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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL  
Thirty-seventh year

Report of the Secretary-General

CONTENTS

	<u>Page</u>
I. INTRODUCTION .....	3
II. INFORMATION RECEIVED FROM MEMBER STATES .....	6
Byelorussian Soviet Socialist Republic .....	6
Chile .....	7
Egypt .....	7
Indonesia .....	8
Saudi Arabia .....	8
Ukrainian Soviet Socialist Republic .....	9
Union of Soviet Socialist Republics .....	10

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\* A/37/50.

	<u>Page</u>
III. INFORMATION RECEIVED FROM SPECIALIZED AGENCIES AND INTERNATIONAL INSTITUTIONS .....	11
International Labour Organisation .....	11
Food and Agriculture Organization of the United Nations .....	11
World Intellectual Property Organization .....	11
International Atomic Energy Agency .....	11

## I. INTRODUCTION

1. On 5 February 1982, the General Assembly, at its ninth emergency special session, adopted resolution ES-9/1 entitled "The situation in the occupied Arab territories", the operative part of which reads as follows:

"The General Assembly,

"...

"1. Strongly condemns Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolution 36/226 B;

"2. Declares that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitutes an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX);

"3. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights is null and void and has no legal validity and/or effect whatsoever;

"4. Determines that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Golan Heights are illegal and invalid and shall not be recognized;

"5. Reaffirms its determination that all the provisions of the Hague Conventions of 1907 1/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon all parties thereto to respect and ensure respect of their obligations under these instruments in all circumstances;

"6. Determines that the continued occupation of the Syrian Golan Heights since 1967 and its effective annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

"7. Strongly deplores the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

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1/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

2/ United Nations Treaty Series, vol. 75, No. 973, p. 287.

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"8. Further deplores any political, economic, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of occupied Arab territories;

"9. Firmly emphasizes its demands that Israel, the occupying Power, rescind forthwith its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, which has resulted in the effective annexation of that territory;

"10. Reaffirms the overriding necessity of the total and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since 1967, including Jerusalem, which is a primary requirement for the establishment of a comprehensive and just peace in the Middle East;

"11. Declares that Israel's record and actions confirm that it is not a peace-loving Member State and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

"12. Calls upon all Member States to apply the following measures:

(a) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance which Israel receives from them;

(b) To refrain from acquiring any weapons or military equipment from Israel;

(c) To suspend economic, financial and technological assistance to and co-operation with Israel;

(d) To sever diplomatic, trade and cultural relations with Israel;

"13. Also calls upon all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

"14. Urges non-member States to act in accordance with the provisions of the present resolution;

"15. Calls upon all specialized agencies of the United Nations system and international institutions to conform their relations with Israel to the terms of the present resolution;

"16. Requests the Secretary-General to follow up the implementation of the present resolution and to report thereon at intervals of two months to Member States as well as to the Security Council and to submit a comprehensive

report to the General Assembly at its thirty-seventh session under the item entitled 'The situation in the Middle East'."

The present report is submitted in pursuance of paragraph 16 of the above resolution.

2. On 19 February 1982, the Secretary-General transmitted the text of resolution ES-9/1 to all Member States, non-member States, specialized agencies of the United Nations system and international institutions, and, in view of his reporting obligation under paragraph 16, requested them to transmit to him, as soon as possible, such information as would be relevant to the preparation of the report. Governments and organizations were further requested to keep him informed of any relevant action subsequent to the initial reply.

3. As at 5 April 1982, replies to the Secretary-General's note had been received from the Governments of the Byelorussian Soviet Socialist Republic, Chile, Egypt, Indonesia, Saudi Arabia, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics. Replies had also been received from the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the World Intellectual Property Organization and the International Atomic Energy Agency. These replies are reproduced below.

4. Further replies received will be published as addenda to the present report.

II. INFORMATION RECEIVED FROM MEMBER STATES

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

[Original: Russian]

[22 March 1982]

1. The Byelorussian Soviet Socialist Republic has consistently advocated a comprehensive and just settlement in the Middle East which must provide for an end to Israeli occupation of all the Arab territories seized in 1967, the exercise of the inalienable rights of the Arab people of Palestine, including the establishment of their own State, and guarantees for the security and sovereignty of all countries in the area. It believes that such a settlement can be achieved only through honest collective efforts on a just and realistic basis.
2. Experience, however, clearly shows that the establishment of a just and lasting peace in the Middle East is being hindered by the policy of aggression, expansionism and annexation which Israel continues to pursue with respect to the Arab States and peoples, and by the de facto participation in that policy of the United States of America, Israel's "strategic partner". Tel Aviv's decision to extend its jurisdiction to the Golan Heights which have been Syrian from time immemorial, is an undisguised act of annexation of the territory of another State and a gross violation of the United Nations Charter and the principles of international law.
3. In these circumstances, the adoption of resolution ES-9/1 by the General Assembly at its ninth emergency special session was an important political act. The action taken by the Assembly when, in that resolution, it called upon all States Members of the United Nations to ensure the total isolation of Israel and to take a number of specific measures with regard to that country, was fully justified and extremely timely.
4. In accordance with its position of principle, the Byelorussian Soviet Socialist Republic does not supply Israel with any weapons or related equipment, does not accord it any military assistance and does not purchase any weapons or other military equipment from Israel.
5. The Byelorussian Soviet Socialist Republic has no diplomatic, trade, cultural or any other relations with Israel.
6. The Byelorussian Soviet Socialist Republic whole-heartedly associates itself with the General Assembly's strong condemnation in the above-mentioned resolution of the vote which was cast in the Security Council by one of the permanent members - the United States of America - against the draft resolution providing for the imposition of mandatory sanctions against Israel in accordance with Chapter VII of the Charter, and which prevented the adoption of appropriate measures against the aggressor.

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CHILE

[The Permanent Mission of Chile, in response to the Secretary-General's note, transmitted to him on 3 March 1982 the text of the explanation of vote made by the Permanent Representative of Chile in connexion with resolution ES-9/1 at the 12th plenary meeting of the ninth emergency special session of the General Assembly. 3/]

EGYPT

[Original: English]

[12 March 1982]

1. The abstention of the Egyptian delegation in the voting on the above-mentioned resolution should not in any way affect a solemnly declared position by the Government of the Arab Republic of Egypt as amply elaborated in the following official documents.

2. A statement [was made] by Mr. Ahmed Esmat Abdel Meguid, Permanent Representative of Egypt to the United Nations, before the Security Council on 16 December 1981 (S/PV.2316, p. 37), in which a reference was made to the official communiqué of the presidential office, which said "The peace which Israel presumably seeks, and which we in Egypt endeavour sincerely to realize, cannot but remain an unfulfilled delusion if Israel persists in such acts, which dissipate all possibilities, though meagre, of reconciliation or coexistence".

3. The position of Egypt was further highlighted in the statement by Mr. Esmat Abdel Meguid before the General Assembly on 1 February 1982 (A/ES-9/PV.4, p. 6), in which he said, inter alia:

"Egypt's position with regard to this issue proceeds from two main premises: first, the principled commitment of the people and the leaders of Egypt to the justice of the cause of the fraternal Arab people of Syria, to Syria's ... right to full sovereignty over all its territories ...; and second our complete identification with the unified position of the Movement of Non-Aligned Countries ...

"Egypt's position of principle is based on an unshakeable premise: the inadmissibility of the acquisition of territory by force. Thus, Israel's having acted in the way it did is a clear violation of the principles and provisions of Security Council resolution 242 (1967) ... [and] a breach of the principles of the United Nations".

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3/ For the text, see A/ES-9/PV.12, p. 17.

4. Immediately before the voting process started, a statement in explanation of vote before the vote was made by Mr. Amre Moussa, Deputy Permanent Representative of Egypt to the United Nations, on 5 February 1982 (A/ES-9/PV.12, p. 53), which emphasized inter alia that:

"Egypt has on many occasions and in various forums unequivocally expressed its total and unconditional rejection and condemnation of the imposition of Israeli laws, jurisdiction and administration on the occupied Syrian Golan Heights. The Government of Egypt ... considers itself a full member of the international consensus against this illegal decision ...

"The situation in the Middle East should not be allowed to deteriorate further through actions such as the decision taken by Israel on the occupied Golan Heights or that taken in regard to Jerusalem ...

"The principle of the inadmissibility of the acquisition of territory by force should be fully respected. The right of the Palestinian people to self-determination should be upheld. The sovereignty and territorial integrity of all countries should be strictly respected ...".

INDONESIA

[Original: English]

[10 March 1982]

Indonesia, as a sponsor of General Assembly resolution ES-9/1, is in full compliance with the operative paragraphs which outline the measures to be taken by Member States. Therefore, with regard to paragraphs 12 and 13 of the resolution, the Indonesian Mission wishes to inform the United Nations that Indonesia has never supplied Israel with any weapons or related equipment, it has never received any military assistance nor has it ever acquired any weapons or military equipment from Israel. Furthermore, Indonesia has never maintained economic, financial or technological assistance and co-operation with Israel, nor has it ever had diplomatic, trade or cultural relations with that country. In fact, Indonesia has never engaged in any dealings with Israel either within or outside the United Nations.

SAUDI ARABIA

[Original: English]

[2 March 1982]

1. The Government of Saudi Arabia has never had any diplomatic, trade or cultural relations, nor any economic, financial or technological dealings with Israel. The Government of Saudi Arabia is well aware of the aggressive, illegal and expansionist policies pursued by Israel in violation of the Charter, of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of

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12 August 1949, and of the various resolutions of the General Assembly and the Security Council, thereby gravely endangering world peace and security.

2. In view of the relentless and changing policy of Israel, it is totally unlikely that there will be any change, in the foreseeable future, in the position of the Government of Saudi Arabia.

UKRAINIAN SOVIET SOCIALIST REPUBLIC

[Original: Russian]

[29 March 1982]

1. The explosive situation in the Middle East, caused by the growing aggressiveness of Israel and by the militarist aspirations of the United States, requires a prompt, comprehensive and just settlement, which, in the opinion of the Ukrainian SSR, is possible only through honest collective efforts by all parties concerned. Such a settlement must provide for an end to Israeli occupation of all the Arab territories seized in 1967, the exercise of the inalienable rights of the Arab people of Palestine, including the establishment of their own State, and guarantees for the security and sovereignty of all States in the area. The Ukrainian SSR is endeavouring to promote the achievement of a just and lasting peace in the Middle East by actively participating in the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

2. In accordance with this position of principle, the Ukrainian SSR has strongly condemned Israel's decision to extend its jurisdiction to the Golan Heights, which belong to Syria and which Israel occupied in 1967 - this decision being an undisguised act of aggression aimed at annexing the territory of another State and amounting to a gross violation of the United Nations Charter and of international law. It is quite clear that this act of aggression, like previous ones, would have been impossible without the all-around support given to Israel by its "strategic ally", the United States of America.

3. The Ukrainian SSR, as a sponsor of resolution ES-9/1, adopted by the General Assembly at its ninth emergency special session, supports the call issued by the General Assembly in that resolution to all States Members of the United Nations to take a number of specific measures against Israel and to ensure its total isolation, and considers that this call was extremely timely and fully justified.

4. The Ukrainian SSR considers it essential for the Security Council to adopt mandatory sanctions against Israel in accordance with Chapter VII of the Charter and, in this connexion, supports resolution ES-9/1 in strongly deploring the negative vote by a permanent member of the Security Council - the United States of America - which prevented the Council from adopting appropriate measures against the aggressor.

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UNION OF SOVIET SOCIALIST REPUBLICS

[Original: Russian]

[16 March 1982]

1. The Soviet Union has consistently advocated a comprehensive and just settlement in the Middle East which would provide for an end to Israeli occupation of all the Arab territories seized in 1967, the exercise of the inalienable rights of the Arab people of Palestine, including the establishment of their own State, and guarantees for the security and sovereignty of all States in the area. It considers that such a settlement can be achieved only through honest collective efforts on a just and realistic basis.
2. It is, however, a fact that the establishment of a just and lasting peace in the Middle East is being hindered by Israel's continued aggressive, expansionist policy towards the Arab States and peoples and by the de facto participation of Israel's "strategic partner", the United States of America, in that policy. Israel's decision to extend its jurisdiction to the Golan Heights, which belong to Syria, is an undisguised act of annexation of the territory of another State and a gross violation of the United Nations Charter and international law.
3. The adoption by the General Assembly, at its ninth emergency special session, of a resolution concerning the annexation by Israel of the Syrian Golan Heights was, in these circumstances, an important political act. The call issued by the General Assembly in that resolution to all States Members of the United Nations to take a number of specific measures with regard to Israel was fully justified and extremely timely.
4. The Soviet Union, in accordance with its above-mentioned position of principle, does not supply Israel with any weapons or related equipment, does not accord it any military assistance and does not purchase any weapons or other military equipment from Israel.
5. Since the Israeli aggression against the Arab States in June 1967, the Soviet Union has ceased all economic, financial and technical co-operation with Israel, has severed diplomatic, trade and cultural relations with that country and still maintains no such relations.
6. Given Tel Aviv's continued policy of aggression, expansion and annexation, the Soviet Union considers that the General Assembly was justified in calling on all States Members of the United Nations to ensure the total isolation of Israel.
7. When the question of the annexation of the Golan Heights by Israel was considered in the Security Council in January 1982, the Soviet Union voted in favour of the draft resolution which provided for the imposition of mandatory sanctions against Israel in accordance with Chapter VII of the Charter. Therefore, like the General Assembly in resolution ES-9/1, it strongly deplores the negative vote by a permanent member of the Security Council - the United States of America - which prevented the Council from adopting appropriate measures against the aggressor.

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III. INFORMATION RECEIVED FROM SPECIALIZED AGENCIES  
AND INTERNATIONAL INSTITUTIONS

INTERNATIONAL LABOUR ORGANIZATION

[Original: English]

[25 March 1982]

The Director-General [of the International Labour Organisation] will not fail to let you have the annual report which he will be submitting to the forthcoming session of the International Labour Conference on the situation of the Arab workers in the occupied territories prepared as a result of an ILO mission which visited those territories, including the Golan, in late February.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

[Original: English]

[15 March 1982]

The provisions of paragraph 15 of resolution ES-9/1 concerning the specialized agencies of the United Nations system have been noted and will receive the most careful attention. At the present time we have no contribution to offer for the Secretary-General's report.

WORLD INTELLECTUAL PROPERTY ORGANIZATION

[Original: English]

[18 March 1982]

The said resolution will be brought to the attention of the governing bodies of WIPO at their next sessions.

INTERNATIONAL ATOMIC ENERGY AGENCY

[Original: English]

[12 March 1982]

1. We have taken note of resolution ES-9/1 and in particular its paragraph 15 containing recommendations to the specialized agencies of the United Nations system.
2. It should be noted that the General Conference of IAEA, at its twenty-fifth session in September 1981, adopted resolution GC(XXV)/RES/381 on the Israeli

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A/37/169

S/14953

English

Page 12

military attack on the Iraqi nuclear research centre. By this resolution the General Conference decided, inter alia, to suspend immediately the provision of any assistance to Israel under the Agency's technical assistance programme and to consider at its twenty-sixth regular session the suspension of Israel from the exercise of the privileges and rights of membership if by that time it has not complied with the provisions of Security Council resolution 487 (1981) of 19 June 1981.

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