



Security Council

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LETTER DATED 8 JANUARY 1982 FROM THE PERMANENT REPRESENTATIVE OF
JORDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

I have the honour to transmit a letter addressed to you by the Secretary-General of the Organization of the Islamic Conference dated 7 January 1982 on the occasion of the Council's consideration of the item "The situation in the occupied Arab territories".

It would be appreciated if you could circulate this letter as a document of the Security Council.

(Signed) Hazem NUSEIBEH
Ambassador
Permanent Representative

Annex

Letter dated 6 January 1982 from the Secretary-General of the
Organization of the Islamic Conference addressed to the
President of the Security Council

I have the honour to commend the Security Council on its efforts, at the current series of meetings convened in accordance with the decisions adopted on 17 December 1981 after the annexation by Israel of the Syrian Golan, to implement the decisions of the international community and thereby secure the observance of international law.

Sir, the Organization of the Islamic Conference hopes, like almost the whole of the international community, that these efforts will bring about, before it is too late, the establishment of just and lasting peace in the Middle East.

To that end, we believe that the sanctions which are essential, given the deliberate bad faith of Israel and its consistent refusal to comply with the many mandatory decisions of the Security Council and innumerable resolutions of the General Assembly, should be taken immediately.

That would, in any event, be consistent with the Charter of the United Nations and with the concern of all of us for international peace and security, because when a Member State violates the provisions of or deliberately refuses to implement the resolutions of the Security Council or the General Assembly, the United Nations is obliged to take against that Member the measures prescribed for that purpose.

Moreover, the Security Council, with its primary responsibility for maintaining peace, can, as you know, under Chapter VII of the Charter decide, in the event of any threat to the peace, breach of the peace or act of aggression, to take the necessary measures to restore international peace and security. In this instance international peace and security are being endangered by Israel.

The Security Council resolution adopted in December 1981 on Israel's decision to impose its sovereignty on the Syrian Golan Heights, despite the provisions of the Charter and the universally accepted norms of international law, was unequivocal: the Council considered the Israeli decision null and void because it manifestly and dangerously violated, in particular, the Geneva Convention of 12 August 1949, and The Hague Regulations of 1899 and 1907 respecting the Laws and Customs of War, which categorically prohibit the annexation of territories occupied as the result of war.

Military occupation must be only temporary. Accordingly, international jurisprudence considers that by annexing an occupied territory the occupying State commits an international offence. In this respect the gravity and the dangerous consequences for international peace and security of the Israeli decision have been recognized by the Security Council, since at the same time as it condemned the annexation of the Golan it undertook to meet again on 5 January 1982 to consider

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taking appropriate measures in accordance with the Charter of the United Nations in the event of non-compliance by Israel with the Council's decision of 17 December 1981, inasmuch as Israel, as a Member of the United Nations, has undertaken to accept and apply the Charter of the United Nations.

Sir, the members of the Council must yield to the facts by finding that Israel is once again intending to defy the will of the international community, international law and the Charter of the United Nations, which every State Member of the Organization solemnly committed itself to respect when it was admitted to membership.

It therefore appears highly desirable to us that the Security Council should finally adopt firmer, more vigorous and more effective measures against Israel. To do otherwise would be to encourage Israel to continue the pursuit of its expansionist plans to annex Arab territories in a Middle East which would be forever condemned to a situation of explosive tension, with unpredictable consequences.

It is time, Sir, for the Council to be put in a position to shoulder its responsibilities in order that the annexation of the Golan, following that of Jerusalem, may not set a precedent which would damage international peace and security.

I am convinced, Sir, that the Council is aware of its responsibilities (with regard to this question). It has no right to create a dangerous precedent by disappointing the hopes of the international community, which are founded on necessary respect for international law, international conventions and the Charter. I am convinced that the Council will impose the sanctions provided for in the Charter in pursuance of its resolution 497 of 17 January 1981.

Highest consideration.

(Signed) Habib CHATTY
Secretary-General of the Organization
of the Islamic Conference
