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**2329<sup>th</sup>** MEETING: 20 JANUARY 1982

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#### NOTE

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## 2329th MEETING

Held in New York on Wednesday, 20 January 1982, at 4 p.m.

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

*Present:* The representatives of the following States: China, France, Guyana, Ireland, Japan, Jordan, Panama, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

### Provisional agenda (S/Agenda/2329/Rev.1)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:
  - (a) Resolution 497 (1981);
  - (b) Report of the Secretary-General (S/14821)

*The meeting was called to order at 4.50 p.m.*

### Adoption of the agenda

*The agenda was adopted.*

#### The situation in the occupied Arab territories:

- (a) Resolution 497 (1981);
- (b) Report of the Secretary-General (S/14821)

1. The PRESIDENT (*interpretation from Russian*): In accordance with decisions taken at previous meetings [2322nd to 2325th and 2327th meetings], I invite the representative of Israel and the representative of the Syrian Arab Republic to take places at the Council table; I invite the representatives of Afghanistan, Algeria, Bangladesh, Bulgaria, Burundi, Cuba, Czechoslovakia, Democratic Yemen, the German Democratic Republic, Greece, Hungary, India, Indonesia, Iraq, Kuwait, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Mauritania, Mongolia, Morocco, Nicaragua, Oman, Pakistan, Portugal, Qatar, Saudi Arabia, Senegal, Sri Lanka, the Sudan, the Ukrainian Soviet Socialist Republic, the United Arab Emirates, Viet Nam, Yemen and Yugoslavia to take the places reserved for them at the side of the Council chamber; I invite the representative of the Palestine Liberation Organization to take the place reserved for him at the side of the Council chamber.

*At the invitation of the President, Mr. Blum (Israel) and Mr. El-Fattal (Syrian Arab Republic) took places at the Council table; Mr. Zarif (Afghanistan), Mr. Bed-*

*jaoui (Algeria), Mr. Kaiser (Bangladesh), Mr. Tsvetkov (Bulgaria), Mr. Bwakira (Burundi), Mr. López Del Amo (Cuba), Mr. Sija (Czechoslovakia), Mr. Ashtal (Democratic Yemen), Mr. Florin (German Democratic Republic), Mr. Ghikas (Greece), Mr. Rácz (Hungary), Mr. Krishnan (India), Mr. Djalal (Indonesia), Mr. Al-Ali (Iraq), Mr. Abulhassan (Kuwait), Mr. Kittikhoun (Lao People's Democratic Republic), Mr. Muntasser (Libyan Arab Jamahiriya), Mr. Ould Sid' Ahmed (Mauritania), Mr. Dashtseren (Mongolia), Mr. Mrani Zentar (Morocco), Mr. Bendaña Rodríguez (Nicaragua), Mr. Sulaiman (Oman), Mr. Mahmood (Pakistan), Mr. Medina (Portugal), Mr. Jamal (Qatar), Mr. Allagany (Saudi Arabia), Mr. Sarré (Senegal), Mr. De Silva (Sri Lanka), Mr. Abdalla (Sudan), Mr. Kravets (Ukrainian Soviet Socialist Republic), Mr. Al-Qasimi (United Arab Emirates), Mr. Ha Van Lau (Viet Nam), Mr. Mubarez (Yemen) and Mr. Komatina (Yugoslavia) took the places reserved for them at the side of the Council chamber; Mr. Terzi (Palestine Liberation Organization) took the place reserved for him at the side of the Council chamber.*

2. The PRESIDENT (*interpretation from Russian*): I should like to inform the members of the Council that I have received a letter from the representative of Grenada in which he requests 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 that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

*At the invitation of the President, Mr. Taylor (Grenada) took the place reserved for him at the side of the Council chamber.*

3. The PRESIDENT (*interpretation from Russian*): Members of the Council have before them document S/14832/Rev.1, which contains the text of a revised draft resolution sponsored by Jordan.

4. I should like to draw the attention of members of the Council to document S/14838 and Corr.1, containing the text of a note verbale dated 15 January from the representative of Cyprus to the Secretary-General.

5. The first speaker on my list is the representative of Grenada. I invite him to take a place at the Council table and to make his statement.

6. Mr. TAYLOR (Grenada): Mr. President, I should like to extend to you warmest felicitations on your accession to the presidency of the Council for the month of January. I am convinced that your diplomatic competence, your vast experience as a negotiator and your profound attachment to the causes that are just will serve the international community well in this time of great danger and crisis. I should also like to take this opportunity to convey my delegations's thanks to you, and through you to the members of the Council, for having afforded me an opportunity to address this body on the item now under consideration.

7. I should also like to pay a well deserved tribute to your predecessor, Mr. Otunnu of Uganda, for the exemplary manner in which he performed his duties as President for the month of December.

8. I should also like to take this opportunity to congratulate Mr. Javier Pérez de Cuéllar on his election to the exalted post of Secretary-General. We wish him success in the discharge of his many onerous tasks. We wish the outgoing Secretary-General, Mr. Kurt Waldheim, all success in his future endeavours.

9. In the view of this delegation, many delegations preceding us have condemned the most recent Israeli monstrosity with appropriate language and zeal. Our decision to speak, therefore, was not primarily to add anything novel to the substance of this debate, but because we believe that silence on a matter as grave as the annexation of territory is tantamount to a sort of suicide. Silence would most certainly encourage and entice zionism and its allies in their expansionist and annexationist drives.

10. Those of us who are students of history have witnessed over the past three decades the unfolding of a tragic story in the Middle East, with each episode acted out with more confidence, more arrogance and more violence on the part of Israel. Every new scene, every new act, brings the indiscriminate murder and destruction of innocent Arab men, women and children.

11. Today we are forced to ask aloud: how many more Arab villages must be razed to the ground before Zionist Israel is censured? How many more innocent women and children must die before we take firm and decisive action to punish Israel for its misdeeds? How many more cultures must be bulldozed away before we act in defence of the victimized?

12. This delegation believes that we must act now, for history warns us that the appetite of expansionists and annexationists cannot be sated.

13. Today this delegation reaffirms its unflinching support for the victims of Zionist aggression. We reiterate without equivocation that, whereas zionism

is perhaps the principal actor on stage in the perpetration of violence against the Arab people, its supporters and abettors are behind the curtain whispering the next lines.

14. Zionism is perhaps the most visible actor, but we should note that the directors of this sordid story are working frenetically backstage brushing up the costumes of death and are engaged in such activities to ensure that the cast gives a perfect rendition. Thus the Israeli crimes against the Arab peoples cannot be adequately addressed until we vigorously denounce those who are collaborating with Israel in the commission of those hideous acts of violence.

15. In his statement at the thirty-sixth session of the General Assembly, the Minister for Foreign Affairs of Grenada, Mr. Unison Whiteman, stated:

"Grenada, in unhesitatingly denouncing zionism as a form of racism, denounces at the same time the parties that equip Israel with the deadly, sophisticated weapons it utilizes to maintain the racist system of zionism and to perpetrate vicious acts of aggression against the Palestinian people and the sovereign independent States of the Middle East."

16. The United Nations is bound by its Charter to expose and denounce the perpetrators as well as those who condone the crime. My delegation therefore reiterates the request of the Movement of Non-Aligned Countries to the Council [S/14829, annex] to take appropriate measures under Chapter VII of the Charter of the United Nations, in order to oblige Israel to restore all Syrian occupied territories to the full sovereignty of the Syrian Arab Republic and to withdraw from all Arab territories, including Jerusalem. This is a necessary prerequisite for the restoration of the inalienable rights of the Palestinian people over its national territory and for the establishment of a just and lasting peace in the Middle East.

17. Mr. KAMANDA wa KAMANDA (Zaire) (*interpretation from French*): May I first of all, Mr. President, congratulate you most warmly on your election to the presidency of the Council for the month of January 1982. We are familiar with your personal qualities and devotion and the special interest which the Government of the Union of Soviet Socialist Republics has demonstrated in the quest for effective solutions to some of the major international problems and the maintenance of international peace and security, which lead us to believe that your presidency will open up for the year 1982 an era of fruitful dialogue and co-operation based on trust in international relations.

18. Quite naturally, I should also like to congratulate your predecessor, Mr. Olara Otunnu, who presided over the Council with great distinction and talent, which earned him the admiration of his peers.

19. I should also like most warmly to congratulate the new Secretary-General, Mr. Javier Pérez de Cuéllar, on his unanimous election and assure him of Zaire's full support in the accomplishment of his task. It was with full confidence that Africa saw him take up his functions as Secretary-General and we are convinced that we will have every reason to rejoice in co-operating with him throughout his term in the interest of the achievement of the objectives of the United Nations. We are also happy to see a man of the third world at the head of the Organization, for matters of concern to him are of concern to us also.

20. May I now pay a warm tribute to his predecessor, Mr. Kurt Waldheim, who in the last 10 years has made a remarkable contribution to the achievement of the objectives of the United Nations. His perfect distinction and endless efforts for the maintenance of international peace and security and the reduction of tensions in the world will undoubtedly go down in history as a major contribution to the global task of the United Nations.

21. I should like to thank you, Mr. President, as well as the members of the Council who have spoken before me, for welcoming the delegation of Zaire as it takes its seat at the Council table.

22. The mandate conferred upon us by the General Assembly, in the context of the United Nations, assigns to us specific tasks and functions whose purpose is the fulfilment of the responsibility and main task of the Council—that is, the maintenance of international peace and security. For this purpose the Charter of the United Nations authorizes us to act on behalf of all the Members of the Organization and prescribes that, in the accomplishment of our mission, we work in keeping with the goals and principles of the United Nations.

23. The people and Government of Zaire, whose traditions of openness, tolerance and dialogue, which go back to the dawn of time, were confirmed in the 16th century when the Kingdom of the Congo maintained diplomatic relations with the Netherlands, the Holy See, Brazil and Portugal, took it upon themselves, from 30 June 1960, to abide by the purposes and principles of the Charter as rules of conduct and are convinced that the most solid foundation for international peace and security lies in the implementation of these principles. It is that conviction which will guide our activity in the Council.

24. The delegation of Zaire will therefore uphold and maintain the authority, prestige and respect of the Council, for we know that the system of collective security that is both the goal and the very *raison d'être* of the United Nations is based upon its firm and constructive action.

25. May I associate myself with the congratulations that have been addressed to the five members of the Council whose terms have recently expired—the

representatives of the German Democratic Republic, Mexico, Niger, the Philippines and Tunisia. They have established traditions of quality and a line of conduct that Zaire will endeavour to follow.

26. My country occupies one of the three seats allotted to Africa in the system of geographic distribution. May I therefore be permitted to extend special congratulations to our two African predecessors, Mr. Idé Oumarou, of the Niger, and Mr. Taieb Slim, of Tunisia.

27. It is a coincidence worthy of the many surprises of history that Zaire succeeds, in the Council, Tunisia, the country that brought it to the baptismal font of the United Nations and that, because it represented our interests, submitted to the Council, on 7 July 1960, draft resolution S/4377, which became resolution 142 (1960), concerning the admission of the Republic of the Congo, now Zaire, to the United Nations. This coincidence is particularly moving since I succeed Mr. Taieb Slim, brother of the late Monji Slim, who on 7 July 1960, in this very forum, said:

“The date 30 June 1960 will be remembered as an auspicious one in the annals of African history.

“ . . .

“The many affinities and the brotherly friendship between the Tunisian and Congolese people confer upon me the privilege of submitting the candidacy of the Republic of the Congo in the hope that the Council will favourably recommend it to the [General] Assembly.” [872nd meeting, paras. 20 and 22]

28. I should like to tell Taieb Slim that his extraordinary qualities of heart and mind, his patience and tact will always serve as an example for us.

29. Although only 21 years have passed since Zaire's accession to independence, my country is fully aware of the responsibilities entrusted to it by Member States.

30. Therefore, to the United Nations in general, to the Security Council in particular, to all those who contributed *inter alia* to the successful outcome of the United Nations operation in the Congo and to make of that operation a success, and especially to all those who helped us and who lost their lives there, we say from the bottom of our heart: thank you.

31. We of Zaire are greatly devoted to the principles, goals and objectives of the Charter. It is now more than ever our intention to make our modest and objective contribution to the efforts of the United Nations to safeguard and uphold international peace and security. It is in this spirit and also, in a way, out of gratitude and thanks that we requested membership in the Council, and that is how we intend to fulfil our term in the Council.

32. To come to the purpose of this meeting, under the terms of its resolution 497 (1981) the Council:

“*Decides* that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect;

“*Demands* that Israel, the occupying Power, should rescind forthwith its decision;

“*Determines* that all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>2</sup> continue to apply to the Syrian territory occupied by Israel since June 1967”.

33. That resolution, which echoes resolution 36/226 B, adopted on the same day by the General Assembly, which reflected the unanimity of the universal disapproval, condemnation and rejection of the Israeli annexationist measure as null and void, is in all respects fully in keeping with article 5 of the annex to resolution 3314 (XXIX) of 14 December 1974, wherein the General Assembly formulated fundamental principles concerning aggression, a resolution to which the Secretary-General drew the attention of the members of the Council in his letter of 31 January 1975 [S/11613] as a guide to determining, in accordance with the Charter, the existence of an act of aggression by examining each case and each specific circumstance. The annex to that resolution, in its article 5, stipulates in particular:

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

“ . . .

“No territorial acquisition or special advantage resulting from aggression is or shall be recognized as lawful.”

34. The emotion and concern that have arisen throughout the world—especially in the present situation of international tension, acts of aggression and other threats to international peace and security—explain why aggression must be considered a crime against international peace and should entail international responsibility.

35. While the Council in its resolution 497 (1981) did not state specifically that the extension of the laws, jurisdiction and administration of Israel to the occupied Syrian Golan Heights constituted annexation or an act of aggression, it is nevertheless true that it was able to draw on the ample provisions of resolution 3314 (XXIX) and of Article 39 of the Charter to declare this measure to be null and void, as called for, in such cases, by the above-mentioned resolution, and to call upon Israel, in keeping with Article 40 of the Charter, to rescind forthwith its decision.

36. Indeed, the Council could usefully draw Israel's attention to the provisions of article 3 of the Definition of Aggression contained in resolution 3314 (XXIX), in particular paragraph *e*, *in fine*, which considers also as an act of aggression the extension of the presence of the armed forces of one State which are within the territory of another State and which remain there beyond the termination of the agreement, all the more so if the receiving State—in the present case, Syria—is not in agreement with the *de facto* stationing of foreign armed forces on its territory and if there exist Security Council resolutions requesting the occupying State to withdraw from the territory.

37. Hence, one can consider that the extension of the illegal presence of Israeli armed forces beyond the time-frame for withdrawal imposed by the Council and the illegal military occupation of the Golan Heights as a result of the use of armed force in violation of the Charter, coupled with the extension of the laws, jurisdiction and administration of Israel to the occupied Syrian Golan Heights, an extension equivalent to annexation, have all the characteristics of an act of aggression and are, in any event, contrary to international law and a threat to peace and security in the region and throughout the world.

38. On the basis of this analysis, we understand the approach and the legitimate claim of those who feel they must ask for sanctions against Israel because of a threat to the peace, breach of the peace or act of aggression, in keeping with Article 39 of the Charter and who, therefore, interpret in terms of sanctions “appropriate measures in accordance with the Charter of the United Nations” provided for in resolution 497 (1981) in the event of non-compliance by Israel.

39. The protagonists of this thesis take comfort in the negative character of Israel's reply to the unanimous request of the Security Council, as can be seen very clearly from the Secretary-General's report of 21 December [S/14805], particularly in paragraphs 3, 4 and 5, and in his report of 31 December 1981 [S/14821].

40. With regard to principles, we share the conviction that the request for sanctions is well founded and receivable. But, at the same time, we cannot remain insensitive both to the concern of avoiding regrettable excesses and dangerous unilateral actions which may stem from the absence of a firm and unanimous position of the Council and to that of not jeopardizing the chances of arriving at a comprehensive, just and lasting solution of the Middle East conflict. We cannot accept that the fate of a resolution—one whose terms or contents the Council will not have the opportunity freely to consider in the obvious interest of the maintenance of international peace and security—be used as a pretext or a goal to create the conditions for a new war in the Middle East. We cannot accept that the rejection of an attitude which could be imposed on the Council by Israel or by the Syrian party or any other Arab party to the Middle East conflict be used

as a pretext or a goal to create the conditions of a new war in the Middle East.

41. It is this concern which prompts us to wish to build on the headway made by the unanimous adoption of resolution 497 (1981), and it does not seem to us that the Council has yet exhausted all means it has at hand to compel Israel to rescind its decision.

42. We believe that the Council can devise and adopt, at this stage, concrete and effective measures designed to obtain the annulment of the Israeli decision to annex, while at the same time it can decide to request Member States—and obtain from them—that they refrain in all areas from any co-operation which might encourage Israel to pursue its policy and practices of annexation. This concern is founded on the following facts.

43. First, paragraph 4 of resolution 497 (1981) stipulates that, in the event of non-compliance by Israel, the Council would meet urgently, and not later than 5 January 1982, "to consider taking appropriate measures in accordance with the Charter of the United Nations". To be specific, this means that this resolution gives the Council the freedom to consider, in the light of the report of the Secretary-General, the best ways and means to find an appropriate response to the problem without excluding a specific measure and without insisting on any specific measure. Indeed, nothing in resolution 3314 (XXIX) should be interpreted as affecting in any way whatsoever the scope of the provisions of the Charter as regards the functions and powers of United Nations organs. And this is quite clearly recalled in the preamble of the Definition of Aggression. The fact that resolution 3314 (XXIX) exists does not eliminate the Council's power of evaluation.

44. Secondly, it would be highly prejudicial to our common undertaking and to our patient efforts to find a comprehensive, just and lasting solution to the Middle East crisis for the negative impact of international focal points to influence the course of the deliberations and conclusions of the Council concerning the annexation of the Syrian Golan Heights.

45. Thirdly, any division in the Council on the means—rightly or wrongly subject to controversy—would unfortunately disrupt the Council's unanimity on the rejection and condemnation of the decision to annex and would further complicate, in the present circumstances, the resumption of initiatives designed to settle this problem and to seek a comprehensive, just and lasting solution of the Middle East crisis.

46. Fourthly, a unanimous position of the Council, despite all appearances, would have enormous moral weight internationally which Israel could not disregard because of its increasing isolation.

47. Fifthly, Syria, like other States parties to the Middle East conflict, does not wish, undoubtedly

quite rightly, on the occasion of the annexation of the Golan to be dragged into the search for a capitulation-peace and into the process of negotiation of the question of the Middle East which, not taking into account the Palestinian dimension, would not lead to a lasting solution. And it has declared itself in favour of a comprehensive, just and lasting solution of the conflict.

48. This logic should lead the Council, at the same time as it must find an effective response to the specific question of the annexation of the Golan, to seek the best ways and means and to determine the timeliness of a useful discussion in order to encompass all the aspects of the problem and to seek an effective way of finding a comprehensive, just and lasting solution, especially in the light of General Assembly resolutions 181 (II) and 194 (III), Security Council resolutions 242 (1967) and 338 (1973) and all the other positive elements contained in the initiatives and undertakings made in good faith existing at the present time to find a definitive solution to this problem.

49. In our opinion, any undertaking following resolution 497 (1981) should seek to build on what has been achieved and is embodied in the unanimity of the Council and the international community against the Israeli measure to annex—that is to say—on the need to promote any solution or any realistic initiative likely to further the search for a comprehensive, just and lasting solution of the Middle East problem.

50. The problem of the illegal occupation or annexation of occupied Arab territories derived from a much broader dispute—the Arab-Israeli dispute between Arabs and Jews—a dispute whose basis is the profound divergence of views between Arabs and Jews on the status of Palestine and, more specifically, on the partition of Palestine contained in resolution 181 (II) of 29 November 1947, which provided for the partition of Palestine into a Jewish State of Palestine—Israel—and an Arab State of Palestine, which has yet to see the light of day, and in which the international status of the Holy City of Jerusalem was established.

51. However effective the solution that the Council may find to the specific problem of the illegal occupation and annexation of the Syrian Golan Heights, the heart of the problem will not thereby be resolved. And the heart of the problem of the Middle East is the question of Palestine.

52. There is also an urgent need for the Council, above and beyond specific solutions reserved for a phenomenon such as the annexation of the Syrian Golan Heights, to begin new efforts or necessary undertakings for a comprehensive, just and lasting solution to the conflict, a solution which takes the Palestinian dimension into account and which will centre around the following guidelines.

53. First, the necessity for the creation of a Palestinian Arab State, or the right of the Palestinian people

to create an independent, sovereign State—in this connection, the Palestinians ought to be helped to become the masters of their fate; secondly, the right of Israel to exist; thirdly, the evacuation of all the occupied Arab territories; fourthly, the right of the Palestinian refugees to return; fifthly, the inadmissibility of the acquisition of territory by force or by war; sixthly, mutual recognition by all the States of the region; and seventhly, recognition of and respect for the sovereignty, territorial integrity and political independence of each State of the region and its right to live in peace within secure and recognized boundaries. Mr. President, you will have noted that this means a solution based on all the positive elements found, *inter alia*, in General Assembly resolutions 181 (II) and 194 (III), Security Council resolutions 242 (1967), 338 (1973), 476 (1980) and 478 (1980), and General Assembly resolution ES-7/2 adopted at the seventh emergency special session of the General Assembly devoted to the question of Palestine: all these resolutions must be looked upon as an entity.

54. Thus, we consider that, for the promotion of the human cause—especially the cause of peace—a patched-up arrangement might be better in certain circumstances than a complete process. It is our duty to attempt everything that can serve the good of man and mankind and that falls within our power.

55. We must put an end to the cycle of offensive and defensive violence in the world, and especially in this region which has been ravaged by irrational actions and intolerance as well as by totalitarian notions, and we must apply to the disputes that give rise to violence the methods and principles for peaceful settlement and dialogue contained in the Charter.

56. The United Nations must not become the highway leading to the triumph of totalitarian notions and intransigence—nor, certainly, should the Security Council.

57. Of course, offensive action justifies, legitimizes or provokes defence or self-defence, but destruction of all kinds, loss of life and property, and harm to the values which peoples, like individuals, hold so dear, thus causing the exercise of the right of defence or self-defence, build up deep frustrations and cause reactions which would foster latent violence.

58. A person who, in self-defence, murders your father remains for you your father's murderer, and it is certainly not with congratulations on his unimpeachable exercise of his right to self-defence that you would greet him. What is true for defence is even more justifiably true for offensive action and for the losses and mutilations it brings about. Thus, the spirit of dialogue and peace must replace the spirit of confrontation. This holds for all the parties to the Middle East conflict, both for Israel and for the Arab side.

59. We must note that while, formally, Israel has not carried out the provisions of Council resolution 497 (1981), it cannot but be aware of the impact of universal condemnation as regards both intensifying its isolation and the evaluation by the international community and the States of the world of that country's foreign policy and of its role in international relations, as a Member of the United Nations.

60. Bravado is one thing, but Israel cannot go on indefinitely giving the impression of wishing to humiliate and defy all the States of the world and the whole of the international community, whether spiritually, intellectually or by force, by jeopardizing the values of peace, understanding, harmony and trustful co-operation represented by the norms of behaviour fashioned and accepted by all the peoples and Governments of the universe, in order to place international relations on a solid foundation and to prevent the holocausts of the Nazi era.

61. On 22 December 1981, at Brussels, Mr. Menachem Savidor, Speaker of the Knesset, stated that the annexation of the Syrian Golan was not a *fait accompli*, that the decision of the Israeli Government was not irreversible and, finally, that the door remained open for negotiations.

62. In the Secretary-General's report of 31 December [*ibid.*], we read, in the ninth paragraph of the quotation contained in paragraph 3, that:

“The Government of Israel wishes to reiterate that it is willing, now as always, to negotiate unconditionally with Syria, as with its other neighbours, for a lasting peace, in accordance with resolutions 242 (1967) and 338 (1973). The Golan Heights Law does not preclude or impair such negotiations.”

63. The Council should therefore be able to rely on the good faith of all the parties concerned—Israel and the Arab States—and on their firm political will to create conditions favouring the holding of such negotiations, in the spirit of the relevant United Nations resolutions and to consider positive joint initiatives which could lead to a comprehensive, just and lasting settlement of the Middle East conflict.

64. What we must seek here is the effectiveness of concrete action by the Council aimed to meet all the senseless challenges hurled at it and to permit the negotiated settlement of the problem in the interests, of course, of all the States of the region, including those of a Palestinian Arab State.

65. As I said during the Council debate on this question in December 1981, it is absolutely indispensable for all the States of this region to demonstrate the restraint and patience which are a part of any great achievement, in order resolutely to take the course of peaceful settlement of disputes, and of the recognition of the political independence, sovereignty and



territorial integrity of all the States of the region and of their right to live in peace within secure and recognized boundaries [2318th meeting, para. 38].

66. Because of those considerations, we cannot accept the explanation Israel attempts to give in the Secretary-General's report [S/14821] in order to justify the annexation of the Syrian Golan Heights. Indeed, in the fifth paragraph of the quotation contained in paragraph 3, Israel describes its laws of annexation as "legislation which seeks, in the absence of peace or even of negotiations aimed at reaching peace, to normalize the situation in the area in question". In the seventh paragraph of the quotation we can read that:

"In the view of the Government of Israel, recent Syrian acts and declarations have made it urgently necessary to bring to an end the anomalous situation regarding the Golan Heights".

67. That attitude tends to contradict and weaken the spirit and will to negotiate that Israel also refers to in the same report and which should be demonstrated by all the parties interested or concerned in the Middle East conflict. There is not a shadow of doubt that the annexation of Jerusalem and that of the Golan are not measures that favour initiatives likely to settle this conflict through negotiations.

68. Moreover, taking such a position tends to show that Israel could have the intention of imposing upon the world a unilateral solution to the Middle East conflict, whereas, in the spirit of a comprehensive, just and lasting settlement of the crisis, any effective and lasting solution to the question must be both Israeli and Arab.

69. Finally, if taking such a position tends to suggest that by unilateral action Israel might be seeking to impose a solution whose scenario would be the integration into the Israeli entity, through the annexation of the Arab territories occupied since June 1967, of a Palestinian minority which would constitute a sort of autonomous entity with certain rights within Israel, the Security Council should immediately discourage and condemn such an approach.

70. That would be an Israeli solution to the Palestinian problem which would depart from the spirit and letter of all the General Assembly and Security Council resolutions on the matter. The Security Council should, thus, unequivocally reject such a notion and such an approach, for it would only perpetuate the Middle East conflict.

71. Likewise, there is not a shadow of doubt that the rejection of the guiding principles and the positive stipulations contained in Council resolutions 242 (1967) and 338 (1973) by other Arab parties to the conflict does not favour a negotiated, comprehensive, just and lasting settlement of this conflict.

72. The annexation of the Golan makes it more urgent than ever to find a comprehensive and lasting

settlement of the Middle East conflict. When we consider the positions taken and the statements made by many Governments of Europe, Asia, Africa and Latin America, we find three constant themes.

73. First, the decision to annex the Golan runs counter to Council resolutions 242 (1967) and 338 (1973), to relevant resolutions of the General Assembly and to international law. It is null and void, and Israel should rescind it.

74. Secondly, that decision places new obstacles in the path of a peaceful, comprehensive and lasting settlement of the Middle East conflict.

75. Thirdly, that decision contributes to increasing tension and instability in the region.

76. The Council should therefore respond with all due dispatch to the aspiration of the overwhelming majority of the members of the international community to find a peaceful, comprehensive and lasting solution to the conflict of the Middle East.

77. The question of sanctions, on which the Council is unfortunately often divided, should not serve the purpose of evading the main issue and indefinitely prolonging the crisis. The Council must find concrete and effective measures or actions to meet the requirements of Article 39 of the Charter of the United Nations. It would be quite easy in the end to take refuge behind the question of sanctions to conceal a desire to get even, a lack of political will to contribute to the search for a negotiated solution, the concern of prolonging the crisis in the hope that time would act in one's favour, or reasons or considerations which have nothing to do with the substance of the problem before us, matters to which we are strangers, matters which are not germane to the real concerns of those suffering in the Middle East.

78. The territory of a State is inviolable and cannot even temporarily be militarily occupied or subject to other measures imposed by force by another State in violation of the Charter. Acquisition resulting from such measures or the threat thereof cannot be accepted. This situation is so serious and the responsibilities of the Council so important that the Council should not be called upon to tackle the matter by means of a sort of prism which distorts reality.

79. The increasingly widespread opinion that, in the face of Israel's steadfast refusal to abide by these decisions, the Council cannot come to an agreement on the application of sanctions or any other effective enforcement measure and that this situation encourages Israel in its intransigence, unquestionably saps the Council's authority, prestige and credibility.

80. Rejection of resolutions 242 (1967) and 338 (1973) by any party to the dispute in the Middle East also undermines the authority, prestige and credibility

of the Council and further complicates the search for a comprehensive and lasting solution of this conflict.

81. Above and beyond the matter of the annexation of the Syrian Golan, the elements of a definitive solution of the problem of the Middle East which will take into account the legitimate interests of all States of the region, including Israel and the Arab State of Palestine, under resolution 181 (II), as well as the interest of the world at large, that is to say, the interest of international peace and security, do exist. The framework for such a solution exists. The institutional framework exists. It is the political will of the protagonists that is required to lead to a solution. And that is where the United Nations as a whole and the Security Council in particular, as well as the international community, surely have useful tools. The dimensions of a very complex problem cannot be reduced to a simple matter of imposing or not imposing sanctions, as though that in itself represented a goal. Therefore, while supporting the legitimacy of the call for sanctions to preserve respect for the Charter and the principles of positive international law, we believe that the Council should be able to assess the best manner of proceeding, for there are reasons for being apprehensive about the timeliness of a measure whose fate is predictable in present circumstances. This involves the Council's role of arbiter in international situations that might endanger international peace and security. While supporting the legitimacy of the call for sanctions, we believe we must remind the protagonists and non-protagonists of these sanctions that the latter are not an end in themselves but merely a means to attain an objective.

82. If the objective we seek here is peace, stability, security for each State of the region and the return of territories illegally occupied and annexed, it is the duty of the Council and all the members of the international community to choose an approach and means that will be effective and will in no way jeopardize the search for the objective that we seek. Once sanctions have been decreed they will have to be applied and if we permit sanctions as provided for under the Charter, and requested for highly important reasons, to be flouted in any way, ignored and not even partially applied, that may lead to a deterioration of the situation and comfort those who display intransigence on both sides.

83. Many Council resolutions to which I have already referred establish the objective foundations for a lasting peace in the region. We reaffirm that all the States of the region have the right to exist and to live in peace within secure and recognized boundaries. We reaffirm our full support of the inadmissibility of the acquisition of territory by force or war. Israel must withdraw from all Arab territories occupied in 1967. The Council must reject any measures designed to modify the status of the Arab territories occupied by Israel as a result of the 1967 war. Despite the situation of occupation or annexation, the legal status of those

Arab territories is quite clear. They are Arab territories which belong to States other than Israel.

84. Therefore all decisions or unilateral actions by Israel designed, under one pretext or another, to present the international community with a *fait accompli* must be rejected.

85. The Council could declare that the continued occupation of the Syrian Golan Heights since June 1967 and their annexation by Israel on 14 December 1981 threaten international peace and security, or at least peace and security in that region.

86. While condemning Israel for its refusal to abide by resolution 497 (1981), the Council could reiterate that the Israeli decision to extend its laws, jurisdiction and administration to the Syrian Golan Heights is null and void and without international legal effect, and that any action on the part of Israel to implement its decision of annexation is illegal and without validity.

87. The Council could call on all Member States to refrain from all actions that might imply recognition or support of the Israeli decision to annex the Golan Heights.

88. To rescind the illegal annexation measure adopted by the Knesset would demonstrate to the world Israel's proclaimed unconditional desire to reach a negotiated settlement of the conflict. But this delicate question of the annexation and illegal occupation of Arab territories cannot have a final solution unless it is obtained by action in accordance with relevant Security Council and General Assembly resolutions, that is to say, an approach designed to achieve a comprehensive settlement of the problem, and thus one which will, as it must, include the Palestinian dimension.

89. For that reason, apart from the need to solve the problem we are discussing, the Security Council should consider, by special decision, no doubt, the possibility to entrust either the Secretary-General or a committee established in accordance with Article 29 of the Charter with the task of undertaking renewed efforts designed to achieve a just and lasting over-all settlement of the Middle East crisis.

90. In conclusion, I should like to say that these are the considerations which will guide us in our assessment of the positions of the various parties to the conflict and which will determine our position on the present debate and its conclusions.

91. It is in the light of everything I have stated that we will assess draft resolution S/14832/Rev.1 which has been submitted and under whose terms the Security Council

*“Decides that all Member States should consider applying concrete and effective measures in order to nullify the Israeli annexation of the Syrian Golan*

Heights and to refrain from providing any assistance or aid to and co-operation with Israel, in all fields, in order to deter Israel in its policies and practices of annexation”.

This draft resolution is also the outcome of intensive efforts at compromise in the Group of the Non-Aligned Countries at the Security Council. It is also in this spirit that we must view this draft resolution.

92. However, I cannot conclude my statement without once again reiterating to the delegation, people and Government of Syria the assurances of our complete solidarity. Just as we have always lent Zaire's support to the Arab-Palestinian cause in the Middle East conflict, I should like to assure the plaintiff that it is in the same spirit that we shall deal with the draft resolution that has been submitted and that we support it.

93. Mr. OTUNNU (Uganda): Mr. President, my delegation has already expressed its views on the item under discussion. However, I have asked to be allowed to speak in order personally to express to you my warm congratulations on your accession to the presidency of the Council for this month. You are a seasoned diplomat whose contribution to the work of the Council over the years is already well recognized by all of us. The Council is very fortunate during these difficult and uncertain times to work under the leadership of a man of your calibre, a man of such political acumen, diplomatic skills and ready wit.

94. I take this opportunity to extend a word of welcome to the new Secretary-General, Mr. Javier Pérez de Cuéllar. We take a special pride in the fact that this distinguished diplomat hails from Peru, a fellow non-aligned and third-world country. You, Sir, combine so well the qualities of professional competence, diplomatic experience and, above all, a personal commitment to the principles and objectives of the United Nations. These qualities make you eminently qualified for the responsibilities you have just assumed. In your endeavours to fulfil your onerous responsibilities, you may be assured of the full and constant co-operation of my delegation.

95. I should like also to welcome most warmly my colleagues, the representatives of Guyana, Jordan, Poland, Togo and Zaire, which joined the Council at the beginning of this month. I look forward to working closely with them in our common efforts to reduce the areas of tension in our present world.

96. Finally, I wish to express my sincere gratitude to you, Mr. President, to my colleagues and to all the delegations who addressed the Council during the present debate for the very kind and generous words addressed to me and to my country. I am most grateful to my colleagues for the ready co-operation they

extended to me during the month of December. The spirit of unity and common purpose demonstrated by all members made it possible for the Council to accomplish its task during the month of December. Once again, Mr. President, to you and to all the delegations, I extend my sincere sentiments of deep gratitude.

97. The PRESIDENT (*interpretation from Russian*): I shall now make a statement in my capacity as the representative of the UNION OF SOVIET SOCIALIST REPUBLICS.

98. The Council has been compelled to reconvene since Israel refused to comply with resolution 497 (1981), unanimously adopted on 17 December last year. In that resolution, the Council decided that

“the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect”.

The Council also demanded that “Israel, the occupying Power, should rescind forthwith its decision”. Finally, the Council envisaged that in the event of non-compliance by Israel, it would “consider taking appropriate measures in accordance with the Charter of the United Nations”.

99. Hence, this time the Council has a quite specific task. It is to consider which specific measures should be taken in respect of Israel as a State which has blatantly disregarded a Council resolution that was unanimously adopted.

100. The delegation of the Soviet Union has listened with a great deal of attention to the statement that was made on 6 January [2322nd meeting] by the representative of Syria. We have listened also to statements by Council members, the representatives of the Arab and many other countries, as well as the observers from the Palestine Liberation Organization and the League of Arab States. The overwhelming majority of those statements show one very clear *leitmotiv*, and that is that the Council should discharge the responsibility entrusted to it and in respect of Israel adopt sanctions as provided by the Charter of the United Nations.

101. Indeed, by annexing the Golan Heights, Israel has undertaken a qualitatively new unlawful step in consolidating the fruits of its unabated aggression against the Arab States. Now even the staunchest supporters of Israel should have not even the slightest illusion about the essence of its policies. Israel's policies—and now this is quite clear—are to seize ever more Arab lands and virtually to refuse to conduct negotiations on an honest and just basis regarding a comprehensive settlement of the Middle East conflict and gradually to annex occupied territories, and thus integrate them into Israel. As was emphasized by Arab representatives, the recent action of Israel in annexing the Golan Heights does not mark the limits of the Israeli leaders' expansionist ambitions. On the

contrary, unless this expansion is stopped now the appropriated Arab lands will in the future be used as a springboard for further territorial acquisitions.

102. People who are prepared to look at things objectively must recognize the validity of these serious warnings. The history of Israel over the last three decades is proof of this, but today there is no need to go so far as that. It suffices to look at the "service record" of the Israeli Government for the last year or two to see the truth of that.

103. Today Israel continues to occupy a significant portion of the territories of neighbouring Arab States, and not merely to occupy them, but also to hold the indigenous population under most ruthless military control and to subject it to permanent repression.

104. In the summer of 1980, the Knesset adopted a law proclaiming Jerusalem as the united, indivisible and eternal capital of Israel. In other words, the eastern Arab half of that city was annexed—which, as is well known, is part of the Arab ancestral lands occupied by Israel in 1967.

105. In June 1981, the Israeli air force carried out a bandit-like attack on the nuclear research centre in Iraq, a country that does not even have a common boundary with Israel and is hundreds of kilometres from it. In July last year, the Israeli military clique undertook a new large-scale venture into Lebanon. As a result of that, in Beirut alone about 300 people died and many hundreds were wounded. Israel has been trying to arrogate to itself the right arbitrarily to violate the airspace of Saudi Arabia.

106. In addition, the aggressive and expansionist ambitions of the ruling circles of Israel in respect of the West Bank and the Gaza Strip have become ever clearer and they may, in the near future, become the next target for annexation by Israel.

107. One thing is clear, and this has been emphasized by many participants in the present deliberations: Israel could not pursue such a policy so defiantly, a policy which runs counter to all norms of international law and the principles of the United Nations, were it not supported by the United States. As was emphasized in the statement published by TASS on 18 December 1981, the ruling circles of the Soviet Union consider that:

"This latest aggressive act of Israel is closely linked to the militaristic policy of the United States of America and is the direct consequence of the anti-Arab Camp David accord and the policy of making separate deals. It is a tangible example of the United States-Israel 'strategic co-operation', the result of the merging of the imperialistic interests of the United States and the expansionist ambitions of Israel." [S/14813, annex]

108. With regard to the recent action by Israel in respect of the Golan Heights, it virtually received the mandate for their annexation from the United States, however much the latter might try with symbolic "reprimands" to dissociate itself from Israel's expansionist course.

109. Officially Washington pretends that it was not informed of Israel's intention to annex the Golan Heights, but, according to what was published by the *Washington Post*, the United States Ambassador to Israel gave prior warning to Secretary of State Haig that Tel Aviv was planning to give notice of this action. On the other hand, the Israeli newspaper *Ha'aretz* wrote of a secret letter which was sent, back in 1975, to the United States Administration by Israeli leaders. The letter spoke of the United States' duty to support Israel's claims to the Golan Heights.

110. The verbal acrobatics surrounding the revocation of the strategic co-operation memorandum do not alter the essence of the relationship between Washington and Tel Aviv. Staged emotions and pseudo-quarrels cannot mask the increasing action by the United States and Israel to forge a military strategic alliance in the Middle East.

111. In fact, what can we say of the policy of a Government which on 17 December voted in favour of a Council resolution which provided for the adoption of appropriate measures in the event of Israel's refusal to rescind its legislation regarding the annexation of the Golan Heights, yet when Israel refused to comply with the Council's resolution, it does not exert steady pressure on that State, but sends its Secretary of State to Jerusalem who states that the aim of his journey was further to strengthen relations of friendship and co-operation between the two countries? Moreover, as Israel Radio said, President Reagan, in his message sent to Prime Minister Begin, stated that there were no further differences of opinion between the United States and Israel. It would seem that Israel is not the only one who scorns Council resolutions, even those that are unanimously adopted.

112. As regards the position of the Soviet Union, as has been stated before, it vigorously condemns the action undertaken by the Government of Israel. We consider that it will lead to an even more dangerous exacerbation of the situation in the Middle East and will push that region in effect towards war. It is well known that people will reap what they have sown.

113. Speaking on 15 January, at the reception in honour of the Deputy Chairman of the Council of Ministers and Minister for Foreign Affairs of Syria, Mr. Haddam, the Minister for Foreign Affairs of the Soviet Union, Mr. Gromyko, stated:

"In the struggle for the protection of their sovereign rights and for a comprehensive and just Middle East settlement, the Arab countries and

peoples can continue firmly to rely on the support of the Soviet Union. For us this is a policy of principle."

114. In the circumstances in which the Council finds itself, according to the delegation of the USSR the most effective and decisive measures should be adopted in respect of Israel, that is, sanctions under Chapter VII of the Charter. It is high time to put an end to the perverse practice whereby they say "we want peace and negotiations" but in actual fact do exactly the opposite: they resort to appropriating more territory and try from a position of strength to impose their conditions on others. Now it is imperative to call Israel to account, to force it to abide by the judgement of the Organization and that of the overwhelming majority of the members of the international community, otherwise we shall soon be compelled to reconvene to consider yet another act of annexation of part of the Arab territories.

115. The draft resolution submitted for voting [S/14832/Rev.1] is of course not enough. It does not provide, as was necessary, for decisive measures against Israel. Nevertheless, my delegation considers that under these conditions in the Council in respect of consideration of this agenda item, the adoption of even this draft resolution would be positive and would be in the interests of Syria and other Arab countries that have been subjected to Israeli aggression.

116. I shall now resume my function as PRESIDENT.

117. It is my understanding that the Council is now ready to proceed to vote on the revised draft resolution which is before it. Unless I hear any objection, I shall put it to the vote.

118. The representative of Ireland wishes to make a statement before the voting.

119. Mr. DORR (Ireland): Mr. President, even though we are proceeding to the voting, as this is my first statement in the Council I hope you will permit me to begin by offering some courtesies and congratulations. I wish to offer you personally my good wishes on your assumption of the office of President. Those of us who have worked with you in the Council know well your courtesy and good humour as well as your diplomatic skill and we are glad to have your guidance as President for this month.

120. I should also like to express once again our good wishes and thanks to your predecessor, Mr. Otunnu of Uganda, who guided us through the difficult days of December with exceptional skill and ability.

121. One of the best decisions which the Council took under his able guidance last month was its decision to recommend to the Assembly the appointment to high office of the new Secretary-General. He is a man of

very great experience and very particular skills and abilities. Already in his first weeks in office he has given evidence of his qualities and his capacity. We wish him every success during his term of office and my country and my delegation pledge him our fullest support in all his efforts on behalf of the Organization.

122. The composition of the Council itself has changed somewhat since I last spoke here. I should therefore also like to pay tribute to the outgoing members, the German Democratic Republic, Mexico, Niger, the Philippines and Tunisia. We enjoyed very good relations with all of these countries and co-operated closely with them in the Council last year and we extend to them our very best wishes.

123. I should also like to welcome the new members who have joined us—Guyana, Jordan, Poland, Togo and Zaire. For the remaining year of our own term as a non-permanent member we hope to work closely with them and with all our colleagues in co-operation and harmony.

124. In face of the many complexities of the Middle East situation, Ireland has always held firmly to one basic idea—the need to achieve, by a negotiation involving all parties, a comprehensive, just and lasting peace settlement. The principles set out by the Council 14 years ago in resolution 242 (1967), taken together with those of resolution 338 (1973), are in our view fundamental to any such negotiation—although we believe that they are not in themselves sufficient. They must be supplemented and completed on a number of points if full account is to be taken of all aspects of the problem and in particular of the legitimate rights of the Palestinian people.

125. Resolution 242 (1967) established two basic principles: first, that it is not admissible to acquire territory by war and accordingly that Israel should withdraw from occupied territories, and, secondly, that there should be an end to all states of belligerency and full respect for the territorial integrity of all States and for their right to live in peace within secure and recognized boundaries. The Israeli decision of 14 December in regard to the Golan Heights runs directly counter to both of those principles.

126. We are not, of course, naïve. We know that the achievement of a comprehensive, just and lasting peace settlement in the Middle East too often seems a very distant goal. Certainly, after listening to this debate it is difficult to be optimistic. But however distant the prospect may now seem, we will continue to press for such a comprehensive peace settlement and, for its part, Ireland, when called upon to judge the actions of the parties to the conflict, will do so according to whether those actions advance or set back further the prospect of achieving such a settlement.

127. Judged by that standard, we believe that we must unreservedly censure and condemn Israel's deci-

sion of 14 December to extend its laws, jurisdiction and administration to the occupied Syrian territory of the Golan Heights. In our view that decision was both wrong and dangerous—all the more so because it must be seen against the background of a similar decision in the case of East Jerusalem, the continuing occupation of other territories except for the Sinai, the settlement policies and statements which imply at least that much of the occupied territories may be permanently retained. We believe that that decision is wrong because it is tantamount to annexation, and we do not accept the right to annex territory in this way; and it is dangerous because it greatly increases existing tensions in the region and because it challenges so directly the two principles I have mentioned, which are basic to any settlement. That challenge simply could not go without response. The validity of those principles must be upheld, not least in the long-term interest of Israel itself.

128. It was right, therefore, that, following the Israeli decision of 14 December, the Council should be urgently seized of the question. With all due respect to the representative of Israel, who has pointed to other world problems, this matter is indeed a very serious one. The Middle East conflict presents great danger to world peace, and an action which so greatly aggravates existing tensions in the region and which so clearly flouts principles basic to a future peace settlement there must rightly be a matter of the most serious concern to the Council.

129. A first and necessary step was to declare the Israeli decision null and void and to call on Israel to rescind it. This the Council did in its resolution 497 (1981). Ireland stated its position at that time, and we voted for the resolution. We are glad that it was adopted unanimously. This showed very clearly the united will of the international community on a fundamental issue notwithstanding the many divisions among us on other international problems.

130. That resolution set a time-limit and called for a report by the Secretary-General. We have now received the report [S/14821]. It is clear that Israel has not rescinded and will not rescind its decision as the Council requires it to do.

131. The Secretary-General's report contains Israel's formal reply to the Council decision. On the basis of that reply and of Israel's statements here it appears, if I may summarize, that Israel answers the question by emphasizing three points. It says, first, that Syria has regarded itself as being in a state of war with Israel since 1948; secondly, that the annexation was necessary to bring an end to what is called an anomalous situation so as to "normalize" the situation in the Golan Heights area; and, thirdly, that Israel nevertheless remains ready to negotiate unconditionally with Syria in accordance with resolutions 242 (1967) and 338 (1973), a negotiation which it says is not precluded by the recent decisions of the Israeli Government and Parliament.

132. We simply cannot see in any of those points a justification for the Israeli decision in effect to annex a territory first occupied some 14 years ago or for its refusal to rescind that decision as demanded by the Council.

133. As to the first point, we are well aware of the hostile relations between Syria and Israel, which are unfortunately fully evident from statements made in this debate. But that is no justification for the annexation of territory in breach of the principle of the territorial integrity of States as well as of the principle that the acquisition of territory by war is inadmissible. That step will make bad relations even worse, and it will set back further than ever any possibility there might ever be of a negotiation which Israel claims to favour.

134. The second point made by Israel is that it was necessary to normalize the situation in a territory already occupied militarily for some 14 years, a territory which, of course, remains rightfully Syrian. Does this imply that similar measures may be taken in other occupied territories to "normalize" the situation there too? And how can any such measures and the increased tension which must inevitably result possibly bring the situation of the inhabitants of the Golan Heights or of any other occupied territory any closer to normal?

135. The third point made by Israel is that it remains willing to negotiate unconditionally for a peace settlement in accordance with resolutions 242 (1967) and 338 (1973). It says that the Golan Heights law does not preclude or impair such negotiations. Does that mean that Israel, despite a decision which amounts to annexation, would still be ready to consider a negotiated withdrawal from the territory as part of an eventual comprehensive peace settlement in the Middle East? If so, then that is all to the good. But, as I said earlier, although we consider resolutions 242 (1967) and 338 (1973) to be basic, and we consider that they remain valid, they do not in themselves set a wholly adequate framework for a truly comprehensive peace settlement. There are issues not covered in those resolutions that will simply have to be taken into account also if any settlement is to be just and lasting.

136. Nevertheless, we should welcome any implication, if that was indeed intended, that Israel does not consider its decision of 14 December as absolutely unalterable. But whatever credit it might claim for implying that it would still be willing to negotiate one day about the territory is more than offset by the effect of its present decision to consolidate its hold on it. That decision makes bad relations between Israel and Syria even worse, and so long as it is maintained it must be a continuing obstacle to any effort to get a negotiation under way.

137. It will be clear from what I have said that Ireland considers Israel's response to resolution 497 (1981) unacceptable. Israel has not complied with paragraph 2 of that resolution, which called on it to rescind its decision. What, then, should the Council do?

138. For its part, Ireland believes that action by the Council should be firm and if possible unanimous in this second phase of its consideration of the issue, as it was in the first phase, in December [2316th to 2319th meetings]. But we also believe that the Council's action should be precise and clear and matched to the actions which have evoked it. That is to say we do not want to see a call on States to consider a series of general but rather imprecisely worded measures designed to punish or to deter Israel. What we want to see are clear decisions, decisions that would be much more specifically directed to the Israeli claim to have annexed the territory and which would ensure that that decision is without international legal effect.

139. The purported Israeli annexation measures were legal and administrative rather than military in character. To say that is not of course to minimize them, since such measures can be more serious in many ways than direct action on the ground. Those measures sought by a legal act to establish a temporary occupation as a lasting political reality. What the Council should now do in our view is to counter those measures by specific legal decisions of its own, prescribing certain specific measures to ensure that no recognition is given by any State to that supposed reality.

140. This would mean, in our view, that the Council should, first, reiterate that the Israeli decision is illegal and void; secondly, determine formally that States must give no recognition, direct or indirect, to it; and, thirdly, decide in a clear-cut way that it shall be incumbent on all States to review all their relations with Israel to ensure that no such recognition is given or implied. The Council should then decide further to keep the matter actively on its agenda and so ensure that the Israeli decision does not come gradually to be regarded as a *fait accompli*.

141. My delegation worked with other like-minded delegations to seek a draft resolution on these lines. We did so first because we thought that such a draft resolution would be the right response from the Council and, secondly, because we believed that such a draft offered the best hope of maintaining that unanimity which was shown by the Council when it adopted resolution 497 (1981).

142. We regret that it has not so far proved possible to achieve agreement among all members of the Council on such an approach. Instead, we have before us the draft resolution proposed by Jordan [S/14832/Rev.1]. It is to this draft that we must now address ourselves.

143. I should like to say first that Ireland for its part agrees with many aspects of this draft resolution. In particular, we agree with the strong condemnation of Israel, in operative paragraph 1, for its failure to comply with the decisions of the Council. On the other hand, we find ourselves in a dilemma, as we have difficulties with a number of aspects of the present draft.

144. Operative paragraph 2 of the draft resolution, echoing one of the preambular paragraphs, contains a formulation determining that the Israeli measures constitute an "act of aggression". For our part, we strongly condemn those measures and we do regard them indeed as threatening to international peace and security. The complexities of the concept of aggression, however, are such that we would consider it more appropriate in this draft to have the Council determine that the Israeli measures were a threat to international peace and security, thus echoing the preamble. We do not feel that we can fully endorse the present wording of operative paragraph 2.

145. Operative paragraph 3 of the draft resolution is complex in its formulation and not wholly precise in its content. We appreciate indications informally from the sponsor of the draft that it is intended that the non-mandatory character implied by the phrase "should consider applying" would cover all provisions of the paragraph, even though this is not wholly clear from the English text. We appreciate, too, that the drafters of the draft have modified somewhat the original formulation so as to make it generally non-mandatory in character.

146. However, as a member of the Council voting on a draft resolution, Ireland takes very seriously what is in effect the law-making function of the Council under Chapter VII of the Charter of the United Nations. We would want to see the wording of any Council decision made completely clear and precise so that the international community as a whole may know precisely the nature and extent of the obligations imposed or recommended to it by such a decision. We regret that the wording of the paragraph, despite the efforts of the drafters, does not, in our view, meet this requirement.

147. Furthermore—and perhaps more important—we note that the actions urged on Member States in the second part of the paragraph would require them, if they comply with it, to refrain from co-operating with Israel in all fields in order to deter it from its annexation policies.

148. We find this formula too broad and extensive in character. It calls for action against Israel in all fields—action which would be broadly punitive or deterrent in character. In the present context, whether mandatory or not, we consider these measures to be too broad and sweeping. What we could have accepted instead would be a formulation calling on all States to refrain from aid or co-operation with Israel which would encourage it in its policies of annexation. Such a formula would meet the need for a firm response by the Council but it would be precisely focused on what we consider important—to ensure that States give no encouragement to Israel in its annexation policies.

149. It is true, as I have said, that the present formulation is apparently intended to be non-mandatory,



despite the certain imprecision which I mentioned earlier. It would therefore be open to all States, including my own, to decide whether or not to apply it if it were to be adopted. But, as I said, we feel that we must take very seriously our responsibility as a member of the Council commending or prescribing measures to all States and, indeed, to States non-Members of the United Nations. We do not think that it would be in accord with that responsibility to vote here in favour of a draft resolution commending to all States a series of measures which are, in our view, too broad and extensive and which for that reason we ourselves do not wish to apply.

150. We have some difficulty with other aspects of the draft resolution but, granted our very strong feeling on the Israeli action, we might have been able to accept these other formulations. However, taken together with the important points I have just mentioned, we have decided, after the most careful consideration, to abstain in the vote on the text before us.

151. There is perhaps some reason to think that, if this draft resolution is pressed to a vote here today, it may not receive the necessary support in the Council. I think it would be regrettable if the Council should now fail to agree on the further measures to be taken. But if that does happen, I believe also that Israel should not regard such a failure of the Council to agree about what steps to take as representing a real division in the international community about the basic principle involved in its purported annexation of the Golan Heights. The Council has already shown in its unanimous adoption of resolution 497 (1981) one month ago the general agreement in regard to that principle and in regard to Israel's action taken in breach of it. It has also shown clearly that, however the international community may be otherwise divided, it is united in considering the Israeli decision as null and void and as a serious obstacle to the search for a comprehensive peace settlement in the Middle East.

152. For its part, Ireland will continue to act in full accord with the terms of resolution 497 (1981), which we consider to be valid for ourselves and for all Member States.

153. Mrs. KIRKPATRICK (United States of America): Mr. President, I should like to begin, as everyone else has, first by congratulating you on your assumption of the presidency of the Council; secondly, by expressing my personal gratitude and that of my Government for the distinction and skill with which the previous President of the Council conducted the office and performed his duties; and, thirdly, to express once again our congratulations to the new Secretary-General and our congratulations to the United Nations itself for having been fortunate enough to find so distinguished and experienced a Secretary-General in whom to entrust the management of our affairs.

154. Again like so many who have spoken before me, I should like to reaffirm for the public record our deep

gratitude to Mr. Kurt Waldheim for his long years of dedicated, devoted and extremely constructive service to the Organization. I think that our collective debt to him is very large and I do not doubt that we shall develop such a debt to the new Secretary-General. President Reagan has already had the opportunity personally to express to the new Secretary-General his congratulations and the special pleasure of the United States at the accession of a citizen of this distinguished member country of the Western Hemisphere to this distinguished office.

155. Like those who spoke this afternoon, I should also like to welcome the new members to membership in the Council and to say that I shall truly miss most of those non-permanent members that have retired. I think that all of us enjoyed the company of, as well as profited in the Council by associating with, the representatives of Mexico and Tunisia and the other members of the Council which have just retired.

156. To come to the business at hand, my country opposes the draft resolution sponsored by Jordan for reasons which are of importance not only as regards the proper disposition of the current matter before us, that of Israel's Golan Heights legislation, but also out of concern for the future of the United Nations and the ability of the Security Council to perform a positive role in the maintenance of world peace and security.

157. The draft resolution with which we are confronted today constitutes, we believe, an aberration—even a perversion—of the very purpose which the Security Council is called upon by Chapter VII of the Charter of the United Nations to perform. Article 39 of the Charter vests in the Security Council the responsibility to deal with activities that threaten world peace and security. The role the Council is called upon to perform is by definition, then, a constructive role: to prevent “an aggravation of the situation”. This draft, we believe, would do the opposite; far from preventing aggravation, it would become a source of aggravation. Indeed, it has already succeeded in exacerbating the terribly difficult problems of the Middle East, in dividing people whose co-operation is needed to solve problems, in sowing suspicions and in feeding hostilities. A flood-tide of invective has flowed through this chamber, threatening day after day to overwhelm the spirit of reason and compromise with hatred and cynicism.

158. The United States has tried hard to demonstrate its determination to be fair and reasonable in confronting the situation in the Golan Heights. We have refused to be drawn into vicious exchanges or distracted from the search for real solutions that will render more safe and secure the real lives of actual people in the region. We will not be deterred from our course. We will continue to search for constructive means to achieve peace for Israel and its neighbours.



159. We believe that a good place to begin is, indeed, with the implementation of the resolutions of the Council. We believe that resolutions 242 (1967), 338 (1973) and 497 (1981) can serve as the basis of that constructive search. We urge the implementation of all three.

160. On this occasion, and in this place where there has been so much talk of aggression, repression and the desire of peoples to live in peace, I cannot forbear from mentioning the problems of another people in the world who are just now being denied peace and self-government. What an extraordinary institution this is, that in the more than a month since the massive, brutal repression of the people of Poland got under way there has been no mention here of the violation of their human rights and the violations of the Charter of the United Nations, the Helsinki Final Act<sup>3</sup> and the Universal Declaration of Human Rights<sup>4</sup> that have occurred there. We should like on this occasion to express our solidarity with the people of Poland as well as with those of the Golan, and to affirm the commitment of my Government to work for the rights of all peoples currently denied freedom, self-determination and self-government.

161. We do not approve of Israel's annexation of the Golan Heights; indeed, we do not even believe that annexation has occurred. We believe we should get on with negotiations which will demonstrate that fact.

162. The PRESIDENT (*interpretation from Russian*): I now put to the vote the draft resolution contained in document S/14832/Rev.1.

*A vote was taken by show of hands.*

*In favour:* China, Guyana, Jordan, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, Zaire

*Against:* United States of America

*Abstaining:* France, Ireland, Japan, Panama, United Kingdom of Great Britain and Northern Ireland

*The result of the vote was 9 votes in favour, 1 against and 5 abstentions.*

*The draft resolution was not adopted, the negative vote being that of a permanent member of the Council.*

163. The PRESIDENT (*interpretation from Russian*): I now call on representatives who wish to make statements after the voting.

164. Sir Anthony PARSONS (United Kingdom): I should like to start by extending to you my warmest compliments on your accession to and conduct of the presidency of the Council. As usual, it depresses me to have to follow you after such a hectic month of busi-

ness; I warmly hope that the reverse will be the case next month.

165. I should also like, not for the first time, to extend the warmest thanks of my delegation and myself to my good friend Mr. Olara Otunnu of Uganda for the wholly admirable way in which he conducted our affairs last month.

166. Furthermore, I should like, on behalf of myself, my delegation and my Government, to congratulate with great warmth and to welcome the new Secretary-General, Javier Pérez de Cuéllar. I know him well, and I have long admired him as a friend and greatly respected him as a colleague, a diplomat and an administrator. I can tell him that he has already acquired a special place in the heart of the British people; in that venerable organ of journalism, *The Times* of London of 19 January, there was a pen and ink sketch of him to commemorate his birthday. That is, in British terms, a welcome in itself.

167. In his absence, I should like to say a very fond farewell to my very old friend and close colleague, Kurt Waldheim, who gave 10 years of selfless and utterly dedicated service to the Organization, a sad farewell to those non-permanent members of the Council which have left us and a very sincere welcome to those which have joined us.

168. My Government has already made its position regarding the Israeli decision to extend the laws, jurisdiction and administration of the State of Israel to the Golan Heights clear. As I stated to the Council on 16 December 1981, the territory of one State is not to be acquired by another by the use of force [2316th meeting, para. 74]. We totally reject and condemn the unilateral initiative by Israel to change the status of the Golan Heights.

169. Together with the other members of the Council, we joined in unanimous support for the adoption of resolution 497 (1981). As stated in that resolution, we consider the Israeli decision to be null and void and without international legal effect. Similarly, we hold that all the provisions of the fourth Geneva Convention, of 12 August 1949,<sup>2</sup> continue to apply to the Syrian territory occupied by Israel since June 1967. We strongly condemn Israel's failure to abide by resolution 497 (1981) and to rescind its decision.

170. Against that background, it will be evident that my Government agrees with much of the thinking behind the draft on which the Council has just voted; indeed, there is much in it that we can support. We are only too willing to make clear to the Government of Israel the complete unacceptability of its action in extending Israeli jurisdiction to the Golan Heights. We can in no way condone such action, which we regard as both provocative and seriously damaging to the objective of promoting lasting peace and security in the Middle East. Our patience and that of the international community have been sorely tried. If Israel

by such actions continues to distance itself further from accommodation with its neighbours it cannot expect to escape the consequences indefinitely.

171. At the same time, my Government would have wished the Council to have built on the basis of its earlier unanimity. From the outset we have urged on delegations the need for the Council to proceed by consensus if we are to achieve the objective—which my Government shares—of bringing Israel to rescind its decision and to refrain from any similar action in the future. We regret that our advice was not taken. The draft resolution on which we have just voted clearly did not provide the basis for such a consensus. This was one reason why we decided to abstain.

172. We also had certain reservations on the text. We are dubious, for example, about the Council making a determination under Article 39 of the Charter that the Israeli action constitutes an "act of aggression". We would regard such a determination as the most serious and far-reaching of all those determinations which the Council is empowered to make. We note that even at the time of the Korean war, in which hundreds of thousands of lives were lost, the Council did not go beyond a determination in resolution 82 (1950) that the events in question constituted a breach of the peace.

173. We believe that the Council should instead, in the present case, have sought a consensus that would have, without making a Chapter VII determination, called upon all States to refrain from any acts or dealings which would imply recognition of, or lend support or assistance to, Israel's decision. The Council could also have required that all Member States should refrain from providing Israel with any assistance that would be used specifically in the occupied Syrian Golan Heights; that Member States should refuse to have any contact with Israeli institutions there and that they should not participate in any events or activities organized there by the Government of Israel. That is not an exhaustive list. For our part, my Government is considering which of such measures it should take on a unilateral basis.

174. Finally, my Government believes that we should not regard the Council's inability on this occasion to reach consensus as a failure, but rather as a temporary set-back. My Government remains willing on this issue to work for a true consensus within the Council which, we believe, would provide the best means to achieve our common objective of getting the Government of Israel to rescind its illegal act.

175. Mr. LOUET (France) (*interpretation from French*): It gives me pleasure to welcome you, Mr. President, a seasoned diplomat whose experience and objectivity will be particularly useful to the Council for the successful conduct of its work in difficult circumstances.

176. I should be grateful if you would be so kind as to transmit our thanks and congratulations to your predecessor, Mr. Olara Otunnu, for the brilliance and effectiveness with which he discharged the functions of President for December.

177. I also welcome the presence in our midst of Mr. Javier Pérez de Cuéllar. I wish him every success in his post of Secretary-General and should like to assure him that the French Government is determined to give him full support.

178. Finally, I am very happy to take this opportunity to welcome the new members of the Council: the representatives of Guyana, Jordan, Poland, Togo and Zaire.

179. The refusal of the Israeli Government to comply with the provisions of Council resolution 497 (1981), adopted unanimously on 17 December 1981, has led this body to resume its debate in order to consider appropriate measures under the provisions of that resolution. The decision taken by Israel to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is indeed a particularly serious matter on which the French Government has already spoken. I would merely recall in this respect the text of the communiqué of the Council of Ministers of 16 December 1981 and the statement by the representative of France in the Security Council, also made on 16 December, in which he said the following:

"The French Government firmly condemns this act, which is tantamount to annexation and is a direct attack on the sovereignty of Syria over a territory which belongs to it and was occupied by Israeli forces in 1967. This act is contrary to international law and to United Nations resolutions. It constitutes a violation of the principle of the non-acquisition of territory by force which is laid down in resolution 242 (1967) of the Council." [2317th meeting, para. 90]

180. The Council has just taken action on the draft resolution contained in document S/14832/Rev.1. France abstained for several reasons. First of all, it would have preferred that draft to have been the subject of in-depth negotiations so that a consensus might have been reached. It would also have wished to cast its vote in favour of a text which would have permitted progress towards a negotiated settlement. But the draft resolution as put to the vote did not cover those concerns which, for our country, were basic.

181. In that spirit, the French delegation was certainly prepared to associate itself with appropriate measures. It was a question of stating the invalidity of the law adopted by the Israeli Parliament and consequently of drawing all the necessary consequences in respect of relations between Member States and Israel regarding the occupied Syrian Golan. Working documents were drafted by some Council members,

and some of the suggestions contained in them did tally with our ideas.

182. A really constructive resolution, in the view of the French delegation, should have, *inter alia*, recalled the need for withdrawal from territories occupied by Israel in 1967.

183. This text also should have included provisions opening the way to a comprehensive, just and lasting peace in the Middle East established on the basis of the relevant resolutions of the Council, a peace which should also include recognition of the rights of the Palestinian people.

184. At the conclusion of this debate, the French Government would like to reaffirm that it considers that the law adopted by the Israeli Parliament is null and void and hence cannot in any way modify the status of the Golan. The French Government once again appeals to Israel to abide by the principles of international law and to refrain from impeding peace in the Middle East.

185. Mr. NISIBORI (Japan): This being the first time I have spoken this month, I wish to extend to you, Mr. President, my heartiest congratulations on your assumption of the presidency of the Council. Your exemplary record in the United Nations has earned you the esteem, friendship and distinction that you so richly deserve. I wish you every success in your important task.

186. I also wish to pay a tribute to your predecessor, Mr. Olara Otunnu of Uganda, for the outstanding manner in which he handled the duties of this high office last month.

187. At this time I should like also to extend a very warm welcome to those members of the Council which have been elected for the years 1982 and 1983—our good friends from Guyana, Jordan, Poland, Togo and Zaire. All of them are well known to us and have already been actively engaged in our deliberations.

188. Allow me to express my delegation's sincere thanks as well to our five colleagues which left the Council at the end of the past year, namely, the representatives of the German Democratic Republic, Mexico, Niger, the Philippines and Tunisia. All of them deserve high praise for the contributions they made throughout their tenure. My delegation sincerely appreciates the kind assistance, co-operation and friendship that they extended to us.

189. It is also a great privilege to offer, on behalf of my Government, our sincere congratulations to Mr. Javier Pérez de Cuéllar on his appointment to the post of Secretary-General. A statesman of proven wisdom and integrity, Mr. Pérez de Cuéllar has a long and distinguished association with the United Nations beginning in 1971 with his appointment as Peru's repre-

sentative and, more recently, as Under-Secretary-General for Special Political Affairs. He has consistently discharged his responsibilities in a way that has earned him the admiration, respect and trust of his colleagues throughout the United Nations. We regard it as particularly fortunate that at this time the reins of leadership have been passed to a representative of Latin America, a continent whose importance in world affairs will continue to grow in the coming years. As a country which enjoys friendly relations with Peru, Japan heartily welcomes Mr. Pérez de Cuéllar to his new post. He can be assured of my delegation's full support and co-operation as he seeks to carry out the myriad responsibilities of his high office.

190. Finally, I welcome this opportunity to express my Government's sincere appreciation to Mr. Kurt Waldheim for his outstanding leadership during the 10 years he served as Secretary-General. Mr. Waldheim guided the United Nations through a difficult decade with unswerving devotion to the service of the international community and with unshakable commitment to the cause of peace, justice and co-operation among nations.

191. I turn now to the item before us. My Government's basic position on this matter was made clear in a statement by the Minister for Foreign Affairs of Japan on 15 December 1981 [S/14797]. In my statement before the Council on 16 December, I reiterated that position [2317th meeting, para. 53].

192. The steps taken by Israel to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights flagrantly violate international law, as well as Council resolutions 242 (1967) and 338 (1973). Japan cannot condone such measures and demands that Israel rescind them immediately.

193. The international community has repeatedly censured Israel for its numerous violations of international law and relevant resolutions of the United Nations. I refer specifically to its annexation of East Jerusalem in the summer of 1980 and its bombing of Iraqi nuclear facilities in June 1981. The fact that Israel ignored those warnings and undertook its latest action in the Golan Heights constitutes a grave challenge to the international community. Thus it would seem there are grounds for the consideration of punitive action of some kind against Israel.

194. Nevertheless, inasmuch as the present problem is rooted in the unstable situation prevailing in the Middle East, we still cannot help but question whether draft resolution S/14832/Rev.1 would in fact contribute to a real solution of the problem. My delegation was therefore obliged to abstain in the voting on this draft resolution.

195. The PRESIDENT (*interpretation from Russian*): The representative of Israel has asked to speak and I now call on him.

196. Mr. BLUM (Israel): In my statements in the course of this debate I have repeatedly pointed out that a balanced approach required in the deliberations on any aspect of the Arab-Israeli conflict cannot be achieved in the contentious atmosphere prevailing in the Council. Israel's adversaries view the Council—and, for that matter, the United Nations in general—merely as a forum to promote their confrontational approach and seek all along to exploit the Council's proceedings in their relentless and ongoing warfare against my country.

197. I cannot but express astonishment that certain members of the Council, and especially certain permanent members, should have seen fit to abet the campaign waged by Israel's enemies in the Organization by abstaining on a draft resolution that studiously and deliberately avoided any reference to a negotiated and peaceful settlement of the Arab-Israeli conflict and that instead singled out for condemnation Israel, the target of Arab aggression. Irrespective of their motives—be it indifference, expediency or any other motive—one cannot but wonder whether these countries which have remained on the sidelines of the entire peace process in the Middle East are genuinely interested in its success.

198. The time has surely come for all here to recognize that exercises of this kind do not and cannot contribute to the promotion of peace in our region. That objective can be attained only through honest dialogue and negotiation and not by deliberations conducted in an atmosphere of incitement and rancour.

199. It is in this spirit that I appeal once again to the Government of the Syrian Arab Republic on behalf of the Government of Israel to abandon the path of confrontation and hatred and to face up at long last to the realities of the region. I express once again Israel's readiness to start immediately and without any prior conditions negotiations to settle all the outstanding issues between our two countries within the framework of Council resolutions 242 (1967) and 338 (1973). Israel sincerely hopes that this time our appeal will not fall on deaf ears and will not go unheeded.

200. The PRESIDENT (*interpretation from Russian*): The representative of the Syrian Arab Republic has asked to speak and I call on him.

201. Mr. EL-FATTAL (Syrian Arab Republic): The annals of the Council should register the veto cast today by the United States of America as a supreme act of irony, a clear dichotomy between words and deeds, between obligations undertaken under the Charter of the United Nations and the non-observance of those same obligations. The outcome of this voting has totally and fully unmasked the real face of the United States which, along with other States, is entrusted to act as guarantor of the Charter, protector of the Charter and of the international system and, if I may use the word of the representative of Zaire, as arbiter.

202. To abuse the power of veto, to aim at aggravating a situation the consequences of which threaten the very foundation of world order is to alert the world at large that there exist in this very Council—in this case the United States—members whose task is to perpetuate the partition of the United Nations into dominators and dominated. By protecting the aggressor against its victims, by flouting fundamental principles of international law for which the United Nations was purposefully created, by procrastinating the efforts to devise mandatory measures under Chapter VII against the aggressor, these same Council members are openly demonstrating negligence, not to say a degree of irresponsibility, in evading the compact that they have signed and ratified, in good faith, I hope.

203. We have seen the same outrageous behaviour, by the United States particularly, with regard to the just struggle of the African people against *apartheid*; we have witnessed it in the case of Namibia; we have witnessed it in the case of aggression against Angola; and now we are suffering it ourselves in this most recent Zionist act of aggression against our sovereignty and territorial integrity, aggression sustained by the United States. No wonder we, the peoples of the world—I am using the words of the Charter—can become cynical about the role of the Council and doubt its powers, sincerity, good faith and credibility, particularly after the veto of the United States.

204. Despite the United States veto and the hesitations demonstrated by others to punish an act of aggression which they had previously considered as "null and void" and requiring appropriate measures and which they had previously agreed to challenge—despite all that we take this opportunity to pay homage to those non-aligned members whose painful colonial experiences were vivid enough for them not only to condemn the Israeli aggression, but also to identify with our grievances and thus express their full solidarity and support and this not only for the sake of the Syrian Arab Republic, by upholding, defending and articulating the pertinent provisions of the Charter in this and similar situations. Our vetoed resolution embodies the joint efforts of those same members whose deep sense of justice and whose commitment to the Charter prompted them to devise the appropriate measures against Israel.

205. If we have not lost all hope in the United Nations system and in the Council in particular, it is because the non-aligned countries, the Islamic countries, the socialist countries and China have been consistent in upholding a principled position against aggression. We are likewise highly gratified and impressed by the consistent and principled position of Spain which, whenever faced with a world problem, has never failed to stand on the side of justice.

206. And yet our resolution—and I consider it a resolution and the American veto does not count, the

majority of world public opinion is with us—today stands vetoed and that primarily thanks to the United States whose influence, intrigues and pressures were only too obvious, too oppressive for any but a few to miss and few resisted them. It is true that the United States voted in favour of resolution 497 (1981) of December last. Need we thank the United States for conceding that annexation of territory by force is inadmissible and that that is a cardinal principle of international law? The question of the annexation of the Syrian Golan Heights surely does not rest on that recognition, but rather on the will of the United States to join in collective measures in order to eliminate both the Israeli occupation and annexation. Instead of condemning the act and punishing it, the United States is now claiming that, since it was carried out without the use of force, that annexation does not deserve the sanctions, for in its distorted logic it does not constitute an act of aggression but an ordinary legislative act.

207. Yet those who are today trying to absolve Israel—and in this case the United States—of most of its recent acts of aggression are in fact helping it to legitimize and prolong its occupation not only of the Syrian Golan Heights but of other occupied Arab territories. If the Israeli occupation of the Golan, of the West Bank and of Gaza has lasted for 15 years, is that the fault of the victim or of the Israeli policy of territorial aggrandizement?

208. To our astonishment, not to say our horror, the United States delegation is reported to have claimed that the Israeli answer to the Secretary-General contained a positive element since in that reply Israel claims that the Golan Heights law “does not preclude or impair negotiations” [S/14821, para. 3]. I would ask the members of the Council which country on earth can accept blackmail from an enemy that has annexed its territories, which are under occupation.

209. We have repeatedly stated that Syria will never capitulate to diktat nor shall we rest until we liberate all occupied Arab territories, including Jerusalem and the Golan Heights. The United States delegation’s argument that annexation is a legislative act converts the principle of the non-acquisition of territory by force into a negotiable principle in violation of all norms. Therefore, both the United States and Israel are blackmailing Syria to make it surrender its rights as well as those of the people of Palestine to a colonial entity born of aggression and violence. It suffices to remind the Council of the Camp David conspiracy, of the Camp David system, which is stained with our blood and the blood of the Palestinian people.

210. The family quarrel between the United States and Israel is by now resolved, forgiven or forgotten. It has escalated at times and Washington, acting as the adult partner, has continued to turn the other cheek. Whatever these family members may opt to do

does not reflect the mood of the rest of the world, nor should it set the tone in the Council. We have learned to regard United States-Israeli bickering as private—that is, until such time as the United States and every single American citizen will curse the day.

211. The suspension of the strategic agreement between the United States and Israel on the ground that Israel had violated the spirit of that agreement did not fool us, nor did it hurt the Israeli establishment, for it did not for a single day deprive Israel of anything. Concomitant with that act, the United States reaffirmed that it would continue to support Israel with assistance that amounts to \$2.5 billion a year—and that is official assistance. Had the United States really wished to punish its vassal entity to regain some credibility in our region it would have abrogated outright the strategic agreements, particularly since all Arab States have condemned it because the alliance is meant to constitute a framework for aggression against the Arab nation in general and those Arab countries that are determined to safeguard their freedom, independence, sovereignty and territorial integrity against Israel’s so-called expansionist and annexationist policies.

212. The so-called suspension turned out to be a device through which the United States attempted to absorb for a while the wrath of the Arab people and their Governments as a result of the Israeli annexation of the Syrian Golan Heights. Furthermore, the United States’ deceptive manoeuvres had no effect on Arab determination to exert all efforts to liberate their occupied territories in Palestine and outside it. The organic ties between the United States and Israel are today as strong as ever. Did not the Secretary of State, Mr. Haig, respond to Begin’s insulting words “You have no moral right to preach to us about civilian casualties” by stating, “Israel has been, is today and will remain a close friend of the United States”? He said that on CBS television. That is Mr. Haig’s answer to Mr. Begin’s insult. Haig added that President Reagan, probably more than his predecessors, understood the “vital importance of our obligations to the people of Israel and guarantee to the survival of that State”. In the same CBS interview he said, “The long-standing United States policy towards Israel has been in the interest not only of Israel but of the United States of America”.

213. We wonder: who is the vassal? To solve this dilemma we would quote an editorial of *The New York Times* of 22 December 1981 on the very soul-searching subject of reaching the point of double loyalty. “‘You are trying to make Israel a hostage,’ Mr. Begin cries. The fact is that Israel and the United States are hostages each to the other”.

214. In the light of this veto, I should like to state the following. It has been claimed that the United States has 99 per cent of the chances to establish a just peace in our region. But what we know to be the truth

is that the United States actually has 99 per cent of the chances to create conditions to trigger, through Israel, another conflagration. It has been claimed that the United States was to follow an even-handed policy. But the net result of this claim was manifested in the deterioration of the situation in the Middle East. Jerusalem, the Iraqi nuclear reactor, the savage armed attack against civilian targets, particularly the raid against Beirut, and, last but not least, the annexation of the Syrian Golan Heights, point to the fact that that even-handedness is a ploy in a vacuum where no United States policy is a policy.

215. At no time in the Council did I hear a statement by the representative of the United States on the question before us. I was only told that the United States had taken note of my statement last week [2328th meeting, para. 195]. But everyone present here has a duty to take note of what I say; I am the victim. I should like to remind the representative of the United States of a statement made at the Twelfth Convention of the Hebron Movement on 12 January 1975 by no less a person than Begin. He said in his statement that

"Churchill, a great friend of Roosevelt, used to say: 'One must always realize where the focus of power and decision in the United States is.' We can say today from our observations and experience that it is not true that, if we stand firm and act wisely, out of love for the Jewish people and the land of Israel, out of love and liberty and peace, we shall be in conflict with America."

Begin went on to say:

"From Israel's viewpoint, one may say, if I may borrow a phrase, that there are three Americas. There is the State Department and in the State Department there are the Arabists. They are prepared to sacrifice Israel's security and future for their theories. But, in addition to that America—and it is a very small one—there are two other Americas. One is represented by the two Houses of Congress—the elected representatives of the great American people. Since the State of Israel came into existence, there has not yet been a Congress whose two Houses have been more favourable to us than this one. And then there is a third America—perhaps the America that matters most—the public opinion of a free country that is involved in crises of human freedom and always overcomes them."

216. We have read articles in which the United States divides the world into two sectors: the free world and the totalitarian and authoritarian world. I wonder in which category Israel—a country which occupied three Arab countries and the people and the territory of Palestine—falls? I shall answer that for you. Israel falls into the category of liberal occupation or democratic occupation according to your tradition and to your position, of which you are proud—and you claim that you are the ally of Israel and Israel is your puppet.

217. The PRESIDENT (*interpretation from Russian*): The Secretary-General has requested to make a statement and I have much pleasure in calling on him.

218. The SECRETARY-GENERAL (*interpretation from Spanish*): Mr. President, I wish at the conclusion of this debate to express very special thanks to you, Sir, and to all the members of the Council and the other speakers for the kind words of encouragement addressed to me. In reply, I wish to give the Council every assurance that I shall do my utmost to justify the trust placed in me and to fulfil my mandate in accordance with the Charter of the United Nations.

219. As a member of the Council in the past, I have had the experience of participating in its deliberations on various occasions. I am therefore fully aware of the importance of the relationship between the Council and the Secretary-General. I shall endeavour to strengthen that relationship and do everything possible to help the Council fulfil the fundamental role given it by the Charter. The letter and spirit of the Charter will guide me in this undertaking.

220. I sincerely wish the Council success in resolving the complex and difficult questions before it. This wish is founded on the fervent yearning for peace which inspires all human beings. I am convinced that, by preserving and enhancing its authority and effectiveness, the Council will be able to make a crucial contribution to the strengthening of the structure of peace.

221. The PRESIDENT (*interpretation from Russian*): I thank the Secretary-General for his statement. I should like to take this opportunity to congratulate him on his birthday and to wish him every success and good health.

222. Mr. NUSEIBEH (Jordan): I wish to assuage any fears on the part of my colleagues by assuring them that I have no intention of making an additional statement on this occasion, since it would be fortuitous and would overtax the precious time of the Council at this late hour.

223. However, I wish to propose and request that the Council continue consideration of the item before us and that the next meeting be convened after further consultations which the President may wish to carry out at his discretion. This is prompted by overriding considerations.

*The meeting rose at 7.20 p.m.*

#### NOTES

<sup>1</sup> *Official Records of the General Assembly, Thirty-sixth session, Plenary Meetings*, 33rd meeting, para. 253.

<sup>2</sup> United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

<sup>3</sup> Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975.

<sup>4</sup> General Assembly resolution 217 A (III).

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