



Security Council

Distr.
GENERAL

S/16008
27 September 1983

ORIGINAL: ENGLISH

LETTER DATED 27 SEPTEMBER 1983 FROM THE PERMANENT REPRESENTATIVE OF
ISRAEL TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

In his letter dated 21 September 1983 (S/15996), the Permanent Representative of Libya has once again displayed his characteristic disregard for truth and his well-known addiction to name-calling. Since it is not my intention to be drawn into an exchange with him, I hereby enclose the text of the relevant passages of a letter dated 5 March 1973 from the Permanent Representative of Israel addressed to the President of the Security Council (S/10895), reference to which was made in my letter dated 16 September 1983 addressed to Your Excellency (S/15988).

At the same time, I must, however, express astonishment that there should have been circulated, as a United Nations document, a letter in which reference was made to a Member State by a designation other than its official name by which it was admitted to and is known at the United Nations. While the circulation in this form of the Libyan letter may be indicative of the realization that the Permanent Representative of Libya cannot be expected to adhere to the normal rules of conduct, I would nonetheless request that in the future proper caution be exercised in this regard, so as to ensure that references to my country conform to the customary practices.

I have the honour to request that this letter and its annex be circulated as a document of the Security Council.

(Signed) Yehuda Z. BLUM
Ambassador
Permanent Representative of Israel
to the United Nations

Annex

Excerpts from the letter dated 5 March 1973 from the Permanent Representative of Israel to the United Nations addressed to the President of the Security Council (DOC.S/10895)

On instructions of my Government, I have the honour to refer to the letter addressed to you on 2 March 1973 by the Permanent Representative of Egypt (S/10893) and to draw attention to the following excerpts from the statement made on 28 February 1973 by Ambassador Jacob Doron at the International Civil Aviation Organization Assembly:

"As soon as the Prime Minister of Israel, Mrs. Golda Meir, learned of the disaster which had befallen the Libyan airliner in Sinai on 21 February 1973, she expressed her deep sorrow at the loss of human life resulting therefrom and her regrets that the pilot had not heeded the warnings which had been given to him in accordance with international procedure.

"The Government of Israel held a special meeting on the same day and likewise made known its deepest regrets at this tragic occurrence.

"On 25 February, the Government of Israel heard a supplementary report from the Chief of the General Staff and in a statement issued after its meeting again expressed the profound sorrow of Israel over the death of the passengers of the Libyan airplane who had lost their lives in the tragedy which had occurred under circumstances of tension and hostile acts and acts of terrorism directed against Israel and its people.

"In deference to humanitarian considerations, my Government, in the same statement, declared its readiness to effect ex-gratia payments to the families of the victims and to the survivors.

"On 26 February, the Minister of Defence made a statement in the Knesset (Israel's Parliament) on the circumstances of the disaster. He said that 'on Wednesday, 21 February at 1.45 in the afternoon, the course of an aircraft flying at high speed, at an altitude of 24,000 feet, was discovered at map reference point 29 degrees 40 minutes north, 32 degrees 00 minutes east, which is 32 nautical miles west of Ras Sudar. The aircraft was flying at a speed of 750 kilometres per hour in north-easterly direction towards Rafidim (Bir Gafgafa) when the plane was discovered. At first it was recorded by the Israel Air Force Defence Network as "unidentified" and a series of actions by the Air Defence Network Air Force Command and General Staff was set in motion.

"This series of events was as follows:

"At 1.56 p.m., after the jet-path had been discovered by radar, the order was given for two of our Phantom planes to take off. The Phantoms identified the foreign aircraft as a Boeing 727 belonging to the Libyan Airways Company.

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"For seven minutes our planes flew around the Libyan aircraft signalling to it with internationally agreed signs to follow them so as to land at Rafidim. Since the Boeing aircraft did not comply with these instructions, given, as stated, by internationally accepted signals in a clear and correct manner, suspicions grew concerning its mission in penetrating Sinai air space. At this point, demonstratively and in full view of the crew, warning shots were fired in the air. But the Libyan plane continued to ignore the shot from our aircraft. The assumption, therefore, was that the plane had entered the area on a hostile mission and preferred to take risks rather than obey orders to land.

"At this stage, it was accordingly decided that the aircraft must be compelled to land, even by means of firing. The pilots received an order to this effect and acted thereon. The aircraft was hit, attempted to land, but when it touched the ground it crashed. This occurred at 11 minutes past 2 p.m. at map reference 30 degrees 25 minutes north, 32 degrees 33 minutes east, at a distance of 55 kilometres west of Rafidim and 20 kilometres east of the Canal line.

"The incident of this aircraft arose from a series of errors and omissions on the part of the Libyan aircraft and the Egyptian control system. These errors and omissions led the Israeli air defence system to assume that the Libyan aircraft had penetrated on a hostile mission. The aircraft had penetrated a closed military zone in Sinai and did not respond to the signals of our forces and the instructions to land. On the basis of that assumption - which later proved to be erroneous - the operational decision was taken to compel the aircraft to land, and, as already stated, the aircraft was hit, attempted to land, but at the moment it touched the ground, it crashed. From the time of its entry till its attempted landing, the Libyan aircraft was in Israel-controlled territory for approximately 13-1/2 minutes. This is, in a very summarized form, a description of the circumstances of this dreadful catastrophe in which 106 people died and 7 were injured.'

"The Minister went on to say (and I quote): 'I know that the only correct solution is peace and normal neighbourly relations, but even in the absence of peace, there is nothing dearer than human life, and we must do everything possible to preserve it.

"I still hope that the neighbouring Arab countries will respond to our appeal and that we will jointly set up channels of swift communication for cases of emergency, channels through which it will be possible to overcome errors without ignoring security requirements.'

"Events such as the one under discussion here at present, do not occur in a vacuum. They have to be seen against the background obtaining in the region. As a result of the declared policy of Arab Governments, and particularly of Egypt and Libya, there has been an unbridled wave of terror acts directed against Israel and its citizens. Suffice it to recall such crimes as the hijacking of the Sabena airplane, the Lod Airport mass murder,

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over which the Egyptian Prime Minister expressed his satisfaction, the blowing-up in mid-air of civilian passenger airplanes on their way to Israel and the slaughter of 11 of our athletes at the Munich Olympic Games.

"The Arab terrorists who had been killed by German sharpshooters at the Munich airfield were given a martyr's burial in Libya; three others who were afterwards released by Germany as a result of the hijacking by Arabs of a Lufthansa plane over Yugoslavia were received as heroes in Libya. The Government of Libya gave a special bonus of \$5 million to the Arab terror organization 'Black September' as a reward for the success of their operation in Munich, in addition to the \$30 million Libya is giving the terror organizations every year. Constant bloodcurdling threats against Israel and calls for its destruction are being made by Libya's leaders. That country has shown a completely irresponsible behaviour in the international field and has been taking great pride in doing so.

"Recently there have been reports which have even been made public that Arab terrorists were planning to crash a civilian airplane laden with explosives in Tel Aviv or some other town in Israel. One might think that this was complete madness, but in view of what had happened at Lod Airport and in Munich, even such information could not be discounted. These were the circumstances surrounding the flight of the unfortunate Libyan airplane on 21 February, which, in the light of all that background experience, made it appear that this was not an innocent civilian airliner carrying passengers.

"On 24 February, the Chief of the General Staff of the Israel Defence Forces explained the situation as it appeared at the time of the incident.

"He said, and I quote: 'The behaviour of the airplane made it impossible to think that it was carrying civilian passengers. The airplane came from Egypt, having passed through the Egyptian aerial defence installations, without any hindrance or warning. It was, therefore, reasonable to assume that its flight had been co-ordinated with the Egyptian aerial defence system. In its intrusion into Israel-controlled air space without prior permission, over most sensitive military targets, it reached a point 180 kilometres distant from any civilian air route, and there has been no civilian aircraft in the area since 1967. It is clear that the pilot was aware of the presence of fighter aircraft around him for seven minutes, and his paying no attention to these aircraft is unnatural for a civilian aircraft carrying civilian passengers. All these reasons led the Israeli air defence to the conclusion that this was an airplane on a hostile mission. Had we known at the time that this was a civilian plane carrying civilian passengers, there is no doubt that we would not have used force to make it land.'

"The Chief of Staff mentioned the fact that this plane had flown through the Egyptian air defence without any interference and that this was one of the factors that caused this plane to be suspected. In this connexion it should be remembered that, as recently as 5 December 1972, an Egyptian Boeing 707, flying over Egyptian territory, was shot down and destroyed by Egyptian ground-to-air missiles fired at it - without any warning - by their own batteries, causing the death of all its occupants.

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"Another case of the same nature occurred in Egypt on 10 April 1969, when an Ethiopian civil Dakota aircraft, commanded by a French pilot, the late Mr. David Fle, was likewise shot down and destroyed without warning by an Egyptian ground-to-air missile about 16 miles from Cairo in what is known as a 'restricted area', and again all its occupants perished.

"On the other hand, it has been our experience with civil aircraft from neighbouring Arab countries, such as Lebanon, Syria and Jordan, which had violated Israeli air space, that they invariably obeyed orders to land for inspection and were promptly permitted to continue on their flights, after it had been ascertained by our authorities that the reason for their penetration had been an innocent one." ...

I have the honour to request that this letter be circulated as an official document of the Security Council.

(Signed) Yosef TEKOAH
Permanent Representative of Israel
to the United Nations
