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PROGRESSIVE DEVELOPMENT OF THE PRINCIPLES AND
NORMS OF INTERNATIONAL LAW RELATING TO THE
NEW INTERNATIONAL ECONOMIC ORDER

SECURITY COUNCIL
Thirty-eighth year

Letter dated 2 May 1983 from the Permanent Representative of Iraq
to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters addressed to Your Excellency by the Permanent Representative of the Islamic Republic of Iran, dated 22 April (A/38/165-S/15729), 26 April (A/38/167-S/15735) and 27 April 1983 (A/38/173-S/15739).

The contents of these letters represent a typical example of the hypocrisy and deception of the Iranian régime.

In his attempt to exemplify concern about civilian life and property, the Permanent Representative of Iran needs to be reminded of the fact that the aggression imposed on Iraq by the régime he represents started on 4 September 1980 by the long-range artillery bombardment of the Iraqi towns of Khanaqin, Zerbatiya and Mendeli. He needs also to be reminded that his régime was the first to air-raid cities, shell economic installations, including oil installations, and fire on commercial shipping in Shatt al-Arab. Proof of these aggressive acts is contained in the military communiqués issued by the Joint Command of the Army of the Islamic Republic of Iran, and in particular Nos. 1 and 3 of 18 and 19 September 1980, respectively.

* A/38/50.

It is also significant to point out that in his audacity the Permanent Representative of Iran stated in a press conference held by him at the United Nations on 25 April 1983 that: "Although the Iraqi cities are well within range of our artillery, the Islamic Republic of Iran has no intention of retaliation against civilians." Indeed, nothing is further removed from the truth. The Iranian artillery bombardment of the Iraqi cities of Khanaqin, Mendeli, Zurbatia, Badra and Basrah has become the standard daily procedure of the aggressive Iranian forces particularly since the withdrawal in June 1982 of the Iraqi forces to the internationally recognized boundaries.

The hypocrisy of the Iranian letters is further heightened by the reference to principles of common humanity at a time when the record of the Iranian régime on that score, to the full knowledge of world public opinion, is truly despicable.

No less hypocritical, and indeed deceitful, is the reference to international law, the Charter of the United Nations and the Security Council. The Permanent Representative of Iran should be reminded that any appeal to legality presupposes respect for the norms of international law and the Charter, which prescribed a central role and authority for the Security Council in situations of armed conflicts. In its contemptuous defiance of the authority of the Council, and its rejection of the Council's unanimous resolutions on the settlement of the armed conflict it imposed upon Iraq, the Iranian régime is the party to be condemned on the very legal basis it has appealed to.

Moreover, the Permanent Representative of Iran has added insult to injury when he alluded to a so-called "indifference to the situation" on the part of the Security Council. This ostrich-like position does not change the reality that, on three occasions, the Council unanimously adopted three resolutions calling for an end to the war and the pursuance of peaceful means for the settlement of the conflict. A similar position was overwhelmingly adopted by the General Assembly, in its resolution 37/3 of 22 October 1982. On all those occasions, Iraq accepted the said resolutions and expressed its full readiness to implement them. It is Iran which rejected them. What is more significant is that Iraq went even further than those resolutions. At the 2399th meeting of the Security Council, held on 4 October 1982, the Minister for Foreign Affairs of Iraq stated that "Iraq is so sure of the legality of its position that ... it is ready to accept the arbitration of the Security Council." Surely, when a country is ready to place the integrity of its case in the hands of an impartial third party settlement procedure, its adherence to legality under international law and the Charter is definitely beyond any reproach. What remained to be seen is whether the Iranian régime would, instead of hurling abuse and insults at the United Nations and the Security Council in particular, abandon its hypocrisy and deception, and have the courage to engage in a commitment before the Council similar to that of Iraq. What is also sure for now is that by continuing with its war of aggression against Iraq, the Iranian régime stands to be condemned for this grave crime against peace and bears the full international responsibility ensuing therefor.

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I shall be grateful if you would kindly circulate this letter as a document of the General Assembly, under item 122 of the preliminary list, and of the Security Council.

(Signed) Dr. Riyadh AL-QAYSI
Ambassador
Permanent Representative

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