

- "(i) within the guarantee of the United Nations;
- "(ii) in the creation of demilitarized zones;
- "(iii) in the presence of international forces at some strategic points;
- "(e) Acceptance by the two parties that the terms of withdrawal from occupied territories be embodied in the peace agreement;
- "(f) Acceptance by the two parties in order to guarantee freedom of navigation to all ships through the Strait of Tiran, the stationing of international forces at Sharm el Sheikh.

"14. The Heads of State members of the OAU Committee are of the view that these suggestions reconcile the essentials in the respective positions of the two parties.

"15. They rely on their being accepted by the Israeli and Egyptian authorities whose yearning for peace was clearly manifested.

"16. They earnestly appeal to the President of the Arab Republic of Egypt and to the Prime Minister of the State of Israel to accept these suggestions and thereby allow the resumption of the Jarring negotiations and the establishment in that region, of a just peace, which they wish to be lasting as between brothers."

DOCUMENT S/10440*

Letter dated 9 December 1971 from the representative of Pakistan to the Secretary-General

[Original: English]
[9 December 1971]

Under instructions of my Government, I have the honour to state that, even though resolution 2793 (XXVI) adopted by the General Assembly on 7 December 1971 fails to take note of Indian aggression against Pakistan (which has been admitted by India), the Government of Pakistan has decided to accept the call for an immediate cease-fire and withdrawal of troops contained in that resolution. Inasmuch as the resolution provides for an immediate withdrawal of the troops of each party to its own side of the border and thus would stop bloodshed, Pakistan is willing to overlook its inadequacies at this time. The Government of Pakistan attaches due importance to the fifth and sixth preambular paragraphs of the resolution, which, besides reaffirming the provisions of the Charter, in particular of Article 2, paragraph 4, recall paragraphs 4, 5 and 6 of the Declaration on the Strengthening of International Security [General Assembly resolution 2734 (XXV)] which read:

"The General Assembly,

"...

"4. Solemnly reaffirms that States must fully respect the sovereignty of other States and the right of peoples to determine their own destinies, free of external intervention, coercion or constraint, especially involving the threat or use of force, overt or covert, and refrain from any attempt aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country;

"5. Solemnly reaffirms that every State has the duty to refrain from the threat or use of force against the territorial integrity and political independence of any other State, and that the territory of a State shall not be the object of military occupation resulting from the use of force in contravention of the provisions of the Charter, that the territory of a State shall not be the object of acquisition

by another State resulting from the threat or use of force, that no territorial acquisition resulting from the threat or use of force shall be recognized as legal and that every State has the duty to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State;

"6. Urges Member States to make full use and seek improved implementation of the means and methods provided for in the Charter for the exclusively peaceful settlement of any dispute or any situation, the continuance of which is likely to endanger the maintenance of international peace and security, including negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, good offices including those of the Secretary-General, or other peaceful means of their own choice, it being understood that the Security Council in dealing with such disputes or situations should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court."

It is the hope of the Government of Pakistan that strengthened by a pronouncement unmistakably supported by the overwhelming majority of its membership, the United Nations will now decide upon concrete and binding measures to secure and maintain the cessation of hostilities with immediate effect, the withdrawal of all armed personnel and the stationing of United Nations observers on both sides of the border to supervise the cease-fire and to oversee the withdrawal of forces.

I should be grateful if this letter could be circulated immediately as a document of both the General Assembly and the Security Council.

(Signed) A. SHAHI

Permanent Representative of Pakistan
to the United Nations

* Also circulated as a General Assembly document under the symbol A/8567.

DOCUMENT S/10443*

Letter dated 10 December 1971 from the representative of Egypt to the Secretary-General

[Original: English]
[10 December 1971]

On instructions from my Government and with reference to my statement in the General Assembly on

* Also circulated as a General Assembly document under the symbol A/8576.

8 December 1971 [2006th plenary meeting] I have the honour to request that the attached full text of the memorandum submitted by the Arab Republic of Egypt to President Léopold Sédar Senghor in his

capacity as Chairman of the Sub-Committee of the four African Heads of State be circulated as a General Assembly and Security Council document.

(Signed) Mohamed H. EL ZAYYAT
Permanent Representative of Egypt
to the United Nations

MEMORANDUM

The Arab Republic of Egypt welcomes the Committee of African Heads of State and expresses its gratitude for the efforts they have exerted to implement the resolution of the Organization of African Unity adopted in Addis Ababa on 23 June 1971. This resolution called for the immediate withdrawal of Israeli armed forces from all Arab territories to the lines of 5 June 1967 in implementation of Security Council resolution 242 (1967) of 22 November 1967, and expressed the full support of the African Heads of State in the efforts of the Special Representative of the United Nations Secretary-General to implement the Security Council resolution and particularly his initiative for peace of 8 February 1971 [see S/10403, annex I]. The resolution reaffirmed solidarity with the Arab Republic of Egypt, appreciated the positive attitude reflected in its reply of 15 February 1971, to the Special Representative's initiative for peace, deplored Israel's defiance to that initiative and called upon it to make a similar positive reply to Jarring's initiative.

The Arab Republic of Egypt expresses its appreciation to the President of the current session of the Organization of Arab Unity, and the members of the Committee of African Heads of State who have responded to the OAU resolution which requested the President of the Organization of African Unity to consult the Heads of State and Government so that they use their influence to ensure the full implementation of this resolution.

Egypt has extended full co-operation to the Committee in all the phases of its mission in the belief that the successful conclusion of its endeavours to implement Security Council resolution 242 (1967), and the resumption of the Jarring mission, currently deadlocked due to Israel's refusal to make a positive reply to his initiative for peace, would contribute to the achievement of a lasting peace in the Middle East.

During its meetings in Cairo, the Committee defined its mandate as seeking to implement Security Council resolution 242 (1967), and fully supporting Amba-

sador Jarring's mission to implement the Security Council resolution as well as his initiative to the two parties of 8 February 1971—all this in application of the OAU resolution. The Committee also emphasized that it was not replacing Ambassador Jarring but that its mandate was to help him implement the Security Council resolution in accordance with his initiative for peace.

The President of the Arab Republic of Egypt has stressed in his talks with the Sub-Committee of four Heads of State Egypt's complete readiness to implement Security Council resolution 242 (1967) in all its parts and its acceptance of Ambassador Jarring's aide-mémoire of 8 February 1971.

In response to the Committee's request the Arab Republic of Egypt clarified its position on the points raised during the talks in the following manner.

1. Acceptance to hold indirect negotiations under the auspices of Ambassador Jarring for the implementation of Security Council resolution 242 (1967), in all its parts, and the implementation of Ambassador Jarring's initiative of 8 February for the conclusion of a peace agreement.

2. Egypt was ready to undertake the required arrangements for reopening the Canal in return for the first stage of Israeli withdrawal in conformity with the initiative underlined by the President of the Republic on condition that Israel responded positively to Ambassador Jarring's aide-mémoire of 8 February 1971.

3. Agreement that secure and recognized boundaries should be embodied in the peace agreement in accordance with the OAU resolution which provides for the withdrawal of Israeli forces from all the Arab territories to the lines of 5 June 1967, and in conformity with the borders specified in the Jarring initiative which underlined the necessity of the withdrawal of Israeli forces to Egypt's international borders.

4. Acceptance of the following guarantees for peace:

- (a) United Nations guarantee;
- (b) Establishment of demilitarized zones astride the borders;
- (c) Stationing of international forces at some strategic points.

5. Acceptance of the stationing of international forces in Sharm El Sheikh to guarantee the freedom of navigation in the Straits of Tiran.

DOCUMENT S/10444

Letter dated 12 December 1971 from the representative of the United States of America to the President of the Security Council

[Original: English]
[12 December 1971]

The war on the Indian subcontinent continues to rage unabated. Urgent efforts by the Security Council to effect a cease-fire and withdrawal at its 1606th, 1607th and 1608th meetings failed, thus necessitating immediate referral of the crisis to the General Assembly under the "Uniting for Peace" procedure [see General Assembly resolution 377 (V)]. The Assembly considered this grave situation at its 2002nd and 2003rd meetings and on December 7, and by a vote of 104 to 11 with 10 abstentions adopted resolution 2793 (XXVI) which *inter alia* called on India and Pakistan to institute a cease-fire and to withdraw troops from each other's territories.