war.

In this regard, my Government is prepared seriously to consider the proposal of the Secretary-General or any others in accordance with the provisions of the Third Geneva Convention of 1949 and in the light of humanitarian considerations.

In connection with all the above, your eight-point plan could serve as a suitable basis for future efforts.

The Ministry of Foreign Affairs of the Islamic Republic of Iran is fully ready to co-operate with you in the context of any or all proposals enumerated herein and will duly consider any suggestions that you may deem appropriate and workable.

Annex 4

Text of cable dated 3 November 1986 to the Secretary-General
from the heads of maritime organizations

During the past two years various organizations within the shipping industry have made appeals to the United Nations to persuade Iran and Iraq to end their attacks on neutral merchant ships in the Gulf region.

As a result of the recent escalation of attacks, the representative organizations of the international shipping community combine in an urgent appeal to the United Nations to make effective representations to Iran and Iraq, which will ensure freedom of navigation in international waters and the safe passage of neutral merchant ships engaged in normal commercial activity.

The international shipping community condemns any act endangering the lives of seafarers, howsoever and by whomsoever such acts are committed.

The situation, serious for so long, has recently taken a further most disturbing turn with the extension of attacks to almost the whole of the Gulf and, more particularly, to vessels trading with States other than Iran and Iraq. Such actions against neutral merchant ships on the high seas are in direct contradiction of the rule of international law, and the dangers of a further escalation of the situation cannot be overemphasized. We are greatly concerned about the threat this situation poses to world peace and to international efforts to ensure friendly coexistence between all nations.

We call on the United Nations to take positive steps to bring an end to these attacks on merchant vessels.

Atle JEBSEN, President of the Baltic and International Maritime Council, Copenhagen

Sir Adrian SWIRE, Chairman of the International Chamber of Shipping, London

W. N. MENZIES-WILSON, President of the International Shipping Federation, London

A. M. KARAGEORGIS, Chairman of Intercargo, London

J. RAND, Chairman of Intertanko, Oslo

J. IVOVIC, President of the International Shipowners' Association, Gdynia

J. G. DAVIS, Chairman of the International Maritime Industries Forum, London

Kerry ST. JOHNSON, Chairman of the Council of European and Japanese National Shipowners' Association, London

J. SAVERYS, President of the Comité des Associations d'Armateurs des Communautés Européennes, Brussels

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Annex 5

Text of message dated 12 June 1986 from the Secretary-General
to the Foreign Ministers of Iran and Iraq

The heads of three organizations: the International Chamber of Shipping, the International Shipping Federation and the International Association of Independent Tanker Owners - have appealed to me to intervene to secure an end to attacks on merchant shipping in the course of the continuing conflict between Iran and Iraq. They have expressed particular concern over the recent escalation in such attacks.

I feel duty bound to convey to you these appeals based on the vital need for the international shipping community to be assured freedom of navigation in international waters for legitimate commerce in conditions of safety. I trust that they will receive your full consideration in view of their justified nature.

I am informing the three organizations that their appeal has been forwarded to the Governments of Iran and Iraq. A message identical to this is being addressed to the Governments of Iran and Iraq.

Annex 6

Text of response dated 24 June 1986 from the Permanent Representative
of Iraq to the United Nations addressed to the Under-Secretary-General
for Special Political Affairs

In response to your letter of 12 June 1986,* the contents of which have been conveyed to H.E. Mr. Tariq Aziz, Foreign Minister of Iraq, and upon instruction from my Government, I would be grateful if you would convey to H.E. the Secretary-General my Foreign Minister's deep dismay.

It will be recalled that, upon receipt of a similar communication from the Secretary-General on 19 October 1984, which related to the concern of the International Transport Workers Federation, the Foreign Minister of Iraq had the occasion to expound upon Iraq's position regarding freedom of navigation in the Arabian Gulf.

We are confident that the Secretary-General is aware of the fact that Iraq did not start the attacks on shipping in the Gulf until well after Iran eliminated by armed force free navigation in Iraqi territorial waters. In this respect, as the Secretary-General is also aware, Iraq acted on the basis of the rules of international law relating to armed conflicts at sea, which permit attacks on vessels engaged in acts of trade or unneutral service with a belligerent in a situation of an armed conflict. We trust that the Secretary-General and the organizations whose appeals have been conveyed do not contest the fact that lifting Iranian oil, and consequently providing Iran with financial resources which enable it to continue its aggression against Iraq in flagrant defiance of repeated Security Council resolutions, is impermissible trade under international law in the context of the armed conflict between Iran and Iraq.

It will also be recalled that Iraq sought actively to put an end to all military operations in the Arabian Gulf in order to maintain safe and secure international navigation in this sensitive and vital region. This was demonstrated through Iraq's acceptance of Security Council resolution 540 (1983). In that position, Iraq was fully cognizant of the vital need to protect not only national interests but also those of a regional and international character. This position, unfortunately, was not reciprocated by the Iranian Government which has persisted to date in rejecting all efforts for putting an end to the conflict through peaceful means, in clear violation of its explicit obligations under the Charter.

Consequently, my Government finds it inexplicable how the Secretary-General is able to consider the appeals of the shipping organizations in question justified so as to merit full consideration by Iraq if their underlying bases are viewed against the facts of the situation.

* Transmitting the message of the Secretary-General contained in annex 5.

As my Foreign Minister pointed out in 1984, appeals of this kind should be addressed to Iran, which is the party responsible for the continuation of the armed conflict and rejects every attempt at pacific settlement with the resulting threats to the peace, security and stability in the region including freedom of navigation. The impartiality of the high office of the Secretary-General would in no way be compromised if the facts are constantly told to all concerned.

(Signed) Ismat KITTANI
Permanent Representative

Annex 7

Text of message dated 12 July 1986 from H.E. Dr. Ali Akbar Velayati,
Foreign Minister of the Islamic Republic of Iran, to the
Secretary-General

I have the honour to recall that the aggressor régime of Iraq, during the six-year-old imposed war, has not only grossly violated each and every rule of international law and perpetrated every crime against the people of the Islamic Republic of Iran but has also tried to expand its aggression beyond the borders of the two countries and into the Persian Gulf.

In order to internationalize the war, Iraq has been openly announcing its indiscriminate attacks on unarmed commercial vessels and oil tankers in the Persian Gulf with great pride and has disrupted the peace and security of the Persian Gulf, undermining the freedom of navigation and commerce in this most strategic part of the world, thereby endangering the security and interests of nations in the region.

On the other hand, since the inception of the imposed war, the Islamic Republic of Iran has made every effort to prevent the spill-over of the war into the Persian Gulf, while maintaining full respect for the freedom of navigation. I wish to reiterate that since the initiation of Iraqi attacks on ships in the Persian Gulf, we have repeatedly announced in international fora the readiness of the Islamic Republic of Iran to co-operate in every possible way with the Secretary-General of the United Nations and/or other relevant international organizations in securing the freedom of navigation in and the security of the Persian Gulf.

I wish to restate that the Government of the Islamic Republic of Iran welcomes any measure adopted by Your Excellency or by other international organizations which would put an end to the continuous Iraqi attacks on commercial vessels and oil tankers, thus securing freedom of navigation in the Persian Gulf.
