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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.

## SEVENTEEN HUNDRED AND SEVENTIETH MEETING

Held in New York on Tuesday, 28 May 1974, at 3 p.m.

*President:* Mr. Charles Gatere MAINA (Kenya).

*Present:* The representatives of the following States: Australia, Austria, Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Indonesia, Iraq, Kenya, Mauritania, Peru, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon and United States of America.

### Provisional agenda (S/Agenda/1770)

1. Adoption of the agenda.
2. Complaint by Iraq concerning incidents on its frontier with Iran:  
Report by the Secretary-General on the implementation of the consensus adopted by the Security Council on 28 February 1974 (S/11291).

*The meeting was called to order at 3.25 p.m.*

### Expression of thanks to the retiring President

1. The PRESIDENT: In accordance with the usual practice, I should like to pay a tribute to my predecessor, Ambassador El-Shibib of Iraq, who ably presided over the Security Council during the month of April. Also, as the month of May is coming to an end, I should like to thank all the members of the Council for the support they have given to the President during the 28 days I have been in the Chair.

### Adoption of the agenda

*The agenda was adopted.*

### Complaint by Iraq concerning incidents on its frontier with Iran

Report by the Secretary-General on the implementation of the consensus adopted by the Security Council on 28 February 1974 (S/11291)

2. The PRESIDENT: As President of the Security Council, I have received a letter dated 28 May 1974 from the Ambassador of Iran, Mr. Hoveyda, reading as follows:

"On instructions of my Government, I have the honour to request that, in accordance with the relevant Articles of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Security Council, Iran be permitted to participate in the discussion of the

Security Council in connexion with document S/11291 of 20 May 1974. I personally will represent Iran in the Security Council."

Pursuant to the usual practice, and if I hear no objection, I propose to invite the representative of Iran, in accordance with his request, to participate in the discussion without the right to vote.

*At the invitation of the President, Mr. F. Hoveyda (Iran) took a place at the Council table.*

3. The PRESIDENT: As the Security Council resumes its consideration of the complaint by Iraq concerning incidents on its frontier with Iran, I believe it might be useful to recapitulate briefly the previous action of the Security Council. The Council placed the item on its agenda on 15 February at its 1762nd meeting and continued the discussion at the 1763rd and 1764th meetings, held on 20 and 28 February. At the last-mentioned meeting the President, following consultations with all the members of the Council and with the representative of Iran, read out the text of a consensus by which the Security Council, *inter alia*, requested the Secretary-General "to appoint as soon as possible a special representative to conduct an investigation of the events that have given rise to the complaint by Iraq; and to report within three months".

4. In pursuance of the request of the Security Council the Secretary-General submitted a report to the Security Council on 20 May [S/11291] concerning action taken in implementation of the Council's consensus. Annexed to the Secretary-General's report is a report submitted by the Special Representative of the Secretary-General, Mr. Weckmann-Muñoz. Members of the Council are, I am sure, appreciative of the report submitted.

5. I understand that, following the circulation of the Secretary-General's report, the parties concerned held consultations. They then expressed their wish that the Council resume consideration of the matter. In the light of that request consultations were held among the members of the Council last Friday. From those consultations the text of a draft resolution emerged [S/11299].

6. This draft resolution—which would welcome in particular the points of agreement between the parties concerned, as listed in the Secretary-General's report, and would express the hope that the parties would take as soon as possible the necessary steps to implement the agreement reached—appears to meet the wishes of many members of the Council, as well as those of the parties concerned.

7. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): Before making a statement in explanation of vote on the draft resolution before the Council, I should like to congratulate you on your assumption of the post of President of the Security Council. It can aptly be said that, as the proverb puts it, you have come straight off the ship into the dance. Immediately after your arrival in New York as Permanent Representative of Kenya to the United Nations, you assumed not only those responsibilities but also the honourable and responsible duties of President of the Security Council. In the course of informal consultations we have all had the opportunity to see how skilfully, purposefully, and with what great tact you conduct the work of the Council. Because of these personal qualities of yours, the Council has succeeded in overcoming the obstacles which it has encountered in its work and in finding satisfactory solutions to the questions under consideration. I should like to take this opportunity to declare the readiness of the Soviet delegation to co-operate with you and to develop business-like contacts with you in the Council and in the United Nations in general. I should also like to point out that the Government of the Soviet Union is steadily following a policy of the broadest development of friendship and co-operation with your country, the Republic of Kenya. The Soviet Government values highly the policy of non-alignment which Kenya is following.

8. I should also like to draw attention to the excellent work done by Mr. El-Shibib, the representative of Iraq, as President of the Security Council. A difficult task fell to his lot in the month of April and he rose to it brilliantly.

9. Turning to the draft resolution before the Council on the question under consideration, the Soviet delegation would first like to note the great importance, both in bilateral and in international terms, of the agreement reached between Iraq and Iran on the need to implement a series of measures aimed at a peaceful settlement of the border conflict which has arisen between them. This agreement has now been given practical expression in the submission to the Security Council of the draft resolution which has been agreed upon between Iraq and Iran. The Soviet delegation is convinced that this draft resolution will help to settle the frontier dispute between the two countries and to develop good bilateral relations between them.

10. The agreement reached between Iraq and Iran and also the submission to the Council of the draft resolution agreed on by the two sides are a source of particular satisfaction to my delegation. That is because Iraq and Iran are States with which our country is maintaining and developing relations of friendship and co-operation. The Soviet Union maintains close and friendly relations with the Republic of Iraq which are based on the 1972 Soviet-Iraqi treaty on friendship and co-operation. The USSR also maintains friendly and good-neighbourly relations with Iran, with which in the same year of 1972 an agreement was concluded on the development of economic and technical co-operation.

11. It is therefore perfectly natural that the border conflict between these two countries with which we are friendly could not fail to arouse a feeling of concern on the

Soviet side. It was all the more regrettable because the conflict had arisen between two developing countries which are striving to consolidate their independence and develop their economies, and whose peoples have so much in common in their culture, customs and historical past.

12. The Soviet Union sincerely wishes for a settlement of all the disputed questions between Iraq and Iran. It is the deep conviction of the Soviet Union that such a settlement will fully reflect the spirit and letter of the Charter of the United Nations and will be of the utmost significance not only for the peoples of these two countries but also for the maintenance of peace in that region.

13. It is our deep conviction that disputes, disagreements and conflicts on the Iran-Iraq border are unquestionably not in the interests of either the Iranian or the Iraqi people. The conflicts can only cause even greater tension in the relations between the States and lead to utterly unnecessary loss of life and to an increase in the obstacles to achieving a peaceful settlement of the disputed questions by means of bilateral negotiations in a spirit of mutual understanding and compromise. The deterioration of relations between Iran and Iraq can benefit only those circles which have an interest in maintaining and increasing tension in this region in order to achieve their selfish and mercenary aims which bear no relation either to the interests of these two countries or the interests of the peoples of the Middle East as a whole. The deterioration of relations between Iraq and Iran can be advantageous only to those who are doing everything to impede the restoration of just and lasting peace in the Middle East on the basis of the withdrawal of Israeli troops from all the Arab territories occupied in 1967 and of respect for the lawful rights of the Arab people of Palestine.

14. At the present time when there are favourable advances and changes in international life and when international tension is being eased, it is particularly important that acts which would be detrimental to the over-all process of the easing of international tension, détente, normalization and the improvement of international relations should not be allowed in any part of the world.

15. The interests of strengthening peace and international security would be served by a policy of developing and strengthening these favourable changes and extending them to all the regions of the world, including the Middle East region. The first prerequisite is that all matters in dispute between all countries throughout the world, as between the countries of the Middle East region, should be settled by peaceful means through negotiations, as is required by the Charter, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations [*General Assembly resolution 2625 (XXV)*], the Declaration on the Strengthening of International Security [*General Assembly resolution 2734 (XXV)*], the solemn declaration by the General Assembly on behalf of all Members of the United Nations on the non-use of force in international relations and permanent prohibition of the use of nuclear weapons [*see General Assembly resolution*

2936 (XXVII)], and other fundamental documents and decisions of the United Nations.

16. The Union of Soviet Socialist Republics consistently adheres to the principle that peoples must themselves decide their own fate. In settling the disagreements and disputes which arise between States, the use of force must be avoided. All such matters must be settled exclusively by peaceful means through negotiations on mutually acceptable terms, taking into account the interests of the countries and peoples concerned. This is required by the Charter, which proclaims that the States Members of the United Nations shall "practice tolerance and live together in peace with one another as good neighbours". One of the fundamental principles of the Charter, furthermore, is the requirement that all Members of the United Nations should settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered, and that States should, in their international relations, refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other way inconsistent with the purposes of the United Nations.

17. The Soviet Union is consistently guided in its foreign policy by these generally recognized and accepted highly humanitarian principles of international relations. These principles, based on goodwill and mutual understanding, were confirmed and reflected in the joint documents signed by the Soviet Union with both Iraq and Iran. The joint Soviet-Iraqi communiqué issued in connexion with the official visit to the USSR of the President of the Republic of Iraq in September 1972, states: "The Soviet Union and Iraq reaffirmed their dedication to the purposes and principles of the Charter of United Nations, the norms of international law, and international agreements and treaties". In the joint Soviet-Iranian communiqué issued during the official visit to the USSR of the Prime Minister of Iran, in August 1973, both parties—the Soviet Union and Iran—"again declared their dedication to the principles of settling all disputes between States by peaceful means through negotiations, without the threat of use of force, in accordance with the Charter of the United Nations".

18. The settlement of disputes through the non-use of force is all the more just and well founded in the present case because both parties—Iraq and Iran—together with a significant majority of States Members of the United Nations at the twenty-seventh session of the General Assembly supported and voted for the Soviet proposal on the non-use of force in international relations and permanent prohibition of the use of nuclear weapons [*ibid.*]. The present international situation and the task of consolidating détente and extending it to all regions of the world clearly and convincingly confirm the urgency of the need for the Security Council thoroughly to discuss this important General Assembly resolution and to take appropriate measures itself for the full implementation of the resolution.

19. As was shown at the sixth special session of the General Assembly on the problems of raw materials and development, both Iraq and Iran have an equal interest in accelerating their economic and social development and

mobilizing all their resources for the purposes of development and construction, and not in straining their mutual relations and in destruction. The Declaration on the Establishment of a New International Economic Order [*General Assembly resolution 3201 (S-VI)*], the text of which had been sponsored by Iran and Iraq, particularly stressed that the main objective of the new order is to ensure "accelerating economic and social development and peace and justice for present and future generations". All States and peoples should strive to achieve this noble aim.

20. We note with great satisfaction the determination of Iraq and Iran to end the existing tense situation on their frontier, to seek a settlement of all questions through bilateral talks and to improve their relations, which is stated in the draft resolution and in the report of the Secretary-General and of his Special Representative, Mr. Weckmann-Muñoz. The statements by the parties and the report of the Secretary-General's Special Representative show that one of the most urgent problems requiring an immediate solution is the delimitation and demarcation of the frontier between Iran and Iraq. In this connexion, the statements made by the two sides to the Secretary-General's Special Representative have particular significance. Those statements reveal that "neither [of the sides], in principle, had territorial claims along the land frontier; both Governments, in fact, indicated that they would stand by the findings of a new joint delimitation commission" [*S/11291, annex, para. 36*].

21. The Soviet delegation is convinced that the statements by the two sides, together with their declared wish to conduct negotiations on a practical basis with a view to ensuring safe and unhampered navigation along the Shatt-al-Arab river, represent a good solid basis for the comprehensive settlement of the frontier dispute between Iraq and Iran.

22. The question of peaceful and stable frontiers between neighbouring States is well understood by the Soviet Union, which has one of the longest land frontiers in the world, extending 60,000 kilometres. It has borders with 12 States. Following such basic principles of international relations as the principles of peaceful coexistence, the non-use of force and good neighbourliness, the Soviet Government has always done and continues to do its utmost to ensure that its frontiers with other States are frontiers of peace, good neighbourliness and friendship. As a result of these efforts, our frontiers with such neighbouring countries as Finland, Afghanistan, Iran and Turkey, like the Soviet Union's frontiers with the fraternal socialist countries, are also frontiers of peace, good neighbourliness and friendship. Comrade L. I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union, in his report on the fiftieth anniversary of the Union of Soviet Socialist Republics in December 1972 stated: "We note with satisfaction that we now have good relations with many peace-loving States of Asia and Africa, and first and foremost with our immediate neighbours—Afghanistan, Iran and Turkey".

23. The frontier between the USSR and Iran is of course a very long frontier. Before the demarcation of the frontier line, a number of complications and undesirable incidents

occurred along this frontier. As a result of the settlement of the frontier question between the USSR and Iran by means of long and painstaking negotiations on the basis of the principles of equality, mutual understanding and respect for the territorial integrity of States, the frontier between the USSR and Iran, which extends over 2,500 kilometres, has become a frontier of peace and tranquillity in the full sense of the word.

24. The delegation of the USSR, having carefully listened to and studied the statements made by the parties in the question under consideration and also the draft resolution agreed between them, expresses its sincere desire and hope that the frontier problem between Iraq and Iran can and should be settled in the very near future by peaceful means and in strict compliance with the fundamental principles of the Charter with regard to respect for territorial sovereignty and pacific settlement of disputes, and also with the generally recognized norms of international law. A good basis has been found for such a settlement. In the opinion of the Soviet delegation, this draft resolution clearly and directly defines the ways and means of pacific settlement of the frontier question between Iraq and Iran in full accordance with the principles and provisions of the Charter.

25. With regard to operative paragraph 4 of this draft resolution, we should of course have preferred it to indicate that, in discharging his mandate from the Security Council, the Secretary-General would act with the prior agreement and approval of the Security Council regarding such questions as the nature and scope of assistance to be given to the parties in the settlement of disputed questions, if such assistance is requested.

26. At the same time, we take into account our exchange of views with the parties and also the statement by the representative of Iraq at the consultative meeting of members of the Council, with which the United States representative associated himself and to which the representatives of other countries raised no objections. The essence of the matter is, of course, that the Secretary-General will act in agreement with the Security Council.

27. Bearing that in mind, we do not insist on the inclusion of a special clarifying provision in the draft resolution, on the understanding that, if the parties should request assistance from the Secretary-General, he would of course reach agreement with the Security Council on the nature and extent of such assistance.

28. The Soviet delegation sincerely hopes that relations between Iraq and Iran will be normalized and will begin to develop in a spirit of peace and co-operation, and that the frontier between them will, in accordance with the Charter, become a frontier of good neighbourliness, peace and tranquillity.

29. The PRESIDENT: As no other member wishes to make a general statement, I shall now call upon those representatives who wish to speak in explanation of vote before the vote.

30. Mr. CHUANG Yen (China) (*translation from Chinese*): The Chinese delegation is pleased to see that Iran and Iraq

have indicated their readiness to settle their dispute through negotiations. We have consistently held that the parties to a dispute should reach a fair and reasonable settlement of the boundary question left over by history through negotiations on the basis of the five principles of peaceful coexistence. As we have never favoured United Nations involvement in any form in the boundary dispute between two countries, we will not participate in the voting on the draft resolution contained in document S/11299.

31. The PRESIDENT: There are no further names on my list of members wishing to explain their votes before the vote. Accordingly, I shall now put to the vote the draft resolution in document S/11299.

*A vote was taken by show of hands.*

*The draft resolution was adopted by 14 votes to none.<sup>1</sup> One member (China) did not participate in the voting.*

32. The PRESIDENT: I shall now call on these representative who have expressed the wish to explain their votes after the vote.

33. Mr. NJINE (United Republic of Cameroon) (*interpretation from French*): Mr. President, my delegation wishes first of all to welcome you to New York as the Permanent Representative of your country and to express our hope that your lofty mission will be crowned with success. It is also a pleasure for me to appreciate the talent and effectiveness with which you have taken over your important and delicate functions as President of the Security Council for this month. I am very pleased that under your presidency the co-operation between our delegations has been close and fruitful, thus reflecting the brotherly and mutually beneficial relations maintained between the Republic of Kenya and the United Republic of Cameroon. This occasion likewise seems to me to be appropriate to address the sincere congratulations of my delegation to your predecessor, the Ambassador of Iraq, Mr. El-Shibib, for the valuable services he rendered to the Security Council during the month of April.

34. My delegation notes with satisfaction the happy conclusion of the mission that the Security Council entrusted to the Secretary-General under the terms of the consensus adopted on 28 February 1974, which received unreserved support. In this connexion I should like to congratulate most warmly on behalf of my delegation the Secretary-General and his Special Representative, Mr. Weckmann-Muñoz, for the excellent contribution they have made to the consolidation of peace in that part of Asia. It is indeed because of their persevering efforts and their lengthy experience of international affairs that it has been possible to create conditions favourable to a peaceful solution of the dispute between Iraq and Iran. Already the cease-fire decided upon by the two parties on 7 March 1974 is being observed and will be followed by other measures mentioned by the representative of the Secretary-General in his report.

35. Finally, my delegation wishes to pay a tribute to the Governments of Iran and Iraq for the understanding and

<sup>1</sup> See resolution 348 (1974).

spirit of compromise they have evinced in the circumstances by agreeing to resolve by peaceful means and without prior conditions all the bilateral questions which have so far hampered the happy development of their co-operation. The Security Council should by every means encourage the two parties to persevere in this course. For its part the Government of the United Republic of Cameroon, which maintains excellent relations with both Iraq and Iran, has given its complete support to the draft resolution which is before us and which opens up encouraging prospects for co-operation between these two countries and for peace in that region.

36. Mr. RICHARD (United Kingdom): Mr. President, first of all I should like to join those who have welcomed you to New York and who have congratulated you upon your election to the high office of President of the Security Council. To say the least of it, you have been thrown in at the deep end in the few weeks since you have been here. Let me say that the skill with which you have conducted our consultations in the past few weeks shows that we have indeed been fortunate to have you as President during this month, and we look forward very much to working with you as our colleague in the Security Council in the future.

37. My delegation was glad to support the draft resolution before the Council. The draft, as you know, was the result of intensive consultations between the members of the Council and was fully agreed to by the two parties most concerned with the dispute, namely, Iraq and Iran. In these circumstances we made it clear that we should not be able to support any proposals for amendments to the draft which were not acceptable to both of those two parties most directly concerned.

38. My delegation would like to join with those other delegations that have congratulated the Secretary-General and his Special Representative, Mr. Weckmann-Mufioz. The situation that led to the Council's considering this question in February was a potentially dangerous one. The way in which that situation has been defused and a basis agreed upon for the resumption of conversations between the parties with a view to the comprehensive settlement of all bilateral issues is an excellent example of how the machinery of the United Nations can be used effectively for the peaceful settlement of disputes or of potential disputes.

39. It only remained for me to wish the parties well in the conversations they have undertaken to hold and to express the hope that they may succeed and thus remove a potential source of friction in that very important part of the world. I say that it only remained for me to do that, but that was before I heard the speech of the representative of the Soviet Union. If I may say so, it is not possible for my delegation to accept the gloss that the representative of the Soviet Union sought to put upon the resolution that we have accepted here today. It seemed to us that in his closing remarks Mr. Malik attempted to introduce an entirely new and, if I may say so, discordant element into our proceedings today—namely, the precise relationship between the Secretary-General and the Security Council when a dispute of this nature has been brought to the Council and to the United Nations. In our view, it is not appropriate to discuss a matter of that category and that

importance on a resolution dealing with an agreement entered into bilaterally between the parties to a dispute—particularly, if I may say so, when no amendment to that effect has been moved to paragraph 4 of the text, although, as we all know, in the informal consultations that took place between the members of the Security Council the representative of the Soviet Union had given some indication of his readiness and his intention to move such an amendment.

40. Therefore I think it is necessary for me to place on record that nothing in this resolution, and indeed nothing that has taken place in the Security Council today, and certainly, with great respect, nothing that has been said unilaterally by the representative of the Soviet Union, has in any way altered the relationship that exists between the Secretary-General and the Security Council of the United Nations. If that is a matter that is to be discussed, no doubt there will be an appropriate time and an appropriate forum in which to discuss it, but this is not that time and this is not that forum. No doubt the Secretary-General would wish to confer with and consult the Security Council as he thought fit. I find it very difficult to believe—indeed I find it impossible to believe—that if anything of substance were to happen in relation to this particular dispute the Secretary-General would wish to act without coming to the Security Council to hear our views.

41. I hope the Security Council and you yourself, Mr. President, will forgive me for perhaps digressing in what I hope will be otherwise uncontroversial remarks, but I thought it was perhaps necessary to put the record straight as far as the meaning of this resolution was concerned.

42. Mr. LECOMPT (France) (*interpretation from French*): Mr. President, first of all allow me, on behalf of my delegation, to congratulate you and to bid you welcome to the high office that you exercise today for the first time at a formal meeting of the Council and that is also your first experience of participation in these proceedings. We see you as a worthy successor to your predecessor, Mr. Odero-Jowi, with whom we enjoyed friendly relations that we look forward to continuing with you.

43. I should also like to take this opportunity of thanking the Ambassador of Iraq whose work we much appreciated last month during his presidency of the Council when he displayed much talent and authority. In difficult circumstances he conducted our work with a skill and dignity to which my delegation takes pleasure in paying a tribute.

44. Today, the Council has before it the excellent report of the Secretary-General following the mission entrusted to Ambassador Weckmann-Mufioz. My delegation, which participated directly in the preparation of the consensus of 28 February last, since the representative of France was at that time President of the Council, cannot but welcome the results achieved by the Secretary-General and his Special Representative. As previous speakers have noted, they have in fact done remarkable work. If theirs was the main merit, nevertheless the procedure adopted on 28 February last with the accord and support of the parties has proved appropriate. The Council has discharged its responsibilities in a useful manner and we hope that this will bear fruit

accordingly. It is now for the parties concerned, on the basis of the four principles which they have themselves laid down, and which the Council has welcomed in the resolution just adopted, to seek solutions to the disputes between them. My country, which has very close and friendly relations with both parties, looks forward to the full success of their efforts.

45. It goes without saying that the Council will continue to watch developments and will stand ready to lend the parties any assistance of which they may stand in need.

46. Mr. SCHAUFLE (United States of America): Mr. President, first of all permit me to join the previous speakers in expressing my delegation's welcome to you as President of the Security Council for the month of May, and more permanently as the new Permanent Representative of Kenya.

47. The United States welcomes the resolution which the Council has just adopted. We congratulate the Secretary-General and his Special Representative on the successful outcome of their extensive efforts which made this resolution possible. In particular, Ambassador Weckmann-Muñoz has demonstrated great concern, hard work, and diplomatic skill of a high order in the achievement of this success. We believe the fruitful outcome of the efforts of this Council, the Secretary-General and his representative, and the countries concerned, is an excellent example of the effective work for international understanding and peace of which the United Nations and its Members are capable.

48. All too often the successes of the United Nations, such as this one, go unheeded, while its difficulties receive abundant attention. It is therefore appropriate that we note on this occasion that the United Nations has fulfilled the aspirations of its founders in the quiet resolution of potential conflict and the skilful use of its role as a third party through whom nations may find a way to help settle their differences. Should the Secretary-General deem it appropriate we, of course, would welcome information on any further efforts he might be asked to undertake by the parties in accordance with the resolution. Every success of the United Nations in settling potentially dangerous disputes strengthens it for the future. Thus, those countries which can use the United Nations well and effectively in resolving their differences serve not only themselves but the Organization as well.

49. We wish therefore to express our appreciation for the full and close co-operation which both countries concerned have given to the Secretary-General and his representative. Their ready assistance to Ambassador Weckmann-Muñoz in his fact-finding and their constructive and realistic attitudes during their consultations have reduced the tension and clarified the issues between them. This has created an auspicious atmosphere for the bilateral negotiations which they have now agreed to resume promptly. We wish them every success.

50. Mr. KUSUMASMORO (Indonesia): Mr. President, it is a source of great satisfaction to my delegation and to me to be able to welcome you in our midst and to congratulate you upon your assumption of the presidency of the Council

for the month of May. The fact that your arrival as the Permanent Representative of Kenya has coincided with your assumption of the duties as President has undoubtedly increased the difficulties of your position many-fold. Nevertheless, we have been the witness of your outstanding capabilities in your conduct of the informal consultations, which has convinced the members of the Council that the presidency is indeed in excellent hands. It is indeed a matter of gratification also for my delegation, to see the chair occupied by the representative of Kenya. I need not elaborate upon the excellent relations which exist between Kenya and Indonesia, for the deep friendship existing between our two nations is well-known to the international community. The co-operation between Kenya and Indonesia within the non-aligned group, and especially in the Security Council, reflects not only a cordial relationship between the two States, but also a deep sense of international responsibility shared by Kenya and Indonesia.

51. My delegation's thanks and congratulations go also to the outgoing President, Ambassador El-Shibib, who, with great tact, skill and dignity presided over the work of the Council last month.

52. My delegation would like to record its appreciation to the Secretary-General for his cogent report, which is most useful in the consideration of this matter. Our tribute also goes to the Secretary-General's Special Representative, Ambassador Weckmann-Muñoz, whose untiring efforts have contributed substantially to the defusing of the situation which has led to hopeful signs of co-operation that now exist. We are pleased to know about Ambassador Weckmann-Muñoz's appointment as the Secretary-General's Special Representative in Cyprus and trust his new endeavours will be similarly crowned with success.

53. My delegation would further like to express its praise and commendation to the Governments of Iran and Iraq, not only for the restraint exercised by them during the tense situation of last February and March, but also for the steps taken to de-escalate the situation in order to find common grounds for a settlement. It is heartening to note that both Governments are equally desirous of negotiating agreements on such issues as navigation and sharing of river waters to mutual advantage.

54. However, despite these encouraging signs of basic agreement, the report indicates that the situation in some areas nevertheless continues to be tense. Although this is a cause for concern, we are hopeful that the genuine desire of both Governments to de-escalate, coupled with the steps they have agreed to undertake, as incorporated in the resolution, will have the cumulative effect of restoring normal conditions throughout the area. We are further hopeful that the forthcoming negotiations between the parties will soon be held leading to a settlement of all bilateral issues.

55. The initial agreement reached between the parties in this instance should serve as an example, worthy of emulation, of how neighbouring countries, given the will and determination, can usefully attempt to settle their differences in the larger interest of peace.



56. It is in view of the considerations I have set forth that my delegation supported the draft resolution.

57. Mr. EL HASSEN (Mauritania) (*interpretation from French*): Mr. President, I would first wish to welcome you, in a most cordial and brotherly manner, on the occasion of your arrival in New York as the Permanent Representative of Kenya, and also to express my wishes for your complete success in your mission. I feel this all the more strongly because Kenya and Mauritania are two African countries which maintain close relations of co-operation in the Organization of African Unity and here at the United Nations.

58. I also wish to congratulate you on the lofty responsibilities you are assuming as President of the Security Council for this month. You started to exercise those responsibilities on the very morrow of your arrival here, which is not of necessity easy. But your vast experience as a high official in an important regional African organization, your recognized competence and your diplomatic abilities, have enabled you and will continue to enable you to discharge these delicate functions with brilliance.

59. Allow me, too, to pay a heartfelt tribute to the dignified and remarkable manner in which your predecessor guided our work during the last month.

60. My delegation supported the draft resolution in document S/11299 because it seems to us that it is an approach based on mutual understanding and the quest for a peaceful solution to a situation of conflict, and as such it cannot but meet with the support of my Government. Furthermore, this text has been accepted by the two parties concerned.

61. My delegation is convinced that the method adopted by Iraq and Iran for the settlement of their dispute will further consolidate their century-old relations of friendship and co-operation. It is therefore a very happy outcome, in the opinion of my delegation, that Iraq and Iran have committed themselves to this course of dialogue and peacefulness. We are the more pleased because Mauritania maintains very close ties of friendship and solid ties of co-operation with these two brother countries.

62. Before concluding, I should like to express the gratitude of my delegation to the Secretary-General, and its great appreciation for the excellent report submitted to us. We are also very grateful to the Special Representative of the Secretary-General, Ambassador Weckmann-Muñoz, whose efforts have, without a doubt, made possible the fortunate results which have been put before us today.

63. Mr. JANKOWITSCH (Austria): Mr. President, it is a two-fold pleasure for my delegation to congratulate you on your assumption of the presidency of the Security Council for the month of May and to welcome you at the same time to the United Nations as the newly appointed Permanent Representative of Kenya, a country to which Austria feels bound by profound ties of friendship and trust. Indeed, Austria and Kenya over the past years have initiated close and fruitful technical and economic co-oper-

ation, built on mutual interest and understanding, an understanding perhaps facilitated by the common characteristics of Alpine Austrians and mountain Kenyans. The very first month of your presence at the United Nations has conferred upon you high distinction and a considerable burden. My delegation and I personally are looking forward to co-operating with you in the United Nations, and especially in the Security Council, in the spirit of friendship characteristic between our two countries.

64. I should also like to associate myself with the expressions of appreciation and gratitude addressed to the President of the Council for the month of April, the distinguished and talented representative of Iraq, Ambassador El-Shibib. He held the presidency in a busy and most difficult period and discharged his duties with admirable skill and dedication.

65. We have met today to consider a report by the Secretary-General concerning recent disputes and recent incidents which arose between two States Members of the Organization. For all of us here—and Austria is no exception—this dispute was a matter of concern and of deep regret. As far as Austria is concerned, my country has been able to build close and most confident relations with both countries concerned. The excellent state of relations between Austria and Iran has been demonstrated by repeated and highly appreciated visits of his Imperial Majesty the Shahinshah to Austria and by broad and most fruitful economic co-operation. No less ancient and close are the relations my country maintains with the Republic of Iraq and its distinguished leaders, many of whom have visited Austria in the past years. Especially in the field of economic relations, Austria and Iraq have co-operated extensively.

66. Both countries, Iran and Iraq, are dedicated to a vast programme of national construction, and keen and eager to maintain momentum in this process. Furthermore, the dispute which arose between them goes back far into history and is not of the making of the parties. However, the report now before us hopefully constitutes a concluding chapter of a period of tension and is at the same time the opening chapter in a new phase of friendly, neighbourly relations between the two countries concerned. If this is so—and this is our hope—then we can safely say that the Council has done a good job and lived up to its main task: the maintenance of international peace and security.

67. In the discussions the Council held in February, both formally and informally, encouraging signs very soon emerged showing that despite existing differences both parties were genuinely willing to solve their dispute by peaceful means. This very fact and the statesmanlike attitude of both sides, especially that of their distinguished representatives in this chamber, Ambassador Hoveyda on the one side, and Ambassador El-Shibib on the other side, made it possible for the Council to adopt a consensus on 28 February [1764th meeting]. This action, in our view, is a model for the potential of United Nations involvement for peace, provided two sides to a conflict not only are willing to solve their problems by peaceful means, but also are prepared to use United Nations machinery, the vast and extensive potential of the United Nations, in the very

capacity for which it was created by our founding fathers in San Francisco.

68. In looking at the report before us, I feel one can safely say that our expectations of 28 February have been fulfilled—and this within the reasonably short time and within the dates set by the Council.

69. The Secretary-General made an excellent choice indeed in appointing Ambassador Weckmann-Muñoz as his Special Representative for this difficult and delicate task. Ambassador Weckmann-Muñoz has submitted a most interesting report, which gives high credit to his diplomatic skill and abilities, and I should therefore like, with your permission, Mr. President, to pay a warm tribute to Ambassador Weckmann-Muñoz and his associates.

70. We fully share his findings and conclusions, which convincingly show that through this mission a number of facts previously unknown—and perhaps even not fully assessed as such by the parties—were brought to light, and thus a number of sources of misunderstanding could be eliminated. Most important, however, are the four points on which both Governments have agreed and which form the integral part of the resolution just adopted by the Council and fully supported by my delegation.

71. Only a combination of both elements, genuine political will of the two Governments concerned and the utilization of the possibilities and machinery of this Organization, could make such an encouraging outcome of this mission possible.

72. Today's action by the Security Council concludes our consideration of this matter, but, at the same time, hopefully opens the road wide towards a comprehensive settlement of all bilateral issues between the two countries concerned. Let us hope that the frontier of peace and understanding, the frontier of genuine good-neighbourly and confident relations, will soon replace the existing area of unfortunate tension.

73. Mr. SMIRNOV (Byelorussian Soviet Socialist Republic) (*translation from Russian*): My delegation would like to begin its brief statement by expressing its satisfaction at seeing you in the post of President of the Security Council, and would also like to express the hope that under your able guidance the Council will be able to make progress in solving the problems before it.

74. We should also like to congratulate our colleague from the Iraqi delegation, Ambassador El-Shibib, on his successful discharge of the duties of President of the Security Council last month.

75. The Council has just adopted without objection a draft resolution which undoubtedly may serve as a powerful stimulus to the solution at the negotiating table of the disputed frontier questions between Iran and Iraq.

76. It is now obvious to everyone that this encouraging decision was made possible by the adoption by the Security Council at its 1764th meeting on 28 February this year of a consensus on this question. The Council appraised in a

timely and objective manner the danger to peace and stability in the region of the situation which had developed. It appealed to the parties to refrain from all military action and from any move which might aggravate the situation. This collective decision once again reaffirmed the fundamental principles of the Charter regarding respect for the territorial sovereignty of States and the pacific settlement of disputes and the duty of all States to fulfil their obligations under the Charter and the universally recognized norms of international law.

77. The spirit of co-operation with all members of the Security Council which was shown by the two States and their determination to help de-escalate the prevailing situation and to improve their relations should be noted. Our delegation also took part in the consultations which were held amongst members of the Council with a view to reaching a consensus on this question.

78. My delegation shares the view of other delegations that the activity of the Secretary-General in implementing the Security Council's decision to conduct an investigation of the events through his Special Representative, Ambassador Weckmann-Muñoz, made an important contribution to the achievement of agreement between the parties to take specific steps towards eliminating possible armed conflicts.

79. The position of the Byelorussian SSR on the question of the renunciation of the threat or use of force in relations between States has long been well known. We advocate that all disputes, including border disputes, should be settled by States through peaceful means, through negotiations. Our delegation considers that the resolution adopted by the Council meets these desires of the conflicting parties and we therefore voted in favour of it.

80. We hope that the parties will take the necessary steps as soon as possible for the practical implementation of the agreement reached between them and will thus make a definite contribution to the further easing of international tension.

81. In this connexion, we support the agreement reached between Iran and Iraq on a strict observance of the 7 March 1974 cease-fire agreement; prompt and simultaneous withdrawal of concentrations of armed forces along the entire border, in accordance with an arrangement to be agreed upon between the appropriate authorities of the two countries; the creation of a favourable atmosphere conducive to implementing the agreement reached on refraining totally from any hostile actions against each other; and an early resumption, without any pre-conditions, at the appropriate level and place, of conversations with a view to a comprehensive settlement of all bilateral issues.

82. Lastly, with regard to paragraph 4 of the resolution, we should like to state that there has always been a link between the Secretary-General and the Security Council in the implementation of Council resolutions and the solution of questions discussed in the Council. This link has existed and will always continue to exist as an objective fact, irrespective of the wishes or reluctance of any delegation. This is now an objectively existing situation which, as

experience has shown, will yield favourable results. That is why my delegation understands that, if the parties apply to the Secretary-General for assistance, the nature and extent of such assistance will be determined by the Security Council.

83. Sir Laurence McINTYRE (Australia): Mr. President, let me first of all welcome you officially to the presidential chair of this Council and congratulate you on the dignified and resolute way in which you have entered on your duties as President, especially bearing in mind the circumstances in which you have been called upon to undertake the presidential duties. We have a word—an informal word—"unflappable", which, I think, aptly describes the calm and unpanicky way in which you have conducted our business up to this point. Let me also pay a tribute to your predecessor in the presidential chair, Ambassador El-Shibib, who, in circumstances that were not always easy for him, conducted the business of this Council in a dignified and, I think, wholly impartial manner, to the satisfaction of all of us.

84. My delegation welcomes this resolution and has had no hesitation in supporting it. We do so bearing in mind the quite active part that my delegation played in the proceedings of the Council when we first came to consider the item before us in February last. I think we must all feel a sense of gratification that both parties have been able to reach agreement—agreement first of all in accepting the recommendations of the report of Ambassador Weckmann-Muñoz, the Secretary-General's Special Representative, and may I at this point express what I believe are the thanks of all the members of the Council for the excellence of Ambassador Weckmann-Muñoz's report, which, I think, is a credit to him and a testimony, I am sure, to the patient work he has devoted to the task that was given to him. Secondly, I think we should be gratified that both the parties principally concerned have been able—as a result, I am sure, of careful, patient negotiations between them with the assistance of the President—to agree on the terms of this resolution. Both parties deserve our congratulations, and the Council has, I think, fulfilled its responsibilities by adopting this resolution. I believe that the Council, in view of the circumstances, might well have been less than responsible if it had failed to adopt and accept this text.

85. It is my confident hope that this resolution is preparing a climate in which Iraq and Iran can settle all their outstanding boundary and other problems without any further resort to the use of force. If they should need in the future to call at any time on the Secretary-General for his assistance, members of the Council can, I feel sure, expect that the Secretary-General will keep the Council informed of what he is asked to do and what he proposes to do in the interest of agreement between the parties in resolving any outstanding problems between them.

86. Mr. STUBBS (Peru) (*interpretation from Spanish*): Mr. President, may I first of all pay a tribute to Ambassador El-Shibib of Iraq, who was President of the Council during the month of April and presided with dexterity, distinction and impartiality. I also wish to associate myself with representatives who have welcomed you here as you take up your new functions as the Permanent Representative of

Kenya to the United Nations, and in particular, as President of the Council for this month. In the informal consultations you have already evinced your special skills for the post you now hold.

87. The delegation of Peru is pleased that the consensus of the Council of 28 February last has brought about such positive results. Praise is due to the active work of the Special Representative of the Secretary-General, Ambassador Weckmann-Muñoz, who made it easier for both parties to the dispute to agree on the essential points which are to constitute the basis for the general agreement and settlement of their bilateral questions.

88. The Secretary-General's report rightly illustrates which are the main problems faced by both parties. My delegation voted in favour of the draft resolution because it places the bilateral problem in its proper context so that it can be solved in the best possible way whereby the parties, in accordance with the rules laid down by themselves, will reach an agreement. With this the Council has fulfilled its duties, and my delegation is most happy that this is so.

89. The PRESIDENT: May I now make a short statement as the representative of KENYA. My delegation was indeed placed in a very difficult and delicate position when the question we are discussing came up in the Security Council last February. Both Iraq and Iran are fellow members of the Group of 77, and my Government has the closest and friendliest relations with both countries. It is therefore with a great sense of relief that we note that both countries, motivated by a sense of duty to dedicate themselves to solving their differences peacefully, have co-operated fully with the representative of the Secretary-General.

90. My delegation wishes to express its appreciation for the efforts of Mr. Weckmann-Muñoz in producing the report that is before the Council. We know that a lot of work has gone into the production of the report and, as we have all seen, the report is not restricted merely to fact-finding. It is the type of report which can come only from a dedicated servant of the United Nations.

91. The resolution we have adopted is the result of strenuous efforts by all of us in the Council and the Government of Iran. It expresses the willingness of the two parties to solve their differences through peaceful measures and to de-escalate the tense atmosphere in the area.

92. A large burden in carrying out the terms of the resolution falls on the two Governments, and we are sure that with patience and goodwill on both sides a solution will be found.

93. Paragraph 4 of the resolution links the United Nations with the peaceful efforts, and I am sure the collective membership of the United Nations will spare no effort to help both parties should the need arise.

94. As PRESIDENT, I now call on the representative of Iran.

95. Mr. HOVEYDA (Iran) (*interpretation from French*): Mr. President, allow me first of all to associate myself with

the members of the Council who have addressed congratulations to you. You yourself have referred to the very fine relations between Kenya and my own country, and I need not, therefore, add anything.

96. The Secretary-General and his Special Representative know well the great esteem in which I hold them. I should like only to wish Ambassador Weckmann-Muñoz all success in his new duties only recently announced.

97. With the adoption of the draft resolution the Security Council brings to an end its consideration of an occurrence on our border which now, after the investigations made by Ambassador Weckmann-Muñoz, can be seen within a different perspective. Moreover, the Special Representative's investigation has, as all members are aware, a spin-off in the form of a bilateral agreement between Iran and Iraq. The Governments of two peoples with many cultural and spiritual affinities have at last agreed on the steps to be taken to permit the opening of a dialogue from which we hope a comprehensive arrangement covering all the issues between them may emerge. The resolution the Council has adopted today welcomes this bilateral agreement between the parties and expresses the hope that they will as soon as possible take the necessary steps to implement it.

98. On the instructions of my Government, I wish now to make some brief comments on the resolution and on the report of the Secretary-General. First, I wish it to be clear that we look upon the four points mentioned in the resolution as a purely bilateral agreement between Iran and Iraq. The recital of those four points in the Council's resolution is nevertheless not inappropriate since the agreement between the two countries did, after all, come about as a side effect of Ambassador Weckmann-Muñoz's mission and is reported by him and by the Secretary-General in their respective reports. But that takes away nothing from the purely bilateral nature of the agreement.

99. Secondly, it seems appropriate in this forum and at this time to make it plain that we look upon the four points as agreement on how to proceed from where we are to where we should like to go. The agreement looks to the possibility of dialogue; it describes the steps to be taken in order to be able to begin such an exchange. The path to the negotiating table leads through faithful observance of the undertakings in points (a), (b) and (c) listed in paragraph 2 of the resolution. That is the context in which we consider paragraph 3 of the resolution. In that connexion I must emphasize with regret that in spite of the fact that this agreement between the parties was reached over a month ago Iran continues to be exposed to unmitigated hostile propaganda from Iraq. We are, of course, accustomed to that kind of propaganda. But, as was made clear to our neighbour through Ambassador Weckmann-Muñoz, such conduct is not conducive to the dialogue Iraq has declared itself ready to engage in with Iran.

100. Having made those observations about the resolution just adopted, I must add that I cannot in clear conscience say before this Council that I am unreservedly satisfied with the outcome of the debate. To the extent that this quarrel, rather than having been escalated, has ended up in an

agreement between the parties, we are of course gratified. But can we altogether forget the fact that we were branded aggressor here in this Council by our neighbour whereas, as the findings of the Secretary-General's representative bear out, we could have justly been the plaintiff? Are we not therefore within our rights to put the record straight? Through the conclusions of the representative of the Secretary-General it is now clear to all members of the Council that the scene of the bloody clash between Iran and Iraq of 10 February, which resulted in more than 100 dead and wounded on each side, was within Iranian territory. That fact establishes beyond any doubt that the most serious of the border incidents along the Iran-Iraq frontiers, the scope and dimension of which warranted a meeting of the Security Council on 15 February, was the result of an Iraqi attack on and penetration into Iranian territory. The Government of Iran cannot but view with consternation the fact that the Council has passed over in silence the implications of that finding.

101. In making this clarification, however, I do not, you may rest assured, seek to open old wounds or to engage in polemics. We wish to turn away from an unhappy past to the future, which is what really counts, since it is to some extent within our power to shape it.

102. It has always been our position that the entire range of problems between our two countries could be resolved only through bilateral negotiations and that no other way held any prospect of success. We are gratified that that view was finally upheld. It now remains to take the steps envisaged in the agreement we have concluded leading to negotiation. The successful implementation of those steps will be the most tangible proof of the good faith of each side. For our part, we are resolved to show our good faith by our conduct. We expect the same of Iraq.

103. Mr. EL-SHIBIB (Iraq): Mr. President, it gives me great pleasure to welcome you as the Permanent Representative of Kenya and to say how gratified my delegation is to see you presiding over our deliberations, particularly so because my country enjoys warm and friendly relations with Kenya, in addition to the fact, which you yourself have mentioned, that we belong with you to the Group of 77 as well as the group of non-aligned countries. I should like also to thank you for the very kind words you have addressed to me. I also wish to express my deep gratitude to my colleagues who saw fit to address such warm and kind sentiments to me for the work I have done while I was occupying the chair of President of the Council.

104. My delegation wishes first of all to express its gratitude for the action of the Council when it adopted its consensus on 28 February 1974 and decided to take positive action on the complaint brought by my country before this Council. We are once again gratified by the dispatch with which the Council has dealt with the report of the Special Representative of the Secretary-General and the resolution that emanated as a result of that report. Our gratitude goes no less to the Secretary-General for his choice of such a distinguished and able man, a man of great wisdom and great integrity, namely, Mr. Weckmann-Muñoz. We should like also to mention the excellent work done by his assistant, Mr. Homann-Herimberg, of the Secretariat. My

thanks also go once again to the Secretary-General for the dispatch with which he has been kind enough to inform my Government of resolution 348 (1974), which the Council has just adopted.

105. These were the only comments I wished to make on the report and the resolution. However, since my colleague from Iran has brought forward fresh and, unfortunately, contentious points, I feel that I have to reply briefly.

106. Let me say first of all that—to paraphrase the words of Mr. Richard of the United Kingdom, which have been echoed by other members—the manner in which the Council has dealt with this question provides an excellent example of the use to which the machinery of the United Nations can be put. We are particularly gratified at these remarks because my country felt it its duty to bring before the Council a tense and potentially dangerous situation.

107. We are in general very pleased and satisfied with the report and the findings of the Special Representative of the Secretary-General. With wisdom and with vision he studied the situation on the ground, looked at the events in their true perspective and saw their historical unfolding. It was not a mere incident that was brought before this Council in February but a series of events which took their most serious form when Iran abrogated the 1937 Border Treaty between the two countries in 1969. This dark event naturally led, as it was obvious it would, to the bloody and serious fighting which took place during February. We are happy that Mr. Weckmann-Muñoz reported that the situation appeared calm and that both parties claimed to have given strict instructions for a complete observance of the cease-fire agreement. As far as my country is concerned, I should like to assure the Council that it will hold to strict observance of the cease-fire, which we proposed in the first place, and we also hope that our neighbour, Iran, will do likewise.

108. In regard to the resolution that has just been adopted, we feel that the four-point agreement which was reached as a result of the efforts of the Special Representative and by the use of the Secretary-General's good offices has been endorsed in the resolution. As far as my Government is concerned, we will enter into fulfilment of the steps specified in good faith and good will and we also hope that this good faith and good will will be reciprocated by our neighbour.

109. Finally, we thank the Council particularly for paragraph 4, which allows the parties to avail themselves of the assistance of the Secretary-General when it is required.

110. The PRESIDENT: I call on the representative of Iran.

111. Mr. HOVEYDA (Iran) (*interpretation from French*): I shall be extremely brief. I take due note of the statement made by my colleague from Iraq concerning the fact that his Government intends strictly to comply with the points of the bilateral agreement concluded with Iran. My colleague from Iraq has once again mentioned the abrogation of the 1937 treaty, and I wish to put the record straight. The agreement has not been abrogated; but it has become

obsolete because Iraq for 32 years has not applied certain very important provisions of it. I shall not take up the time of the Council, since our position on this question has been explained in detail in the communications we have addressed to the President of the Security Council in recent years.

112. Mr. EL-SHIBIB (Iraq): I should like to express my appreciation and to note the statement that the representative of Iran has just made that the treaty of 1937 has not been abrogated.

113. Let me, with regret, refer to the accusation against my Government that it is indulging in unmitigated hostile propaganda—to use the words of the representative of Iran. It is not the intention of my Government to indulge in unmitigated hostile propaganda, but it feels that it has to inform the public about certain facts. If they unfortunately appear to be not to the liking of one or another party, that is something we cannot help. It is the nature of the facts themselves that gives them their importance.

114. I should like also to refer to paragraph 35 of the report by the Special Representative of the Secretary-General, particularly the last sentence relating to the Khanaqin-Badra/Qasr-e-Shirin-Mehran sector and the Iraqi interpretation of that border area. I should like also to refer to paragraph 36, which states that, in view of the observations made by the Special Representative, neither Government in principle had territorial claims along the land frontier.

115. I should like to say on behalf of the Government of Iraq that we have no territorial claim on our neighbour along the entire frontier, that we strictly observe the territorial integrity and the sovereignty of Iran. We expect that our future relations will be based on the principles of good neighbourliness, strict observance of each other's sovereignty and territorial integrity, strict non-interference in each other's internal affairs and strict respect for international agreements and the obligations upon each party emanating from them.

116. The PRESIDENT: I call on the representative of Iran.

117. Mr. HOVEYDA (Iran) (*interpretation from French*): The paragraph of the report of the Special Representative of the Secretary-General to which the representative of Iraq has just referred clearly shows that the scene of the incident on 10 February 1974 took place on the territory of Iran. I am taking note of what my colleague from Iraq said in regard to the subsequent paragraph, namely, paragraph 36. Iran has no territorial claim in respect of Iraq either. But I am bound to add that the representative of Iraq, in his statement, once again referred to the 1937 Treaty, and I should like to repeat that the treaty died of natural causes, so to speak, because Iraq refused to apply important provisions of it for 32 years.

118. The PRESIDENT: Before I call on the representative of Iraq, I might, perhaps redundantly, point out that paragraph 2 (*d*) of the resolution contains a provision under which the conversations will continue. I would ask that this be borne in mind.

119. Mr. EL-SHIBIB (Iraq): All I wish to say is that the death of treaties must be a new term in international law. I am sure it will be read with amusement by future legal minds when they tackle international problems.

120. The PRESIDENT: Perhaps I need not repeat my statement as I call on the representative of Iran.

121. Mr. HOVEYDA (Iran) (*interpretation from French*): I regret that my distinguished colleague from Iraq jokes about such serious subjects. However, I completely agree with your remark, Mr. President. These are bilateral problems which only the parties can settle by bilateral negotiations.

*The meeting rose at 5.15 p.m.*



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