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NOTE VERBALE DATED 4 OCTOBER 1982 FROM THE PERMANENT REPRESENTATIVE
OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Islamic Republic of Iran to the United Nations presents his compliments to His Excellency, the Secretary-General of the United Nations, and has the honour to forward the enclosed statement in explanation of the position of the Government of the Islamic Republic of Iran in connexion with the meeting of the Security Council in consideration of the subject of Iraqi aggression against the Islamic Republic of Iran.

Since this delegation does not recognize the legitimacy of the Jordanian representative's presiding over this discussion because of Jordan's active participation in the imposed war, the Permanent Representative of the Islamic Republic of Iran is pleased to address the enclosed statement to His Excellency, the Secretary-General of the United Nations, and requests His Excellency's instruction as to distribution of this letter and its enclosure as a document of the Security Council.

Annex

Statement addressed to the Secretary-General on 4 October 1982

The Permanent Representative of Iraq in his note of 1 October 1982, as recorded in document S/15443 requested an urgent meeting of the Security Council to consider the conflict between Iran and Iraq, stating: "The Iranian forces launched a major armed attack at 0100 hours (local time) on Friday, 1 October 1982, in the Sumar sector in an attempt to cross the international border near the Iraqi town of Mendali".

In opening, it has to be noted that the mentioned Sumar region is well inside the territories of the Islamic Republic of Iran, and this delegation is proud to inform the international community that with the help of God, and through the sacrifices of our Muslim combatants, this phase of our defensive operations against the invading army of aggression has been quite successful, and three important hills inside our territories from which the Iraqi aggressors continued the bombardment of our cities after their forced retreat have now been liberated. This operation is most important, since it has not only recaptured parts of our territory but also saved our civilians from the daily indiscriminate bombardments by the Iraqi invaders. Furthermore, this operation has shown to the international community the fallacious nature of Iraqi propaganda concerning complete withdrawal. We have once again forced the enemy to retreat from our Islamic land.

Your Excellency, the illegal occupation of 20 cities and 1,200 villages, the indiscriminate bombardment of residential areas, hospitals, schools and sanctuaries, resulting in the martyrdom of thousands of defenceless civilians, and the total disregard for international law and morality exercised by the Ba'athist mercenaries of Saddam Hussein during the past two years were never perceived by the Security Council as a threat to international peace and security and, hence, did not necessitate any formal discussion of the subject or condemnation of the aggressor through means provided in Chapter VII of the Charter of the United Nations. However, the liberation of the three hills inside Iranian territory, which by all standards of international law, and the Charter is an inalienable right of the Muslim people of Iran and an act in defence of their territorial integrity and sovereignty is considered so serious a threat to international peace and security as to require an urgent meeting of the Security Council.

Mr. Secretary-General, allow us to ask, if this procedure represents a normal one in the Security Council. Are we not justified in doubting the impartiality and objectivity of this distinguished body which had remained silent for more than 22 months of Iraqi occupation of our territories and started deliberations only after the Islamic Republic of Iran was succeeding in forcing the aggressors to retreat?

Your Excellency, the United Nations, with all the problems that you have mentioned in your annual report, should aspire to have all its third world members follow the example set by the Muslim nation of Iran in heroically defending their territorial integrity and thus making the aggressors come to the understanding that

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violation of these most important principles of the Charter of the United Nations would be punished severely by the determined people of the third world. This determination by the third world nations to stand up against the aggressive measures of the world imperialist Powers and their lackeys, is the best safeguard for the Charter of the United Nations and the most reliable guarantee for international peace and security.

If the Security Council, entrusted with the grave task of maintaining international peace and security through upholding principles of international law and justice, had not been paralyzed by imperialist manipulations and included courageous members who could, in private consultations, speak out their honest minds in front of the criminal proposals of the representative of the United States, who is impatiently awaiting the dispatching of another imperialist force to the region to aid her defeated Ba'athist ally, the outcome would not have been worthless and futile resolutions, such as resolutions 479 (1980), 514 (1982) and 522 (1982), which contradict the letter and spirit of the Charter in general, and Article 39 in particular, by supporting the aggressor implicitly in the first two, and explicitly in paragraph 3 of resolution 522 (1982).

Mr. Secretary-General, the Security Council has been so hasty in passing a resolution aimed at preserving the falling régime of Saddam, that it even failed to satisfy paragraph 3 of Article 27 of the Charter, which requires the representatives of Jordan and Egypt to abstain from voting, as both countries are militarily and otherwise active participants in the Iraqi-imposed war of aggression against the Islamic Republic of Iran. They passed the resolution unanimously, not realizing that they had ignorantly added another constitutional flaw, which renders their resolution invalid, and the efforts of the distinguished representatives of Jordan, the United States and Iraq were in vain. From a meeting of the Security Council of the sort presided over by the representative of His Majesty King Hussein of Jordan, one can hardly anticipate anything better. However, we sincerely expect that using your authority, as expressed in Article 99 of the Charter, you would remind the President of the Council of the importance of his task, so that for some trivial personal considerations, he would not yield to orchestrate a meeting of the Security Council. We are also justified in expecting some members of the Council to bluntly stand against such degrading manipulations at this most powerful organ of the United Nations and prevent its further infamy.

In this regard, we would like to direct Your Excellency's attention to the following points:

1. The Jordanian forces have taken an active role in the Iraqi aggression against the Islamic Republic of Iran. The Muslim people of Iran have watched on their television screens, the Jordanian King Hussein reviewing his mercenaries inside the occupied Iranian territories. They have also witnessed him firing a shell, which would destroy another house, hospital or school in Dezful. How, then, Your Excellency, can the representative of this Jordanian King, preside over the discussions supposedly aimed at bringing about a peaceful solution to the Iraqi-imposed war against the Islamic Republic of Iran? Do you still expect the Iranian people and other oppressed masses of the world to have any confidence in this Council? Furthermore, on what moral grounds does this international body

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expect our delegation - which represents the oppressed people of Dezful and other war-stricken areas, whose houses, hospitals, schools, and sanctuaries were bombarded and whose fathers, mothers, brothers, sisters and children were martyred in the savage bombardments by Iraqi and Jordanian mercenaries - to participate in such a debate?

2. We would like to reiterate that the liberated heights are inside the territory of the Islamic Republic of Iran, and their liberation is a cause for joy and a contribution to the maintenance of international peace and security as well as the Charter of the United Nations. The last operation was only aimed at liberating Iranian territories occupied by Iraqi forces at the beginning of the war. The Government of the Islamic Republic of Iran has announced that the operation came to an end as planned, when it successfully regained the mentioned heights in the Sumar region of Iran. It is important to note that this operation was only presented as a justification by the representatives of Iraq and Jordan, in order to orchestrate a meeting of the Security Council in the first days of Jordan's presidency and while the Iraqi Foreign Minister was in New York. The lack of any substantive discussion of the subject proves the case. Thus, we announce that this meeting of the Security Council not only presents a direct challenge to the inalienable rights of the Iranian people to self-defence but also was a conspiracy by Jordan, Iraq and their imperialist masters to gain some international recognition for the discredited and dying régime of Saddam.

3. To conclude the exposure of this regrettable episode of the Security Council, we would like to offer a note of optimism. The Security Council only by respecting and implementing its duties as mandated by the Charter can restore the confidence of the Muslim people of Iran and the Government of the Islamic Republic to its authority and legitimacy. In this case, it would require the following:

(a) To condemn the illegal occupation of the territories of the Islamic Republic of Iran by the Iraqi army of aggression and its collaborators, and further condemn their total disregard for international law and morality in their indiscriminate bombardment of civilian targets;

(b) To resolve that the Iraqi Government is responsible for the payment of damages caused by the imposed war against the oppressed people of Iran;

(c) To emphasize the necessity of the return and repatriation of those Iraqis who have been driven to exile by the racist policies and practices of the Ba'athist régime in Iraq.

Your Excellency, only if and when these important steps have been taken by the Security Council, our delegation's participation in the debates and deliberations concerning the Iraqi-imposed war of aggression will not be objected to by the Iranian people. Meanwhile, as long as the Council is not prepared to live up to its duties - and at a time when the Muslim people of Iran, after two years of sacrifice and tens of thousands of martyrs, are succeeding in forcing the occupiers

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into retreat - we not only will not participate in any of its senseless meetings but also announce that its resolutions will remain devoid of any legal or moral validity and, thus, are considered non-binding on the Islamic Republic of Iran.

In conclusion, it should be noted that our conditions for peace still remain valid, and, as expressed in our President's reply to Your Excellency's letter, we have always been and still are prepared for a just, honorable and lasting peace.
