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NOTE

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

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

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2316th MEETING

Held in New York on Wednesday, 16 December 1981, at 10.30 a.m.

President: Mr. Olara A. OTUNNU (Uganda).

Present: The representatives of the following States: China, France, German Democratic Republic, Ireland, Japan, Mexico, Niger, Panama, Philippines, Spain, Tunisia, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Provisional agenda (S/Agenda/2316)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:
Letter dated 1st December 1981 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/14791).

The meeting was called to order at 11.25 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the occupied Arab territories:

Letter dated 14 December 1981 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/14791)

1. The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Cuba, Egypt, Israel, Kuwait, Lebanon, Saudi Arabia, the Syrian Arab Republic, Turkey and Viet Nam in which they request to be invited to participate in the discussion of the item on the agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Blum (Israel) and Mr. El-Fattal (Syrian Arab Republic) took places at the Council table; Mr. Roa Kouri (Cuba), Mr. Abdel Meguid (Egypt), Mr. Abulhassan (Kuwait), Mr. Tuéni (Lebanon), Mr. Allagany (Saudi Arabia), Mr. Kirca (Turkey), and Mr. Ha Van Lau (Viet Nam) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT: I should like to inform members of the Council that I have received a letter dated 16 December 1981 from the representative of Tunisia [S/14795], which reads as follows:

"I have the honour to request the Security Council to invite Mr. Clovis Maksoud, Permanent Observer of the League of Arab States, to participate in the consideration of the item entitled 'The situation in the occupied Arab territories' in accordance with rule 39 of its provisional rules of procedure."

Unless I hear any objection, I shall take it that the Council agrees to this request.

It was so decided.

3. The PRESIDENT: The Security Council is meeting today in response to the request contained in a letter dated 14 December 1981 from the representative of the Syrian Arab Republic addressed to the President of the Security Council [S/14791].

4. The first speaker is the representative of the Syrian Arab Republic, on whom I now call.

5. Mr. EL-FATTAL (Syrian Arab Republic): I should like, Mr. President, to express to you my sincere congratulations upon your assumption of the presidency of the Security Council for this month. My delegation wishes also to thank the previous President.

6. We are confident that under your dynamic leadership the Council will apply itself to the rapidly deteriorating situation in the Middle East and will once more shoulder the responsibilities and duties assigned to it under the Charter of the United Nations.

7. On Monday, 14 December, the Israeli Government decided to annex the Syrian Golan Heights, occupied since June 1967, by enacting legislation imposing Israeli "laws, jurisdiction and administration" on that part of Syria. There is no doubt that these sinister measures constitute outright annexation, and it is an established principle of international law that both occupation and annexation are prohibited. Yet the entire history of the State called Israel has run counter to the purposes and principles of the Charter, as well as to the principles and norms of an international system which forbids the use of force and totally rejects the acquisition of territory by force.

Israel's rapacious appetite for territorial aggrandizement has now reached out to the Syrian Golan Heights, incorporating it within its ever-expanding, undefined, undeclared borders. By changing the status of the Golan Heights from that of occupied territories to that of annexed territories, Israel has not only flagrantly violated international law but has also defied an international system which came about as a result of a general realization that every State and people must be protected against the onslaught of lawlessness that prevailed during the inter-war period.

8. We bring our case to the Council today in the understanding that the acquisition of territory by force, inherent in this Israeli annexationist decision, is a grave violation of the Charter, which we so value, and an act of blatant defiance of international order, which we have all vowed to respect and to protect as our legal, binding obligation.

9. This new violation of international law perpetrated by Israel illustrates that, owing to its very nature and objectives, Israel does not and cannot distinguish between occupation and annexation, for Israel occupies in order to annex, and then it occupies more and more in order to annex. For Israel the decision as to when its *de facto* annexation should be converted into a *de jure* annexation is a question of convenience and timing. The annexation of the Golan Heights comes in the wake of the Memorandum of Understanding containing the agreements on strategic co-operation between the United States of America and Israel, its declared favourite surrogate. Similarly, the annexation of the Holy City of Jerusalem and its surroundings materialized in all its aspects as a result of the Camp David accords' and the ensuing Washington Treaty.

10. It is my duty to draw the attention of the Council to the fact that this latest annexationist episode in Israel's record epitomizes a process of colonization begun in June 1967 with a twofold objective: first, the creation of a *de facto* settler-colonialist situation based on false pretences varying from the occupier's claims of security and its claims of a visceral hatred to pretexts amounting to mythological theorizing and fantasies, and, secondly, the prevention of the displaced Syrian Arab citizens—who by now number approximately 200,000 men, women and children—from returning to their homes and property. That process of Judaizing the Syrian Golan Heights has been aimed at erasing every Arab trace from that Arab land.

11. And yet the 12,000 Syrian Arabs, both Muslim and Christian, who have resisted deportation and forcible displacement have daily endured humiliation, oppression and persecution, the latest manifestation of this being the imposition of Israeli identity cards and nationality, both of which this valiant people proudly rejected.

12. I should like to draw the attention of the Council to the reaction of our Syrian citizens under Israeli occupation to the annexation of part of their homeland, Syria. Today's issue of *The New York Times* reports the following in an article headlined "For Many in Golan Heights, 'It Is a Black Day'":

" 'It is a black day,' said Sheikh Mahmoud Hassan Sadafi Abu Adnan, an aging centre of power in this Druse town perched on a steep hillside. 'We are occupied, and we are part of the Arab nation. We were surprised by this law. Even as they talk about peace, they put barriers in front of the peace process. You can go outside, you can feel it—the mood is not so good.'

"In the village square, young men stood in clusters, talking among themselves, telling visiting reporters how they felt.

" 'It is like announcing a war against Syria,' said one young man.

" 'It is against our duty and our honesty,' said another. 'We regard ourselves as Syrians.'

" 'I think the Israeli Parliament doesn't have any right to decide these things for us,' said a third. 'With every possibility we'll fight against it.'

"In a stone villa across the street, another voice was heard. 'When a man believes in his dignity, in his values in life, he cannot be a traitor,' said Sheikh Kamal Kanj, twice imprisoned by the Israelis, most recently released in October after 5 months and 16 days of being jailed on no specific charge. He had organized Druse to ostracize those who accepted Israeli citizenship being offered—or imposed, as I prefer to say—by the authorities."

13. The urgency of the matter demands that I should not prolong my intervention, because we expect an expeditious discussion and consideration of the matter.

14. The Syrian Arab Republic will not bow to this most recent Israeli diktat. We consider the Israeli decision a flagrant violation of the Charter and of the resolutions of the United Nations, including Security Council resolution 338 (1973), and a grave violation of the cease-fire. The Government of the Syrian Arab Republic also considers this lawless act not only as a breach of the cease-fire, as I said before, but as constituting an act of war against our country; nor shall we spare any effort to defend our territory as well as our vital national interests.

15. We have come to the Council with this case, confident that it will not delay, and will not fail to take the required measures which, at this crucial stage,

demand that Israel rescind forthwith its annexation of Syrian territory and abide by the principles and norms of international law as well as the purposes and principles of the Charter. We are confident that in case of Israeli failure to heed its decisions, the Council will resort to the application of the pertinent measures under Chapter VII of the Charter, particularly the imposition of mandatory sanctions. Needless to say, the Council is urged to declare these new decisions null and void, as it did in adopting the resolutions on Jerusalem.

16. We believe that urgency is of the essence at this juncture. Israel must retract its irresponsible, foolish decision without delay, dismantle its colonies and withdraw from our occupied territories. The Council is likewise requested to keep the situation under close and constant scrutiny, for we in the Syrian Arab Republic believe that Israel is doing its utmost to ignite a situation already fraught with manifold dangers, dangers that threaten, as we have already stated, not only our region but the peace and security of the world at large.

17. Believe me, these are not empty words. Let me conclude by urging the United States, Israel's closest friend and ally, to bring Israel back to its senses. We have no doubt that any leniency on the part of the United States will again be interpreted by the Israeli Fascist establishment as an encouragement of its adventurist and aggressive policies in the region.

18. The PRESIDENT: The next speaker is the representative of Israel, on whom I now call.

19. Mr. BLUM (Israel): Mr. President, at the outset, let me pay my compliments to you on your assumption of the presidency of the Council for the month of December. Your diplomatic skills have already been tried earlier this month and, as we were all witnesses, you came through with flying colours. I should also like to take this opportunity to pay my respects and compliments to the President of the Council for the month of November, the representative of Tunisia.

20. By way of orientation, let me try and describe the area which is at the centre of this debate, the Golan Heights. We are talking about a minuscule area which is only about 450 square miles in all. But the strategic importance of the Golan Heights is out of all proportion to their size. They are situated about 3,000 feet and more above the territory around the Sea of Galilee and the Hula Valley below, which for all practical purposes sit in the palm of their hand, as it were.

21. Ever since 1948, Syria has claimed that there is no international border between it and Israel. Thus, during the negotiations which preceded the signing of the Israeli-Syrian General Armistice Agreement¹ in 1949, Mr. Tarazi, one of the Syrian negotiators, declared:

"There is no international border between Israel and Syria. There was a political border between

Syria and Palestine. We have to sign an armistice agreement, not on the basis of a political border, but on the basis of an armistice line."

In this way, Syria maintained its rejection of the former mandatory frontier and, in so far as the armistice line between 1949 and 1967 followed that frontier, Syria insisted that the General Armistice Agreement signed on 20 July 1949 should include a clause to the effect that the armistice demarcation lines were defined without prejudice to ultimate arrangements.

22. Moreover, in an explanatory letter dated 26 June 1949 in conjunction with the General Armistice Agreement and addressed to the then Minister for Foreign Affairs of Israel by the United Nations negotiator, the late Mr. Ralph Bunche wrote as follows:

"Questions of permanent boundaries, territorial sovereignty, customs, trade relations and the like must be dealt with in the ultimate peace settlement and not in the Armistice Agreement."

23. Until 1967, despite the General Armistice Agreement, whose preamble indicated that its purpose was "to facilitate the transition . . . to permanent peace", Syria adamantly refused to conclude peace with Israel and instead constantly harassed Israel from the Golan Heights. The Syrians had within gunshot not only much of what is called the Galilee Panhandle but also much of northern Israel in general and no small part of Israeli territory in the upper Jordan Valley as well.

24. From its positions on the Golan Heights, Syria frequently bombarded Israeli towns and villages below and attacked Israeli farmers tilling their land. The situation between our two countries reached one of its worst points when, in 1964, the Syrians decided to interfere with the construction of the Israeli national aqueduct which draws water from the Sea of Galilee. Those endless incidents initiated by Syria were regularly brought to the attention of the Council.

25. It is sometimes easy to forget the circumstances which brought Israel onto the Golan Heights in 1967. Syria had turned the Heights into a vast launching pad containing huge reserves of artillery and armour poised for an eventual descent on Israel. In the course of the Six-Day War in 1967, Israel was ferociously bombarded from the Golan Heights. Israel fought back in self-defence because, had the Syrians been able to come down from the Heights, the possible outcome was and remains too terrible to contemplate.

26. The Israel Defence Forces stormed the fortified Heights in the face of lethal fire in order to eliminate the entrenched positions Syria had constructed there. We paid a heavy price in that campaign, but the Heights were captured after two days of heavy

fighting. Thus, 19 years of Syrian harassment and aggression were brought to an end. As a result of the Syrian aggression in the Six-Day War, the Syrian army was thus repelled to a range that no longer permitted it directly to threaten Israel's villages in Galilee and the Hula Valley.

27. For the last fourteen and a half years since June 1967, Israel has repeatedly appealed to Syria to come to the negotiating table and make peace with Israel. Syria refused adamantly. Peace with us is unthinkable. For that reason, Syria refused also to accept Council resolution 242 (1967).

28. Then, in 1973, Syria launched the Yom Kippur War against Israel from the Golan Heights. Indeed, in the early stages of Syria's sneak attack, on the holiest day of the Jewish calendar, the Syrian advance columns broke through the Israeli defences and at one point even looked as though they might succeed in advancing further. If the Syrian army had still been in control of that strip of territory in October 1973, it would have been able, with relative ease, to penetrate deep into Israeli territory, and Israel would have then been forced to wage a bitter defensive battle within the populated areas of Upper Galilee and the valleys.

29. Syria accepted Council resolution 338 (1973) only because, having been defeated in the Yom Kippur War, it was greatly interested in regaining the territories which it had lost in that aggression against Israel. In the signing of the Agreement on Disengagement between Israeli and Syrian Forces [S/11302/Add.1, annex J] at Geneva in 1974, the Syrians were careful to be represented only by army officers so as to emphasize the fact that, from their point of view, there could be no negotiations beyond a military agreement with Israel.

30. The Syrians went even further: they refused to sign that Agreement on Disengagement and requested that the Egyptians sign it on their behalf. It must be pointed out that that Agreement—which is still in effect—did not relate to the subject of the international boundary between our two countries, and thus has no bearing on it.

31. Syria's bellicose attitude notwithstanding, Israel has persevered in its repeated calls to Syria to make peace with us. And what has been Syria's response? It has been to spearhead the rejectionist Arab camp against Israel. It has consistently tried to outlive rejectionist Arab States such as Iraq in their subversive activities against the Camp David framework accord for peace in the Middle East.¹

32. There were also other actions by Syria of which the Government of Israel was bound to take serious note. On 8 October 1980, Syria signed in Moscow a treaty of friendship and co-operation with the Soviet Union. That treaty, a stock item of Soviet diplomacy—or, rather, one of its standard weapons—guaranteed

the uninterrupted and massive flow of sophisticated weaponry which the Soviet Union had been pumping into Syria for some time.

33. Israel was also bound to keep a wary eye open to Syrian activities in Lebanon for, quite apart from what the Syrian army of occupation has done to that country since 1976, it has been perfectly clear to us that Syria has designs to threaten Israel's northern border by outflanking, if possible, the Golan Heights and attacking Israel through southern Lebanon. Whilst Syria keeps the terrorist PLO [*Palestine Liberation Organization*] as a buffer between it and the area of operation of the United Nations Interim Force in Lebanon (UNIFIL), in southern Lebanon, it controls the PLO completely, just as it controls almost everything else in Lebanon.

34. More than that, this year Syria made two further worrisome moves, from Israel's point of view: first, it stepped up its subversive activities to incite the local Druse population of the Golan Heights against Israel; secondly, it has been tightening its links with Libya, with which it is now in the process of establishing a confederate union. In this it no doubt has the blessing of the Soviet Union which has a clear interest in promoting the Tripoli-Damascus axis.

35. Only last month, Syria was the prime mover in bringing about the collapse of the Arab League Summit held at Fez, and we all know precisely what the problem was. On the agenda of the Summit was the "Fahd Plan", which essentially was an assault on Israel's existence and the prescription for the dismantlement of Israel in stages. However, there was one point in the plan which some could possibly construe, by a wide stretch of the imagination, as implying the most indirect form of acceptance of Israel. But even that very oblique point, negated by the rest of the plan, was none the less too much for the Syrians to stomach.

36. At the Summit, Syria's Minister for Foreign Affairs, Mr. Khaddam, made it perfectly clear where his country stood. Thus he declared that:

"To speak of coexistence with Israel would be tantamount to granting Israel legitimacy, and talk of withdrawal to the 1967 lines would be tantamount to recognizing Israel's right to four fifths of Palestine."

He therefore suggested that the Arabs should wait 100 years or more until Israel is weakened, and then they could act. In fact, he was only echoing a similar statement that had been made some two weeks before by his Prime Minister, Mr. Al-Kassem, at a ceremony inaugurating a dam in the Euphrates basin. On 17 November, as reported on Radio Damascus, the Prime Minister declared:

"The Syrian masses and the whole nation declare: no recognition, no peace and no negotiations with Israel."

37. Even more recently, only last Sunday, 13 December, President Assad of Syria himself was reported by the Kuwaiti news agency to have declared in the Kuwaiti newspaper *Al-Rai Al-Amm* that "even if the PLO were to recognize Israel, Syria would not be able to recognize it".

38. There is a limit to how long any country can live under such threats, particularly military threats backed up not only by a sizeable arsenal but also by the political will to use it. For 14 years, Israelis and Druse inhabitants of the Golan Heights have lived well together there. And I do not think anybody will be taken in by the selective quotations from today's issue of *The New York Times* by our Syrian colleague. What he forgot to quote are some rather revealing passages in the same article. Thus, for instance, reference is made there to Mr. Salman Abu Salah, a Druse resident of the Golan Heights, who pointed out:

"In order to make the people feel free and express their opinions openly, . . . the Israelis should treat the Golan Druse just like any other citizens of Israel . . . The state of Israel should forgive the Druse who oppose yesterday's decision, because in the situation they are in, they had to oppose it."

Then he went on to say that after 1967 he realized:

"that it's good for me to live here, and that we can integrate into the state of Israel. The Syrians treated the Druse in a cruel way. From little issues they made big issues in which they could hang people, deport them and maybe hang them before trial."

It would have been nice if our Syrian colleague had been kind enough to quote also those passages from the article which he brought to the Council's attention.

39. All daily life on the Golan Heights, both of the Israeli residents and of the Druse inhabitants, is with Israel. The authorities on the Golan Heights, military and civilian, are Israelis. They certainly cannot wait 100 years and more, as the Syrian Minister for Foreign Affairs would wish, in order to register births, marriages and deaths. When, for example, matters of law, both civil and criminal, were brought before the courts, it became progressively more incongruous to apply Syrian law. The policemen to whom the local residents turned, the lawyers who represented them and the judges who sat in the courts were all Israelis.

40. For all those reasons, the Government of Israel and the Knesset decided last Monday to regularize the situation on the Golan Heights by applying Israeli law, jurisdiction and administration to the Golan Heights.

41. It has been suggested that the law adopted by the Knesset on Monday does not accord with the provisions of Council resolution 242 (1967). We believe this to be incorrect. Resolution 242 (1967)—which, as

I have already pointed out, was rejected by Syria—did not determine any boundaries. In laying down the guidelines for the negotiated settlement of the Arab-Israeli conflict, resolution 242 (1967) stressed the need for "secure and recognized boundaries". The former armistice demarcation lines between Israel and Syria were in no sense boundaries and they certainly were neither secure nor recognized. This very aspect of the problem was also clearly brought out by the then Permanent Representative of the United States, Mr. Arthur Goldberg, when, on 15 November 1967, he told the Security Council:

"Historically there have never been secure or recognized boundaries in the area. Neither the armistice lines of 1949 nor the cease-fire lines of 1967 have answered that description . . . Now such boundaries have yet to be agreed upon." [1377th meeting, para. 65.]

42. Indeed, the pre-1967 armistice demarcation lines were an open invitation for Syria to attack Israel, which, as I have pointed out, it did regularly. Since 1967, the range and accuracy of the modern weaponry in Syrian hands have been greatly extended. No responsible Government, whose first duty is to preserve the lives and safety of its citizens, would agree to return to the totally insecure armistice lines which obtained before 1967. Countless visitors to the Golan Heights, including former Presidents of the United States, have been impressed by the strategic importance of the area and have urged Israel never to give it up. Certainly every Government of Israel since 1967 has declared that it would be impossible to return to the pre-1967 lines.

43. I should like to take this opportunity to appeal once again to Syria to start negotiations with us directly with a view to achieving an agreed settlement on all the outstanding issues between our two countries, including the question of the international boundary between them.

44. Before concluding, I cannot refrain from remarking that the Council has once again been convened in something of a hurry in a matter concerning the Arab-Israeli conflict. I say "in a hurry" advisedly, because the sad fact is that in the course of this year the Council has not met once to discuss the ongoing threats to international peace and security in, for example, Afghanistan and Kampuchea. It has never met to discuss the situation in Poland. It has not met once this year to consider the unabated hostilities between Iraq and Iran. It did not bother to deliberate openly on Libya's invasion of Chad and its direct attacks on the Sudan. Similarly, it evinced no public concern about Syria's unending rape of Lebanon, epitomized this year in the siege of the town of Zahlé, which, by the time it was lifted after some months, had resulted in over 1,000 casualties.

45. The reason why the Council is not galvanized into action over any of these major crises involving

demonstrable threats to international peace and security is that they all share a common denominator: a certain super-Power and a certain group of States have made sure that they would not be discussed in formal session by the Council. The Council's silence on each and every one of those major issues, as against the alacrity with which it has acted in the present case, scarcely speaks well of the Council and scarcely encourages belief in its impartiality, especially when the issue before it is connected with the Arab-Israeli conflict.

46. Any action or decision taken by the Council in the present matter will inevitably have to be seen and weighed against its inactivity with regard to the real threats to international peace and security which I have just mentioned.

47. The PRESIDENT: The next speaker is the representative of Kuwait, who wishes to make a statement on behalf of the Group of Arab States at the United Nations. I invite him to take a place at the Council table and to make his statement.

48. Mr. ABULHASSAN (Kuwait): I have the honour to address the Council in my capacity as Chairman of the Group of Arab States at the United Nations for this month.

49. First of all, allow me, Mr. President, to express to you my warm congratulations on your assumption of the presidency of the Security Council for this month. I should like also to express my deep thanks and appreciation to Mr. Slim of Tunisia, President of the Council last month, for a job well done.

50. Israel has struck again, and once again the world community finds itself, as a result, facing yet another situation wherein the lawless Israeli aggressors are trying to impose their will on the world and, by so doing, create another *fait accompli*. The latest episode of the continued Israeli lawlessness will definitely not be the last. It is in line with the total Israeli masterplan aiming at the annexation of all the occupied territories, a plan which the Israelis no longer keep secret.

51. The timing of the sudden and abrupt Israeli decision would only indicate that the plan to annex the occupied Golan Heights was there all the time and that the Israelis were only waiting for a favourable international atmosphere to carry it out. Most probably, the Polish situation, which has had the world's attention in the past few days, may have provided the Israeli leaders with the desired international atmosphere to launch their latest act of aggression.

52. Another indication that the Israelis had planned to annex the occupied Golan Heights a long time ago is the fact that they have been attempting for quite some time now to convince the Syrian inhabitants of the Golan Heights to become Israeli citizens or, at least, carry Israeli identification cards, a move which had

already been condemned by the United Nations [*General Assembly resolution 36/226 A, para. 8*].

53. The annexation of the occupied Golan Heights by the Israeli authorities violates the Charter of the United Nations, which stipulates that the acquisition of territory by force is inadmissible under international law. It also violates the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.¹ It again gives the world community another manifestation of the Israeli's grand expansionist designs as well as of their real intentions for all the occupied territories. But, above all, this blatant act of aggression creates a very serious situation which can only aggravate more and more an already explosive situation in the Middle East.

54. The Security Council is called upon, therefore, to act promptly and effectively to put an end not only to the continued Israeli aggression but also to the unacceptable Israeli behaviour at the international level. This continued Israeli policy of gradual and piecemeal annexation of the occupied Arab territories should be stopped. These continued Israeli wanton challenges to the international will should be stopped. This continued Israeli tampering with the peace and security of the Middle East in particular and of the whole world in general should be stopped.

55. And last but not least, this Israeli madness, which can no longer be tolerated even by the closest friends of Israel, should be stopped before the whole region explodes and thus brings more misery and bloodshed into an area which has already had more than its share of both.

56. These are all dangerous elements which should be taken into serious consideration by the world organization, particularly by its instrument of peace, the Security Council, before it is too late. But it is the conviction of the Arab delegations that the most dangerous of all the elements is the fact that Israel has reached the conclusion that it can do whatever it wants to do with impunity and that United Nations resolutions are not worth the ink with which they are written. This "I-don't-care" attitude should have our utmost attention when we are dealing with this situation. So, while discussing the steps which should be taken to meet the urgent and dangerous situation created by the annexation of the occupied Syrian lands, we should not lose sight of the most disturbing element, namely, the general Israeli lawless behaviour and the parallel Israeli feeling that such behaviour is sanctioned by the failure on the part of the international community to put an end to it.

57. This blatant Israeli act of lawlessness should not go unpunished for the reasons I have already mentioned. Yesterday it was Jerusalem. Today it is the Golan Heights and tomorrow it will be the West Bank and the Gaza Strip, and God only knows what will be next.

58. This scenario will be accomplished if the international community were to allow the Israeli expansionist policies and lawlessness to go unpunished and by so doing prove to Israel that, in the absence of firm actions against it, crime pays.

59. The PRESIDENT: The next speaker is the representative of Egypt. I invite him to take a place at the Council table and to make his statement.

60. Mr. ABDEL MEGUID (Egypt): Mr. President, allow me at the outset to congratulate you on your assumption of the presidency of the Security Council for the current month. Your country, Uganda, and my country, Egypt, are linked by historical ties of friendship. We share not only common values and traditions, but also the great Nile river and in this respect our relations are eternal, as is that mighty river, the Nile.

61. Mr. President, you have proved to the world your intelligence, wisdom and decisiveness. As Africans, we are proud of you. We should like also to pay a tribute and to address to your predecessor, Mr. Taieb Slim, our thanks for the excellent job he did last month.

62. The recent illegal action by Israel which purports to annex the occupied Syrian territory of the Golan Heights is not only a blatant violation of all norms of international law, but also a serious challenge to the prospects of stability and, indeed, to the peace process in the Middle East.

63. The news of this creeping annexation has no doubt recalled to our minds the similar action undertaken by the Israeli Government illegally to annex Arab Jerusalem, which has been under Israeli military occupation since 1967 and continues to be so.

64. Such Israeli action, together with other manifestations towards the Arab territories and the Arab people, will adversely affect the chances of peace in the Middle East and jeopardize any hopes of confidence-building and of erecting a comprehensive peace structure in this troubled region. I say that while the recent memories of the bombing of the peaceful Baghdad reactor, the attacks against the sovereignty and territorial integrity of Lebanon, the aggressive policies towards the Palestinian refugees in Lebanon and the Palestinian people as a whole, the establishment of settlements in the occupied territories and the treatment of the population of those territories, all stand as threatening signs and as a dangerous prelude to a period of increasing tension.

65. Egypt has striven all along and will determinedly continue to do so in order to spare the region the hardships and consequences that may result from such irresponsible and illegal Israeli actions.

66. The law passed by the Knesset to extend Israeli laws and jurisdiction over the occupied Golan Heights

comes as an ominous premonition of a potentially collapsible pattern of regional security.

67. The latest act of the Israeli Government not only contradicts the principles and provisions of the Charter, but also runs counter to the provisions of the Security Council resolution 242 (1967), where the Council reaffirms, *inter alia*, the principle of the inadmissibility of the acquisition of territory by war and as a consequence calls for the withdrawal of Israel from the occupied Arab territories. It is also a violation of the Agreement on Disengagement between Israeli and Syrian forces signed by the two countries on 30 May 1974 [S/11302/Add.1, annex I], which stipulated in paragraph H that "This Agreement . . . is a step towards a just and durable peace on the basis of Security Council resolution 338 (1973) dated 22 October 1973."

68. By acting in such a way, undermining Council resolutions, Israel is also internationally undermining the framework upon which the peace process was originally and fundamentally based. This is a direct challenge to the provisions of the fourth Geneva Convention of 1949,¹ which prohibit an occupying Power from introducing any legal change in the status of occupied territories.

69. In this respect, it is the view of the Government of the Arab Republic of Egypt—and here I quote from the statement of 15 December by the official spokesman of the Egyptian Presidency—that this decision by Israel constitutes:

"a direct contradiction to the framework of peace in the Middle East signed on 17 September 1978, and Security Council resolutions upon which the Camp David accords have been based, primarily resolution 242 (1967).

"This act represents a blow against peace efforts, further increasing factors of tension in the region, which Egypt has always been anxious to remove in order to provide a favourable atmosphere conducive to a durable, just and comprehensive peace.

"The Government of Egypt also considers the decision of the Israeli Cabinet a flagrant violation of the norms of international law and defiance of international public opinion. While fully and vehemently rejecting this act as null and void, Egypt does not recognize any ensuing consequences flowing from this act, which runs counter to the spirit of peace in the region and calls upon the international community, represented in the United Nations, to discharge its responsibilities as far as the cause of peace is concerned, particularly during the debate in the General Assembly on the situation in the Middle East.

"The Government of the Arab Republic of Egypt draws the attention of all peace-loving forces, both

in Israel and in the world at large, to the need to resist such acts, which constitute a threat to prospects for peace and peaceful coexistence among peoples and States of the region."

70. 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. Annexation and colonization of Arab territories will only raise even higher the psychological barrier between Arabs and Israelis and will entrench even more deeply feelings of animosity and irreconcilable positions.

71. We strongly urge the Government of Israel to rescind that decision and to desist forthwith from any and all similar measures that would affect the status or the future of the Syrian Golan Heights. We also call upon the United Nations and the international community to live up to their responsibilities in defending international law and legality and human rights, and to put an end to the policies and practices of Israel in the occupied Arab territories.

72. The peace between Egypt and Israel is a genuine breakthrough in the history of the Middle East. This has become a reality and Israel has to live up to the challenge of peace. We are aware of the difficulties and pains that accompany the birth of peace, but we are also aware of the potentialities of peace. They far outweigh the difficulties and hardships. Only with courage, statesmanship and commitment to international law and legality can we achieve the long-awaited comprehensive peace.

73. Sir Anthony PARSONS (United Kingdom): My Government is deeply disturbed by the Israeli Government's action in introducing, and immediately having adopted by the Knesset, a bill to extend the law, jurisdiction and administration of the State of Israel to the Golan Heights. Our concern has been increased by the suddenness and the haste with which this action has been taken.

74. My Government's position on this issue is clear. The Golan Heights belong to the Syrian Arab Republic and form part of the territories occupied by Israel in the war of 1967. The area is subject to the principles emphasized in Security Council resolution 242 (1967), including the inadmissibility of the acquisition of territory by war. The territory of a State is not to be acquired by another by the use of force. We cannot, therefore, accept any unilateral initiative by Israel to change the status of the Golan Heights from occupied territory to an area subject to Israeli law, jurisdiction and administration. We regard such an initiative as contrary to international law and as tantamount to annexation. We consider that all legislative and administrative measures and actions implementing this initiative have no legal validity.

75. Together with the other member States of the European Community, the United Kingdom has repeatedly reaffirmed the illegality of any unilateral change in the physical and demographic character of the territories which Israel has occupied since 1967. We have also repeatedly taken the view that the provisions of the fourth Geneva Convention apply to all the occupied territories, including the Golan Heights. Article 47 of that Convention emphasizes that protected persons cannot be deprived of the benefits of the Convention by a purported annexation of occupied territories, and we will continue to regard the Convention as applying to the Golan Heights. We supported the adoption of Council resolutions 476 (1980) and 478 (1980) in relation to Israel's enactment of a "basic law" on Jerusalem, and we have continued to make clear our opposition to any unilateral change in the status of that city.

76. This latest decision of the Government and Knesset of Israel to extend Israeli law, jurisdiction and administration to occupied Syrian territory in the Golan Heights comes at the end of a year in which tensions in the Arab-Israeli dispute have been inflamed by several incidents. In a statement issued on 15 December by the Ministers for Foreign Affairs of the 10 member States of the European Community [S/1480], my Government joined in strongly deploring this decision. In their statement, the Ministers further took the view that this step by Israel prejudiced the possibility of the implementation of resolution 242 (1967) and was bound to complicate further the search for a comprehensive peace settlement in the Middle East, to which the Ten remain committed.

77. In conclusion, I should like to appeal on behalf of my Government to the Israeli authorities to reconsider their decision.

78. The PRESIDENT: I now call on the representative of the Syrian Arab Republic, who has asked to make a statement in the exercise of his right of reply.

79. Mr. EL-FATTAL (Syrian Arab Republic): We have listened to the so-called intervention of the representative of Israel who, as usual, circumvented the issue before the Council and tried to expound the so-called right of Israel to occupation under any pretext. Israel annexes Jerusalem and invokes what it claims is a right. It occupies and annexes the Golan Heights, and brings in extraneous elements that have nothing to do with the issue at hand.

80. The issue at hand is solely the Council's concern over the situation created by a grave violation of the principles of the Charter, particularly the principle of the non-validity of the acquisition or annexation of territory by force. At no time during his intervention did the Israeli representative touch on this, and that is why I called it a "so-called intervention". Israel's violation of this legal principle threatens world peace and security, for it threatens the security of an area which is already tense.

81. The representative of Israel made reference to the Armistice Agreement. Whether he likes it or not, that Agreement has not been invalidated by the Council. The demarcation lines are still recognized by the Council, and they are not erased just because the Israeli representative thinks they are.

82. This applies to Syria—and foremost to Syria—because it is connected with another, no less important, issue: the annexation by Israel of the demilitarized zones beyond the international frontiers of Palestine.

83. I should like to place the Israeli representative's statement within the context of a doctrine in which annexation and occupation are inbuilt. I should like to quote his Prime Minister, and I shall draw on the current report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories in which he said:

"I Menachem, son of Ze'ev and Hassya Begin, hereby pledge my word that as long as I serve the nation . . .—which means the nation inside and outside Israel—'as Prime Minister, we shall not abandon any area in the territories of Judea, Samaria, the Gaza district and the Golan Heights.'"

On another occasion, he is reported to have stated that the policy guidelines of his Government stipulated that "Israel would 'raise its claim to sovereignty' over the West Bank after a period of self-rule". This is connected with the interpretation of the Camp David accords.

84. It would be good to refresh the memory of the Israeli representative. By late 1980, according to the 1 November 1980 issue of *The Economist*, 10,000 Israelis had moved into 28 settlements and one town on the Golan Heights. Moreover, the Israeli authorities have acquired a considerable amount of land and water for the use of the settlements. They have established industries, appointed municipal councils for villages and modified school curricula. Hard-line members of the Israeli Knesset introduced a bill calling for the formal annexation of the Golan Heights, but the bill was killed in March 1981 because of outside pressure, including United States and other pressure. Nevertheless, Israel administered the area virtually as if it were an integral part of Israel. Israeli laws apply to Israeli settlers and settlements.

85. While most Syrians left the Golan Heights in 1967, thousands remained, mostly Muslims of the Druse sect, and, according to *The New York Times*, the Knesset passed a law in 1980 which enabled the Israeli Government to impose Israeli citizenship on the residents of the Golan Heights.

86. If Israeli citizenship is offered or imposed on a person, and that person does not accept it, what will

be his fate? He will have no water, no electricity, no right to travel, no right to marriage, no right to be hospitalized. If a few persons have accepted this dictatorial Israeli imposition, are they traitors? I do not think so. If this imposition has been accepted, would it in any way justify what the Israeli representative said, that the Syrians under occupation are treated as equal citizens and are happy to be so?

87. As to the situation during the period of the United Nations Truce Supervision Organization (UNTSO), Israeli arguments for retaining the Golan Heights, which have been so widely and uncritically accepted in the West over the years, were, first, that before the 1967 war Syrian guns on the Heights frequently shelled without provocation Israeli farm settlements and the Hula Valley below and, secondly, those Heights were vital to Israeli national security.

88. How valid are these contentions and do they give Israel the right to retain the Heights? The most reliable and authoritative sources of information about the incidents which took place in the Golan Heights and in the Syrian-Israeli demilitarized zone prior to the 1967 war came from the many reports to the United Nations made by UNTSO and the Chairman of the Syrian-Israel Mixed Armistice Commission. All UNTSO officials, that Chairman and the United Nations observers involved, who were responsible not only for discouraging incidents but also for investigating and reporting to the United Nations on the incidents, all of them came from pro-Israeli Western countries and were hand-picked by pro-Israeli Governments. None came from any pro-Arab State. As a result, the Arabs have greater reason to be concerned about their impartiality than have the Israelis.

89. Moreover, two former UNTSO Chiefs of Staff, Lieutenant-General Burns of Canada and Major-General Carl van Horn of Sweden, provided further details, first-hand and authoritative accounts of incidents between Israel and Syria in their books, *Between Arabs and Israelis* and *Soldiering for Peace*.

90. UNTSO repeatedly reported that the most serious problem in the demilitarized zone developed as a result of the following reasons: the Israeli claim to sovereignty over all of that zone, and its sending of heavily armed frontier police and some heavy military equipment into it, contrary to the provisions of the Armistice Agreement. Not only Syria, but the United Nations and the United States, including Ralph Bunche, who helped to write the Israeli-Syrian General Armistice Agreement, denied Israeli claims to sovereignty and held that it had no right to fortify and send military personnel and equipment into the zone. In summarizing the situation, General Burns wrote:

"Briefly, stripped so far as possible of technicalities, the question at issue may be put thus: the Israelis claimed sovereignty over the zone; they then proceeded as opportunity offered to encroach

on the specific restrictions, and so eventually to free themselves on various pretexts from all of them. The Israelis in fact exercise almost complete control over the major portion of the zone through their frontier police. This was directly contrary to article 5 of the General Armistice Agreement and the authoritative interpretation by Ralph Bunche."

91. I am not going to prolong the debate or my right of reply, given the urgency of the matter before the Council. The crux of the matter is that the Security Council is requested to ask Israel to rescind immediately this legislation, which annexes the Golan Heights, and, as a second requirement, this very august body is asked to declare this Israeli legislation null and void and not to recognize it.

92. I hope that the Council will be able to adopt a resolution which takes into account adequately the dangers threatening our region.

The meeting rose at 1 p.m.

NOTES

¹ A Framework for Peace in the Middle East, Agreed at Camp David, and Framework for the Conclusion of a Peace Treaty between Egypt and Israel, signed in Washington, D.C., on 17 September 1978.

² *Official Records of the Security Council, Fourth Year, Special Supplement No. 2.*

³ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁴ A/36/579, para. 56.

⁵ *Ibid.*, para. 57.

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