

UNITED NATIONS



# SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-NINTH YEAR

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JAN 26 1993

**2543<sup>rd</sup>**

MEETING: 29 MAY 1984

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NEW YORK

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#### NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/...) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

## 2543rd MEETING

Held in New York on Tuesday, 29 May 1984, at 10.30 a.m.

*President:* Mr. Oleg A. TROYANOVSKY  
(Union of Soviet Socialist Republics).

*Present:* The representatives of the following States: China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Zimbabwe.

### Provisional agenda (S/Agenda/2543)

1. Adoption of the agenda
2. Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council (S/16574)

*The meeting was called to order at 11.30 a.m.*

### Adoption of the agenda

*The agenda was adopted.*

Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council (S/16574)

1. The PRESIDENT [*interpretation from Russian*]: In accordance with the decisions taken at previous meetings on this item [2541st and 2542nd meetings], I invite the Deputy Prime Minister and Minister for Foreign Affairs and Information of Kuwait and the representative of Saudi Arabia to take places at the Council table, and I invite the representatives of Bahrain, Ecuador, Jordan, Oman, Panama, Qatar, Senegal, Somalia, the Sudan, the United Arab Emirates and Yemen to take the places reserved for them at the side of the Council chamber.

*At the invitation of the President, Mr. Al-Sabah (Kuwait) and Mr. Shihabi (Saudi Arabia) took places at the Council table; Mr. Al-Khalifa (Bahrain), Mr. Albornoz (Ecuador), Mr. Salah (Jordan), Mr. Ali (Oman), Mr. Kam (Panama), Mr. Al-Thani (Qatar), Mr. Sarré (Senegal), Mr. Adan (Somalia), Mr. Birido (Sudan), Mr. Al-Qasimi (United Arab Emirates) and Mr. Sallah (Yemen) took the places reserved for them at the side of the Council chamber.*

2. The PRESIDENT [*interpretation from Russian*]: I should like to inform members of the Council that

I have received letters from the representatives of the Federal Republic of Germany, Japan and Morocco in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

*At the invitation of the President, Mr. van Well (Federal Republic of Germany), Mr. Kuroda (Japan) and Mr. Mrani Zentar (Morocco) took the places reserved for them at the side of the Council chamber.*

3. The PRESIDENT [*interpretation from Russian*]: I should like to draw the attention of members of the Council to the following documents: S/16585, letter dated 25 May 1984 from the representative of the Islamic Republic of Iran to the Secretary-General; S/16586, letter dated 25 May 1984 from the representative of Norway to the President of the Security Council; and S/16590, letter dated 27 May 1984 from the representative of Iraq to the Secretary-General.

4. The first speaker is the Minister for Foreign Affairs of Bahrain, Sheikh Mohamed Bin Mubarak Al-Khalifa. I welcome him and invite him to take a place at the Council table and to make his statement.

5. Mr. AL-KHALIFA (Bahrain) [*interpretation from Arabic*]: Sir, allow me at the outset to congratulate you on your assumption of the presidency of the Council for this month. I pay a tribute to your well-known experience and wish you all success in your noble mission. By the same token, I cannot fail to pay a tribute to your country, the Soviet Union, on its positive position on Arab causes.

6. The matter before the Council today pertains to a situation whose continuation threatens international security. It needs to be dealt with decisively, clearly and swiftly if we are to avoid exacerbating the danger in a very sensitive and important region of the world.

7. The question submitted by the six States members of the Gulf Co-operation Council can be summed up in the fact that there is a threat to international freedom of navigation in the waterways of the Gulf. The clear acts of aggression carried out by Iran between 7 and 16 May against the four Saudi and Kuwaiti tankers *Uhud*, *Yanbu*, *Um Kassaba* and *Bahra* represent a flagrant

violation of international law and of the freedom of navigation and trade to and from the ports of the Gulf States. Iran carried out these attacks against the tankers one after the other, knowing full well that they were unarmed tankers belonging to Kuwait and Saudi Arabia, countries which have not participated in the Iran-Iraq war. It knew full well that they were outside the zone of military operations between the warring countries and that they were civilian tankers in full possession of the right to the freedom of navigation, in accordance with international law.

8. The world has followed these events with great concern, because they represent a premeditated attack on the sovereignty and security of two States not parties to the Iran-Iraq war. Actually, since the very beginning of that destructive war, those two States have made great efforts at mediation in order to put an end to the war and have participated in the efforts made in this regard by the United Nations, the Organization of the Islamic Conference, the Movement of Non-Aligned Countries and the Gulf Co-operation Council.

9. The Gulf Co-operation Council took an initiative of its own when it sent a mission consisting of the Ministers for Foreign Affairs of Kuwait and the United Arab Emirates to both Tehran and Baghdad, where they presented new ideas for ending the war. Unfortunately, the Iranian side was not forthcoming.

10. Bahrain maintains its firm policy of ending this war, which has caused untold suffering to the two warring countries and whose inherent danger grows worse with each passing day. We have always wished our region to be one of peace, good-neighbourliness and constant stability. Although we have repeatedly made clear our wish to improve the climate of relations with our neighbour, Iran has taken very many unfair and prejudiced positions, the latest of which have led to the dangerous developments that broaden the scope of the fighting, instead of responding positively to peace efforts based on legitimacy and the sovereignty of every State over its territory, implementation of the principle of non-interference in the internal affairs of other States and maintaining the region free of international strife.

11. The States members of the Gulf Co-operation Council will make every effort to maintain peace and stability in our region, in the interests not only of the Gulf States, but of all countries and peoples in the world, however different their political ideologies. The States members of the Gulf Co-operation Council, throughout the Iran-Iraq war, have been eager to maintain good-neighbourly relations with Iran. Nevertheless, Iran's recent acts of aggression threaten peace and security and point the tension in the region in a dangerous direction leading to its internationalization, with all the attendant dire repercussions for peace and stability in the world.

12. Proceeding from a wish to pursue all efforts to halt hostilities and put an end to the war between Iran and

Iraq, the Ministers for Foreign Affairs of the Gulf Co-operation Council held an extraordinary meeting on 17 May in which they denounced these acts of aggression and warned against the dire consequences that could result from the widening of the scope of fighting in the region and the direct threat to international peace and security entailed therein. The Ministers agreed to take all necessary peaceful measures, at both the Arab and international levels, to stop the aggression, including bringing the matter to the attention of the Security Council.

13. The Ministers for Foreign Affairs of the League of Arab States held an emergency meeting on 19 May in which they denounced the attacks against the Kuwaiti and Saudi tankers and called upon Iran to desist from its acts of aggression against navigation to and from ports of States members of the Gulf Co-operation Council. They also called upon the Security Council and the international community to take decisive, clear position *vis-à-vis* those acts of aggression.

14. In paragraph 3 of its resolution 540 (1983), the Council:

*"Affirms the right of free navigation and commerce in international waters, calls on all States to respect this right and also calls upon the belligerents to cease immediately all hostilities in the region of the Gulf, including all sea-lanes, navigable waterways, harbour works, terminals, offshore installations and all ports with direct or indirect access to the sea, and to respect the integrity of the other littoral States"*.

It is clear that these acts of aggression against the tankers are in clear contravention of the provisions of that resolution.

15. It is worth recalling that while Iraq responded to the aforementioned resolution of the Security Council and was prepared to stop fighting, Iran refused to do the same.

16. In addition, the freedom of navigation in international waters is one of the established, recognized principles declared by the Dutch jurist Grotius, at the beginning of the seventeenth century. It has also been reaffirmed in all international agreements on the subject, including the Convention on the High Seas of 1958,<sup>1</sup> which was adopted by the first United Nations Conference on the Law of the Sea. Moreover, the principle of free navigation in international waters was never, *per se*, a subject of controversy among the States which participated in the Third United Nations Conference on the Law of the Sea.

17. Another established rule in international law is that of freedom of passage in international straits, such as the Strait of Hormuz, as declared by the International Court of Justice in 1949 in the Corfu Channel case,<sup>2</sup> and also as provided for in article 16, paragraph 4, of the Geneva Convention on the Territorial Sea and the

Contiguous Zone,<sup>3</sup> adopted by the first United Nations Conference on the Law of the Sea in 1958. This rule was also referred to as "transit passage" in the Convention<sup>4</sup> recently adopted by the Third United Nations Conference on the Law of the Sea. If a State were allowed to violate these rules and principles, it would undermine the international principles on which international freedom of navigation is based.

18. The attacks against the Saudi and Kuwaiti tankers are direct acts of aggression against the safety, security and interests of Gulf States which are not in any way involved in the hostilities between Iraq and Iran. Therefore, they are acts of aggression and run counter to the purposes and principles of the Charter of the United Nations.

19. Attempts to mediate the Iran-Iraq war, which has been going on for more than three and a half years now, have been unsuccessful because of insufficient international effort. Some influential States in the world are still calling—albeit from a distance—for an end to this war, but are taking no serious collective follow-up steps. In the past we have repeatedly warned against the dangers of a continuation of this war and the risk of its widening, as well as against the grave threat it posed to international peace and security. It is quite clear that this war is draining the human and material resources of the two belligerent States in vain. Its continuation threatens the security and interests not only of the Gulf States but of the whole world.

20. As one of the six States members of the Gulf Cooperation Council which are threatened by the continuation of this dangerous situation, my country calls upon the Security Council to take swift and decisive action to put an end to these attacks, as well as to the Iran-Iraq war, the continuation of which threatens not only the Gulf but the entire Middle East.

21. We call upon the Council to adopt the draft resolution submitted by Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates.\*

22. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Morocco. I invite him to take a place at the Council table and to make his statement.

23. Mr. MRANI ZENTAR (Morocco) [*interpretation from French*]: Mr. President, I wish to thank you and all the other members of the Council for allowing me to address the Council on a problem of great concern to my Government, and, indeed, to all peace-loving Governments throughout the world.

24. It is gratifying to see you presiding over the Council in this very difficult period, for we are convinced that your diplomatic skills, together with the prestige and

authority justly enjoyed by the Soviet Union, a country with which the Kingdom of Morocco has very friendly and long-standing ties, will ensure the successful conduct of our work and the restoration of security, concord and peace to the region of the Gulf.

25. May I also pay a tribute to Mr. Vladimir Kravets, representative of the Ukrainian Soviet Socialist Republic, for his brilliant presidency last month.

26. The Security Council has met to consider the problem of recent Iranian aggression against the freedom of navigation in the Gulf and against the territorial integrity and national sovereignty of peace-loving neighbouring States.

27. The Islamic Republic of Iran has thus perpetrated undeclared acts of war against countries which are parties to no conflict and which have not been involved in any way in the hostilities between the two opposing countries of the region: Iraq and Iran. Furthermore, the Iranian aggressive action, which according to the Iranian authorities themselves can be expected to continue, is aimed at disrupting navigation in international waters in the Gulf, paralyzing commercial and other forms of traffic in the region and creating new difficulties for the world economy. This threatens not only many developed countries but also a great number of third-world countries, which are beset by numerous economic problems and are sorely tested by the high cost of energy.

28. If, in describing the new situation created in the Gulf region by Iran, I have perhaps shed a too harsh light on reality, if I have called a spade a spade, it is because I believe that it would not be fair or respectful to the Council, and, even more, it would not be effective, to speak to the Council in vague and falsely reassuring, and therefore misleading, terms, when in our opinion the situation developing in the Gulf is extremely serious and the Council should not lose a moment of its valuable time before facing that situation resolutely and responsibly.

29. We have here all the ingredients of a much larger explosion—even a world-wide explosion—and it is our duty to make a speedy analysis of the elements of the situation and try to put a quick end to the deterioration that has already begun, by demanding immediate respect for the spirit and letter of the Charter of the United Nations. Indeed, by the very reason of their adherence to the Charter, all the Member States are required to live together in peace as good neighbours, just as they are required to refrain from the threat or the use of force against the territorial integrity or political independence of any State.

30. When the war between Iraq and Iran flared up and assumed the regrettable proportions we are dealing with today, the Arab nations of the Gulf—whose strong feelings and concern were legitimate, given the fact that two brother countries to which they were bound by

\* Circulated subsequently as S/16594.

close historical, cultural and blood ties were engaged in such a violent conflict—maintained firm neutrality and exemplary restraint. Thus, they did not involve themselves at any time in any act of war or behave in such a way as to provoke or justify any reprisals against them. But we now see their security, their sovereignty, their interests and their legitimate rights being made the targets of wanton acts of war—an undeclared war, a war that is certainly not theirs, since they have never taken part in the hostilities. Their commercial vessels, their civilian vessels—unarmed and registered world-wide as such, circulating in their own territorial waters or in free international waters—are today the targets of aerial attacks which at first were anonymous but have now been publicly acknowledged by a Member State: the Islamic Republic of Iran.

31. On 14 December 1974, the General Assembly gave the following Definition of Aggression in article 1 of the annex to its resolution 3314 (XXIX):

“Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition.”

The resolution also stated in article 2 that

“The first use of armed force by a State in contravention of the Charter shall constitute *prima facie* evidence of an act of aggression, . . .”

It added in article 5 that

“1. No consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression.

“2. A war of aggression is a crime against international peace. Aggression gives rise to international responsibility.”

32. Iran's acts of aggression, furthermore, violate on more than one count the most uncontested customary rules of the law of the sea, since Iran has used force to violate the internal waters and the territorial sea of Member States and has attacked their civilian vessels in international waters. Thus, Iran's acts of aggression are wanton, unprovoked and unjustifiable and are contrary to international law. What is more, the responsibility for them has been unhesitatingly acknowledged by their perpetrators, who threaten to spread them to the rest of the world. For all those reasons, the actions by the Islamic Republic of Iran against unarmed, civilian vessels navigating outside the areas of conflict are indeed acts of aggression which violate international law and for which Iran is undeniably fully responsible.

33. Since the Iraq-Iran war broke out, many distinguished persons have spoken out and many international decisions have been adopted, particularly by the

Council, calling for the immediate cessation of this tragic fraternal, vain and sterile conflict, the international consequences of which could, moreover, be incalculable—and we have a very disturbing example of this today. Good-offices missions have been arranged by the Secretary-General, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference. Those missions have been welcomed in Baghdad, but invariably rejected in Tehran.

34. And need I recall here the moving, urgent and inspired appeal made last March [S/16405] by His Majesty Hassan II, current President of the Organization of the Islamic Conference, to the two belligerents, but also to world leaders and all men of good will, for their co-operation in the establishment of an immediate cease-fire and the resumption of talks between Iraq and Iran under the auspices of the Islamic Peace Committee? This prophetic appeal was, by its vision and its timeliness, an eloquent warning about the catastrophic dimensions that the conflict would soon assume if something was not done quickly enough.

35. It is well known in the United Nations that Iraq has always responded favourably to all the peace initiatives, whereas Iran has rigidly taken a negative and hostile position, promoting the deterioration of the situation in the Gulf as well as escalation—and today we have an illustration of that escalation which is extremely dangerous to international peace and security.

36. The Deputy Prime Minister and Minister for Foreign Affairs and Information of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, stated very eloquently at a previous meeting [2541st meeting] that the countries members of the Gulf Co-operation Council are trying to make their region a zone of stability and peace, because of its strategic, economic and political importance—importance both for the stability, peace and economy of the world and for the bilateral, regional and international economic development programmes. He also made it very clear that the Gulf countries intend to rely on themselves for the defence of their independence, sovereignty and security and that they confirm their devotion to their status as non-aligned countries.

37. In response to those declarations of faith, and because of the primary role that those Gulf countries constantly play in the development and balance of the world economy, particularly by direct and indirect assistance to the least developed countries, the international community, represented by the Security Council, must shoulder its responsibilities, condemn these unjustified acts of hostility in the region, order their immediate cessation and, if the countries victim of those acts desire it, order also legitimate compensation for the damages incurred by these peaceful Gulf countries. The Council must also take steps to ensure the right to free navigation and trade in international waters and respect for all the navigation routes and installations, the ports and the equipment, within the framework of respect for the territorial integrity and independence of States.

38. In thus fully assuming its responsibilities, the Council would be making the decisive contribution to the restoration and safeguarding of international peace and security incumbent upon it. In so doing it would also forestall any possibility of and eliminate any motive for foreign intervention and eliminate the risks of internationalization that are today so great and so imminent in the Gulf.

39. Finally, the Council can also reinvigorate efforts for a comprehensive peace by proposing a solution for the problems in the Gulf that could also represent the long-awaited decisive step towards the just, peaceful and equitable settlement of the fratricidal Iraq-Iran conflict, which has already lasted far too long. That is the hope my delegation cherishes today as the Council prepares to adopt what may be historic decisions.

40. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Somalia. I invite him to take a place at the Council table and to make his statement.

41. Mr. ADAN (Somalia): I thank you, Mr. President, and the members of the Council, for allowing my delegation to take part in this debate.

42. Your predecessor, Mr. Vladimir Kravets, has earned our gratitude for the exemplary manner in which he presided over the deliberations of the Council last month. In the light of your long experience in the affairs of the Council, over which you have presided many times in the past, my delegation is more than confident that you will bring the debate on the crisis in the Gulf region to a fruitful conclusion.

43. We feel in duty bound to speak because of our deep concern over the situation in the Gulf region. The four-year war between Iran and Iraq has from its very beginning posed a threat to regional and international peace and security. That threat has gradually intensified as the repercussions of the war have increasingly been felt in the Gulf region and on the international scene.

44. The tragic effects of this fratricidal war are compounded by the fact that neither Iran nor Iraq can hope to profit from the continuation of the fighting. The interests of both parties would best be served by a positive response from both States to the constructive efforts of mediation that have been pursued by the Organization of the Islamic Conference, the Movement of Non-Aligned Countries and, not least, by the Secretary-General.

45. Unfortunately, those efforts for peace have not been heeded. On the contrary, a new degree of instability has now, regrettably, been added to an already combustible situation by Iran's attack on Saudi and Kuwaiti oil-tankers in the territorial waters of those countries and in international waters outside the declared zone of war.

46. This disturbing development calls for renewed efforts by the international community to bring to an end this senseless conflict that is as futile as it is destructive. This tragic war between two Islamic non-aligned countries has exacted and continues to exact a terrible toll in human lives and in wasted resources. In our view, it is no longer important which side started the conflict, for it is self-evident that its peaceful resolution is of the utmost urgency.

47. I need not emphasize the fact that the widening of the conflict in a region of crucial importance for world peace and economic stability carries the most serious consequences, including the danger of great-Power confrontation and intervention. Nor need I remind the Council of the fact that freedom of navigation and commerce in the Gulf region is of vital economic importance not only to the Gulf States but to the national interest of one super-Power and its allies and that, similarly, the region of conflict is so geographically close to the territory of the other super-Power as to make it of significant importance to that Power's national security. Indeed, the Iran-Iraq war is so pregnant with danger to international peace and security that a way must be found to bring it to a speedy end.

48. Last October, in its resolution 540 (1983), the Council—not for the first time—rightly called for the cessation of hostilities and affirmed the right of free navigation in international waters in the Gulf region. It also asked the belligerents to respect the integrity of the littoral States, to exercise the utmost restraint and to avoid any further escalation or widening of the conflict. What has been the response to that resolution? Hostilities between the warring States have intensified, and the conflict has been internationalized by attacks on ships of countries not parties to the war.

49. In the view of my delegation, the Council is faced with a serious threat to both regional and international peace. It must call upon Iran to end its attacks on sea traffic to and from the ports of the States members of the Gulf Co-operation Council. It must also demand that Iran comply with relevant United Nations resolutions, respect the principles of international law regarding the freedom of innocent passage and freedom of navigation in international waterways and observe the requirements of good-neighbourliness, particularly those pertaining to respect for the sovereignty and territorial integrity of the neighbouring, non-belligerent, Gulf States.

50. My delegation believes that the Council must also pursue vigorously the search for ways and means to bring about the participation of both Iraq and Iran in the process of peaceful negotiation. My Government has strongly welcomed the acceptance by Iraq of the resolutions of the Council and its co-operative response to various proposals put forward as bases for negotiation by the Organization of the Islamic Conference, by the Movement of Non-Aligned Countries and by the Secretary-General. We therefore appeal to the brotherly

State of the Islamic Republic of Iran to do likewise by responding to the desire of the Islamic world—and, indeed, of the whole of the international community—that it accept the resolutions of the Council and join without further delay in negotiations for a settlement that guarantees the rights of both warring parties.

51. It has repeatedly been emphasized in this debate that neither Iran nor Iraq stands to gain from the bitter conflict in which they are engaged. However, the belligerents, the Gulf region and the whole world would all gain immeasurably from an honourable, just and enduring settlement. It is our profound hope that counsels of moderation will prevail and that positive steps will be taken along the road to peace.

52. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Japan. I invite him to take a place at the Council table and to make his statement.

53. Mr. KURODA (Japan): First of all, Sir, on behalf of the Japanese delegation, I should like to extend congratulations to you on your assumption of the presidency of the Council for this month. We are confident that your outstanding diplomatic skill will ensure that the Council smoothly carries out its important tasks. The Japanese delegation also wishes to take this occasion to express its appreciation for the excellent manner in which Mr. Kravets performed his duties as President last month.

54. The armed conflict between Iran and Iraq, already more than three years old, has shown little sign of abating, in spite of the intensive efforts made by the international community through various channels. On the contrary, the most recent developments indicate that the situation is entering a new stage of escalation.

55. Japan is deeply concerned about conditions in the Gulf, for they seriously threaten not only the peace and stability of the region but also the peace and prosperity of the entire world. My country is acutely aware of the dangers inherent in the present situation.

56. The Government of Japan maintains friendly relations with both conflicting parties and does not favour one side over the other. Taking every opportunity, it has been tireless in its diplomatic efforts to help create a climate conducive to an early and peaceful settlement of the conflict.

57. In accordance with that position, I wish to emphasize the following points.

58. First, the intensification of attacks on tankers and commercial vessels is a source of gravest concern to Japan. My Government strongly appeals to both parties to respect the right to safe navigation in the Gulf and to refrain from any act which could further endanger peace and security in the Gulf.

59. Secondly, Japan calls upon Iran and Iraq and all other States to exercise maximum restraint so that hostilities will not spread to other parts of the Gulf region. Moreover, we appeal to all members of the international community to refrain from any act which could lead to a further escalation of the conflict.

60. Thirdly, my country expects that the Secretary-General will continue his peace efforts and earnestly hopes that other diplomatic endeavours will be continued and strengthened by the international community. Japan appeals to both Iran and Iraq to respond positively to these efforts.

61. My country, for its part, will continue to make every effort to foster a climate in which peace and stability can be restored to the region.

62. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of the Federal Republic of Germany. I invite him to take a place at the Council table and to make his statement.

63. Mr. van WELL (Federal Republic of Germany): Mr. President, let me first of all express my gratitude to you and the other members of the Council for allowing my delegation to participate in this debate. This gives me the opportunity to express our confidence in your wisdom, experience and skill as you guide the work of the Council this month.

64. My delegation has asked to take part in this debate in order to express the deep concern of the Government of the Federal Republic of Germany at the recent developments in the Gulf region and to emphasize its great interest in a successful effort in the Council to prevent the further deterioration of the situation. There is reason to fear that the ongoing conflict between Iraq and Iran might lead to a dangerous escalation, affecting other countries in the region and well beyond. The increasing attacks against tankers and other commercial ships in the Gulf region represent a severe blow to the freedom of navigation, a fundamental principle of international law.

65. The 10 States members of the European Community have in the last few days, in a common *démarche* at Baghdad and Tehran, expressed their concern to the parties to the conflict.

66. My Government would like once more to stress the importance it attaches to the principles of free navigation and free commerce in international waters. Furthermore, the Government of the Federal Republic of Germany would like to emphasize the need for all parties concerned to observe the utmost restraint to help prevent an already dangerous situation from being exacerbated even further. We appeal to the parties to the conflict and to the neighbouring countries, as well as to the international community, to help achieve this aim. This would be not only in the interest of the countries of the region but also in the international interest because



the negative economic implications of sustained warfare of the kind we have been witnessing over the last few weeks would be clearly felt everywhere and would affect not least the developing countries.

67. We hope that the recent series of air attacks on the shipping of non-belligerents in territorial waters and in international waters will remain a singular event and that this dangerous spill-over of the root conflict between Iran and Iraq will not recur.

68. The Government of the Federal Republic of Germany and the people of my country are deeply troubled by the bitter war raging between Iraq and Iran. This war has not only meant a tremendous loss of human life and resources on both sides; it is also dividing two countries with which the German people has traditional bonds of friendship as well as close political, economic and cultural relations.

69. We therefore earnestly hope that the present debate in the Council and the resulting resolution will contribute to the removal of the most imminent danger of escalation and the spread of hostilities, which is a threat to free navigation in the Gulf. That would be a first step towards containing and reducing the military confrontation and preparing the ground for a comprehensive settlement of the conflict. It is obvious that this can be achieved only if all legitimate positions and interests are taken into consideration. We hope that all members of the Council will be able to agree on a resolution that will give expression and correspond to the great responsibilities of the Council under the Charter.

70. We also appeal to all parties to be conscious of their responsibility and to exercise utmost restraint in order to reduce tension. This would greatly ease the difficult task of the Secretary-General. We welcome his readiness, as expressed in his statement of 17 May, to assist in any endeavour, and we ask the parties concerned to co-operate fully with him.

71. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of the United Arab Emirates. I invite him to take a place at the Council table and to make his statement.

72. Mr. AL-QASIMI (United Arab Emirates) [*interpretation from Arabic*]: May I congratulate you, Sir, on your assumption of the presidency of the Council for this month. Your great political and diplomatic experience, as well as the wisdom and competence you have demonstrated both within and outside the United Nations, are our best guarantees that the Council's discussion and decisions will be marked by objectivity and a sense of responsibility. My congratulations go also to your predecessor, Mr. Vladimir Kravets the representative of the Ukrainian Soviet Socialist Republic, for the constructive manner in which he presided over the work of the Council last month.

73. Many international agreements have guaranteed the sovereignty of States over their territorial waters and freedom of navigation on the high seas, the most recent of which is the United Nations Convention on the Law of the Sea, concluded in 1982.<sup>4</sup> My country's respect for these principles as they relate to its territorial waters, the adjacent maritime passages and the high seas derives from our commitment to the principles of international law and to international instruments and conventions. Given the strategic importance of the Gulf and its important role in the world economy, the adverse consequences of any violation of those instruments would spread beyond the countries of the region to the entire world.

74. Indeed, we have always feared the destructive consequences of a widening of the Iran-Iraq war. That is why we have consistently supported regional and international initiatives to put an end to that conflict. Not content with supporting the initiatives of others, the Government of the United Arab Emirates, in co-operation with the sisterly Government of Kuwait, and in accordance with the mandate entrusted to it by the Gulf Co-operation Council, undertook a mission of mediation between Iran and Iraq to put an end to the war and to guarantee the interests and legitimate rights of both sides of the conflict. We appreciated the position of Iraq, which responded favourably to all regional and international peace initiatives to put an end to the war and ensure a withdrawal to the international frontiers in order to establish security and stability in the region.

75. Given the good relations between the United Arab Emirates and the Islamic Republic of Iran and our friendship for the Iranian people, we would once again appeal to that Government to give a positive response to international and regional mediation undertaken with a view to halting the war and restoring stability and security to our region.

76. The Security Council has in the past conducted thorough deliberations on various aspects of the serious consequences of the continuing war between Iran and Iraq, and has adopted decisions and launched appeals designed to put an end to the war which have yielded no positive results. Today, the Council is once again considering recent developments and repercussions resulting from that continuing war, which are not confined to the two countries directly involved in the conflict but also involve other fraternal countries in the region—the Kingdom of Saudi Arabia and Kuwait—as borne out by the attacks carried out against their ships in territorial waters of the Gulf and in international waters beyond the area of the conflict. A product of the continuing war, the recent deplorable developments of the conflict in the region pose a danger to the security and other interests of countries in the region in particular and, indeed, to the countries of the entire world in general.

77. My delegation considers that the Council today must shoulder its responsibilities and take up this chal-

lence in a serious and decisive manner in order to ensure the credibility of its resolutions and their implementation so as to avoid any further deterioration of the situation, prevent spreading the conflict to other countries in the region and using war to justify any foreign intervention.

78. Because my country borders on the Gulf, it must safeguard the security of the Gulf and condemn attacks detrimental to its security. The economy and the development of the United Arab Emirates and of other Gulf countries require them to maintain freedom of navigation in the waters of the Gulf. That is why these countries must do their utmost to ensure freedom of navigation and find ways to protect the Gulf from danger.

79. Accordingly, the Government of my country and the other States members of the Gulf Co-operation Council have submitted a complaint to the Security Council calling on it to condemn Iranian aggression against the ships of Saudi Arabia and Kuwait in the territorial waters of those two countries and in the adjacent maritime passages, and to put an end to that aggression, which is detrimental to the interests of the members of the Gulf Co-operation Council and, indeed, of all countries of the world. Proceeding from this principle, we would appeal to the Security Council resolutely to shoulder its responsibilities under the Charter of the United Nations in order to avoid any repetition of such violations of law and acts of aggression and to urge all Member States to do their utmost to put an end to this situation.

80. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Oman. I invite him to take a place at the Council table and to make his statement.

81. Mr. ALI (Oman) [*interpretation from Arabic*]: Sir, at the outset I should like to congratulate you on your assumption of the presidency of the Council. We hope that your efforts will be crowned with success.

82. The Iran-Iraq war has taken a new and dangerous turn, threatening peace and security in one of the most sensitive regions of the world. On 13 May, the Air Force of the Islamic Republic of Iran launched a direct attack on the Kuwaiti oil-tanker *Um Kassaba*; on 14 May, it attacked the Kuwaiti oil-tanker *Bahra*; it continued on 16 May with an attack on the Saudi oil-tanker *Yanbu*. These attacks, carried out by Iran on oil-tankers of Arab States members of the Gulf Co-operation Council, were a materialization of Iran's threats to expand the scope of the war to include the Gulf States not parties to the Iran-Iraq conflict.

83. The Sultanate of Oman approves neither of threats nor of the obstruction of navigation. It considers any such act a dangerous precedent, contrary to the laws of navigation and a flagrant violation of the principles of international law and of the Charter of the United Nations.

84. Iraq, being in a declared state of war with Iran, blockaded Iranian ports and attacked vessels and tankers sailing to and from Iranian ports. However, this in no way justifies Iran's attacks on tankers and vessels proceeding to and from the ports of the Arab States members of the Gulf Co-operation Council, which do not wish to be dragged into the conflict.

85. The Sultanate of Oman enjoys ties of religion, tradition and a long history with both Iraq and Iran. It wishes to maintain good-neighbourly and friendly relations with the Islamic Republic of Iran. This wish does not stem from weakness or from fear of a stronger and more populous neighbour, because our national capabilities and our relations with friendly countries are enough to deter any attack on our territory or national interests; rather our position is based on a sincere belief in respect for the rights of national sovereignty and in the principles of non-interference in the internal affairs of other States and the settlement of all disputes by peaceful means. We also believe in the inadmissibility of major-Power hegemony over smaller States; we believe that the power of smaller States derives from their adherence to and respect for the Charter.

86. The Sultanate of Oman has participated in the many efforts to put an end to the tragic conflict between the two sister countries of Iraq and Iran. It will continue to make such efforts. We shall endeavour, by all the means at our disposal and in co-operation with the Arab States members of the Gulf Co-operation Council, to avoid any further complication of the situation. We also call upon the belligerents to heed the principles of peace and to respect the interests of neighbouring countries.

87. The events of the past few days have affirmed the concern of the international community as expressed by the Security Council in its resolution 540 (1983). That resolution affirmed the right of free navigation and commerce in international waters, called for the cessation of hostilities in the region of the Gulf and for respect for the integrity of the littoral States; it also called upon States to refrain from any act which might lead to a further escalation and widening of the conflict.

88. We now call upon the Council, as the organ entrusted with responsibility for the maintenance of international peace and security, to reaffirm the inviolability and freedom of navigation to and from the ports of Arab States members of the Gulf Co-operation Council, as those ports belong to States that are neutral in the Iraq-Iran conflict.

*The meeting rose at 12.40 p.m.*

#### NOTES

<sup>1</sup> See United Nations, *Treaty Series*, vol. 450, No. 6465.

<sup>2</sup> *Corfu Channel case, Judgment of April 9th, 1949: I.C.J. Reports 1949*, p. 4.

<sup>3</sup> United Nations, *Treaty Series*, vol. 516, No. 7477.

<sup>4</sup> *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII, document A/CONF.62/122.



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