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**NOTE**

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## SEVENTEEN HUNDRED AND SIXTY-NINTH MEETING

Held in New York on Wednesday, 24 April 1974, at 3 p.m.

*President:* Mr. Talib EL-SHIBIB (Iraq).

*Present:* The representatives of the following States: Australia, Austria, Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Indonesia, Iraq, Kenya, Mauritania, Peru, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon and United States of America.

### Provisional agenda (S/Agenda/1769/Rev.1)

1. Adoption of the agenda.

2. The situation in the Middle East:

Letter dated 13 April 1974 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/11264).

*The meeting was called to order at 6.25 p.m.*

### Tribute to the memory of Mr. Franz Jonas, President of the Republic of Austria

1. The PRESIDENT: Before proceeding with the business before the Council today, I must, for the second time this month, express on behalf of the Council our sincere condolences to one of the members of the Council on the untimely death of his head of State. I refer on this occasion to the distinguished late President of Austria, Mr. Franz Jonas, whose passing has been a great loss to the people of his own country, of Europe, and indeed of the world at large.

2. I should like to extend on behalf of the Security Council, and also in the name of the delegation of Iraq, our condolences to our dear colleague Ambassador Peter Jankowitsch, and ask him to convey our heartfelt sympathies to the people and Government of Austria, as well as to the late President's family.

3. May I, on this occasion, request members to observe a minute's silence.

*The representatives, standing, observed a minute's silence.*

### Adoption of the agenda

*The agenda was adopted.*

**The situation in the Middle East:**

Letter dated 13 April 1974 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/11264)

4. The PRESIDENT: In accordance with the decision taken by the Council at its 1766th meeting, and with the consent of the Council, I propose to invite the representatives of Lebanon and Israel, under the relevant Article of the Charter and in accordance with rule 37 of the provisional rules of procedure, to participate in the Council's discussion without the right to vote.

*At the invitation of the President, Mr. E. Ghorra (Lebanon) and Mr. Y. Tekoah (Israel) took places at the Council table.*

5. The PRESIDENT: In addition, in accordance with the decision taken at the same meeting, I propose, with the consent of the Council, to invite the representatives of Egypt, Kuwait, Saudi Arabia and the Syrian Arab Republic to participate in the discussion, without the right to vote, under the relevant Article of the Charter and in accordance with rule 37 of the provisional rules of procedure. I request the representatives mentioned to take the places reserved for them at the side of the Council chamber, on the understanding that they will be invited to take places at the Council table at the appropriate time.

*At the invitation of the President, Mr. A. E. Abdel Meguid (Egypt), Mr. A. Y. Bishara (Kuwait), Mr. J. Baroodi (Saudi Arabia) and Mr. H. Kelani (Syrian Arab Republic) took the places reserved for them at the side of the Council chamber.*

6. The PRESIDENT: Members have before them a draft resolution in document S/11275 which has emerged from lengthy consultations that some members of the Council have had over the past few days.

7. Mr. SALAZAR (Costa Rica) (*interpretation from Spanish*): My delegation would like to join in the words of sympathy which you, Mr. President, expressed a few moments ago on behalf of all the members of the Security Council at the death of the distinguished President of Austria, Mr. Franz Jonas. Austria has lost a great leader. My country, a sincere admirer of Austria and its statesmen, deplores that great loss and we convey to Ambassador Jankowitsch our expression of deep sympathy.

8. Unlike most of the delegations that have spoken in the Council before me, my delegation does not wish to start

talking in this debate about whom we like or whom we do not like, if this were the case, in the conflict. We shall strive to refrain in our statement from passing judgement about which side is good and which side is bad. We shall avoid saying anything that would prematurely indicate an emotional attitude in this very serious subject at present under debate in the Council. This position may help us determine the role which, to our way of thinking, should be played by the Security Council with respect to this very delicate complaint that has been lodged by Lebanon.

9. The debate has been useful in spite of some excesses because it has provided information about the current problem and its underlying causes. It has also helped us think about what role should be played by the Council in such cases, and a number of questions have come to our mind to which we have not always found replies.

10. One begins by wondering about the nature of this organ of central importance, the Security Council. I think it is worth while to consider exactly what the performance of the Council has been during the past few days in view of its heavy responsibilities to maintain international peace and security under the Charter. One wonders how, in an essentially political body such as the Council, one could fail to expect its members to express the views and follow the political lines of the States that they represent. One is tempted to query whether in fact the Council customarily has confined itself to the Charter, which assigns it primary responsibility for maintaining international peace and security.

11. How can we reconcile its essentially political nature with the responsibilities which the Charter assigns to it as guardian of international peace and security? How can one fail to wonder whether the members of the Council, who, after all, cannot divest themselves of their political garb, are always right when they decide on behalf of this important organ?

12. Since it is clear that the decisions of the Council which have a binding and enforcement nature take the form of real legal rulings, one cannot but wonder how a political body can provide effective guarantees that its decisions of a judicial nature will not be termed unjust or one-sided? What, when all is said and done, is the Security Council: a political body or a body which, because of its decisions, rather partakes of the nature of a court of law?

13. Of course the Security Council is not a court of justice. Nor does it even dispense justice. We should not find this shocking if we accept that, because of the structure given to it in the Charter, it was intended to be a political body, some of whose powerful functions were to be judicial. But simply that it has those powers and uses them should not lead to the false conclusion that the Council is an unimpeachable judge possessed of impartiality and neutrality. Certainly not, and we have all seen this with our own eyes. It is often partial and is not in the habit of being neutral. It tends to follow political interests, and the debates here are inevitably marked by the stamp of the political considerations which its members heed.

14. Wherein lies the problem? It is that political accommodation has played too important a role and there is a

growing risk that the Council will increasingly fail to perform the essential functions which the Charter assigned to it and which the world expects of it. That is, it does not positively safeguard international peace and security if there is always a desire to secure political success in any dispute.

15. The Charter, in Article 2, established the principle of the sovereign equality of all its members, thanks to which all nations, large and small, participate on an equal footing. Without prejudice to this essential principle of international relations, it must be agreed that the Charter, when setting forth the composition of the Security Council and giving a permanent seat in it to only five States, gave more rights to the so-called great Powers than to the other States.

16. The entire international community agreed that such a scheme should be maintained, which remains fully valid today, because as the Foreign Minister of Costa Rica said when Costa Rica took its seat in this Council:

“... the Charter of San Francisco is based upon one essential political hypothesis and that is harmony and co-operation among the great Powers. And since the maintenance of peace is the primary objective of the United Nations, its peace-keeping machinery is based on the theory of joint action by the five great Powers. It is for that reason that they were given permanent seats in the Security Council. It is for that reason that the veto was created, as a guarantee that the Security Council would not use its powers without the agreement of the most powerful nations.” [1761st meeting, para. 12.]

17. The international community agreed that greater rights would be given in this peace-keeping body to some, confident that that privilege would entail great responsibility for the major Powers. Their joint action is crucial for maintaining international peace and security, and it is well known that when a lack of understanding has emerged, the Security Council has lost its effectiveness in maintaining peace. It is a heavy responsibility indeed inasmuch as the major Powers are clearly aware that, because of their privileges, they are protected from any warning or blockade or condemnation or armed attack or any other enforcement action decided on by the Council on behalf of the entire international community. The responsibility is great indeed, inasmuch as they are clearly aware that no State in the world, except them, is protected from punitive action upon which the Council might agree. They do have enormous responsibility because they have the rare privilege of never being punished and being able to use machinery which makes it possible for them to punish the rest. Those who realize the most that they have this major responsibility are the major Powers themselves. What they say here and how they say it create the kind of climate that is necessary if there is to be a solution to a given problem. It is surprising, though, that very frequently the major Powers create the kind of climate which actually works against, which prevents, a reasonable solution to conflicts. I think I am saying the truth when I say that my delegation was somewhat dismayed at the debate that has taken place on the subject of the complaint presented by Lebanon in the letter dated 13 April 1974. The Council has avoided its real responsibility if it believes that all it must do is to

reprimand, to admonish, to repeat warnings, to issue condemnations, rather than tackle the root of the difficult problems submitted to it. It is just not enough to pile draft after draft in an increasingly bitter and passionate verbal escalation if it conceals the fact that behind every dispute is a difficult problem which needs to be solved.

18. If it departs from its determining role in the settlement of the most serious international conflicts, the Council should not deplore the fact that the vacuum is filled by those who want to tackle the problem in a responsible way and find the kind of solution that the situation requires.

19. In the conflict in the Middle East the Council has a primary responsibility to discharge. It would be a matter of regret if it failed to do so and had to consent to be led by those who are capable of assuming responsibility.

20. The human problem at the root of the conflict is the problem of the Palestinian refugees. One should not settle, however, for the provision of food on behalf of the United Nations. Nor should one rouse their feelings and incite them to terrorist action which the entire civilized world repudiates. A definitive solution to the problem must be found, without disregarding its complexity in the way the United Nations gave the Jews a solution when the State of Israel was established. For equally important human reasons as well as for the fact that one must not be unrealistic at the start, the solution to the problem cannot be found at the price of eliminating the State of Israel.

21. My delegation deplore the violent events which once again have emerged in the Middle East. We lament the atrocities of the criminal terrorist act of Kiryat Shmona. Consistent with the principles of human rights which my country professes, my delegation has felt repugnance at this killing of innocent human beings. It is impossible to imagine the indignation that was caused in Israel by that act, but we are also in complete disagreement with reprisal actions undertaken by Israel in violation of the sovereignty of Lebanon.

22. My delegation represents a country which by unilateral decision practices general and complete disarmament. My country cannot even try to assert the right of self-defence appearing in Article 51 of the Charter in case of aggression, for the exercise of such a right implies possession of defensive means sufficient to repel aggression. It is not surprising, then, that Costa Rica in the event of an external attack depends for its protection on international mechanisms, at the regional or the international level, to which we have entrusted our security. We could therefore never accept any action which violates the sovereignty of a nation, even if it is in response to a horrendous terrorist act.

23. If this debate on the complaint by Lebanon were to lead to a declaration on the part of the Security Council, then my delegation, respecting the facts, would be pleased if, together with any warning to Israel as a result of its incursion into Lebanese territory, there were to be equally firm considerations of the causes which led to that action—though they would not justify by themselves the Israeli action—namely, to the terrorist act of Kiryat Shmona.

24. Lebanon has denied that the terrorist band came from that country. Israel has said the opposite. However that may be, the truth of the matter is that the Security Council has lacked appropriate information to establish the facts. The Israeli action cannot be attenuated, still less justified, if it is established that the terrorist band originated in and in fact came from Lebanon. However, if that fact is established, the correct thing to do would be to remind the Lebanese Government of its duty, in accordance with international law, to adopt every reasonable step to prevent the organization in its territory of irregular forces or armed bands to carry out incursions in the territory of another State.

25. My delegation is confident that the action which will be determined by the Security Council in connexion with this new outbreak of violence in the Middle East will be consonant with the desire, which I am sure we all share, not to do anything to decrease the chances of a dialogue and negotiations between the parties involved, in whose initial progress the United Nations has played a leading role.

26. The PRESIDENT: I now call on the representative of Israel.

27. Mr. TEKOAH (Israel): I should like to associate my delegation with members of the Security Council in expressing sincere condolences to the representative of Austria, his Government and his people on the untimely passing of the President of the Republic of Austria, Mr. Franz Jonas.

28. On 11 April 1974 three agents of a terrorist organization based in Lebanon crossed the Lebanese-Israeli frontier, murdered 18 persons in Kiryat Shmona and wounded 15 others. On 12 April 1974 Israeli defence forces crossed the same border and dynamited 20 village houses of terrorist collaborators, after having evacuated their inhabitants.

29. Instead of adopting measures to put an end to the operation of terrorist organizations on and from Lebanese soil against Israel, Lebanon lodged a complaint against Israel in the Council. Instead of undertaking to abide by its international obligations and eliminating the terror headquarters, centres and bases situated in Lebanon, the Lebanese Government sought to disclaim its responsibility for harbouring the terrorist gangs.

30. As indicated in my opening statement at the 1767th meeting, on 16 April, the results of the discussion in the Council were foreseeable. The merits of the issues were, as in previous discussions of the Middle East situation, of little import; the facts apparently of limited interest.

31. The formulation of the draft resolution followed the usual pattern. Again encouraged by this familiar spectacle now drawing to its denouement, the Beirut-based terrorist organization which had acknowledged its responsibility for the Kiryat Shmona outrage, even while the massacre was still going on in the townlet, issued the following triumphant declaration, which was published in the Beirut daily *As-Safa* the day before yesterday, on the eve of today's

concluding meeting. According to a Reuter dispatch from Beirut, dated 22 April:

"The Popular Front General Command said in an interview published by the Beirut newspaper *As-Safa* that it attacked Kiryat Shmona to make it impossible for a peaceful settlement between the Arabs and Israelis.

"In the attack on Kiryat Shmona 18 Israelis and three of the Command's guerrillas were killed.

"There will be more actions like Kiryat Shmona until all Palestine is liberated, Abou El-Abbas, spokesman for the group, said. He said he could now reveal the group was responsible for three other incidents since 1970.

"They were:

"The killing last year of Israeli Military Attaché Joseph Allon outside his Washington home.

"The explosion aboard a Swissair passenger airliner over Zurich in February 1970, in which 47 people were killed.

"The explosion of an Austrian airlines plane, near Vienna, in February 1970 in which there were no casualties.

"Abou El-Abbas said Kiryat Shmona was carefully selected as a target for its economic, strategic and symbolic significance to Israel.

"He said the Popular Front General Command would attack Israel wherever it showed itself."

32. The draft resolution before the Council is deserving of being presented to the tune of such gory praise of murder and barbarism. The draft resolution is another example of the bias and inequity which prevail in Council debates on the Middle East.

33. The Government of Lebanon would be committing a grave error if it thought that the draft resolution, reflecting the political views of member States, could in any way whatever detract from Lebanon's legal and moral obligation to terminate the activities of the murder organizations on and from its territory. The people of Lebanon must not be misled into such illusions. Israel will continue to hold the Lebanese Government responsible for any armed attacks organized in or perpetrated from Lebanon.

34. On 11 April, 18 innocent Israelis, most of them women and children, were savagely slaughtered in Kiryat Shmona. On the following day Israeli forces demolished the stones and bricks of 20 Lebanese houses belonging to terrorist associates.

35. The draft resolution before the Council speaks of the stones and the bricks; it does not even mention the massacre of Kiryat Shmona, though we are aware that an attempt has been made to include such a reference. Is the shedding of Jewish blood to be again passed over in silence? Are the innocent victims of Kiryat Shmona

nameless? Is the identity of their murderers to be concealed?

36. Without a reference to the Kiryat Shmona massacre, and in all its studied one-sidedness, the draft resolution and its adoption would be a singularly gross miscarriage of justice.

37. On this day when Israel commemorates its sons and daughters fallen in the defence of our independence, my delegation will not be a witness to the travesty that apparently is about to take place here—not even as a spectator. It leaves you, therefore, with the paper presented for the Council's vote and departs with the memory of the martyrs of Kiryat Shmona and of all victims of Arab terrorism and aggression. As the Bible says, the memory of the righteous shall be for a blessing.

38. Mr. SCALI (United States of America): Let me offer my personal condolences and those of my Government to Ambassador Jankowitsch and, through him, to the people and Government of Austria on their bereavement. The passing of President Jonas has saddened us all.

39. At a later stage in these proceedings I shall have a statement to make regarding the circumstances surrounding our consideration of the Lebanese complaint. For the present I wish to make only limited comment on the draft resolution [S/11275].

40. It is clear to me that a great deal of effort and thought has gone into this draft. The intent has clearly been, first, to be equitable, and second to contribute towards strengthening conditions of stability which are indispensable if a lasting peace in the Middle East is to be achieved. My delegation shares these aims. We believe that with a single amendment the draft before us might command widespread positive support among the members of the Security Council.

41. Having been informed that amendments are proper at this time, my delegation proposes that operative paragraph 2 be amended to read:

"Condemns all acts of violence, especially those which, as at Kiryat Shmona, result in the tragic loss of innocent civilian life, and urges all concerned to refrain from any further acts of violence".

42. The PRESIDENT: There are no more names on the list of speakers. Unless any other representatives wish to speak I propose that the Council proceed to vote on the amendment that has just been proposed by the representative of the United States. Does any representative wish to speak on the proposed amendment?

43. Mr. EL HASSEN (Mauritania) (*interpretation from French*): I would begin by presenting the condolences of my delegation to the Austrian representative following the tragic death of the President of the Republic of Austria. I should like to assure his delegation of our profound sympathy.

44. I should like to state that my delegation is against the amendment of the United States for a very simple reason. The parties before the Council now are Lebanon and Israel. Any reference to Kiryat Shmona would necessarily entail the presence of another party and the hearing of that party by the Council. But this is not the case. The Council does not have in its possession sufficient information in order to make a judgement about the rights and obligations of that other party. It is for that reason that my delegation cannot accept the amendment just introduced by the United States.

45. The PRESIDENT: Since no other representative wishes to speak on the amendment proposed orally by the United States, I shall now put that amendment to the vote.

*A vote was taken by show of hands.*

*In favour:* Australia, Austria, Costa Rica, France, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* China, Indonesia, Iraq, Kenya, Mauritania, Peru, United Republic of Cameroon.

*Abstaining:* Byelorussian Soviet Socialist Republic, Union of Soviet Socialist Republics.

*The result of the vote was 6 in favour, 7 against, with 2 abstentions.*

*The amendment was not adopted, having failed to obtain the affirmative votes of nine members.*

46. The PRESIDENT: Before proceeding to put to the vote the draft resolution before the Council, I shall call on those representatives wishing to explain their vote before the vote.

47. Mr. CHUANG Yen (China) (*translation from Chinese*): Mr. President, allow me, in the name of the Chinese delegation, to express condolences on the passing away of the President of Austria, Franz Jonas, and our solicitous sympathy to Ambassador Jankowitsch and his colleagues in the Austrian delegation.

48. The Chinese delegation has studied draft resolution S/11275. The draft resolution condemns Israel's violation of Lebanon's sovereignty and territorial integrity and calls on Israel to stop its military actions and threats against Lebanon and forthwith to return to the latter the abducted Lebanese civilians. These are minimum and justified demands which the Chinese delegation supports. However, we have to point out with regret that the draft resolution embodies very harmful contents.

49. First, the draft resolution twice mentions achieving "a just and lasting peace in the Middle East". We understand the good desire of some peace-loving countries which earnestly hope to obtain peace in the Middle East. Yet, as is known to all, Israel has dared to act so truculently precisely because it has the connivance and support of the super-Powers. The crux of the Middle East question lies in the two super-Powers' contention for oil resources and impor-

tant strategic points and for hegemony there. In fact, there is no *détente* in the Middle East situation, let alone lasting peace. On the contrary, the rivalry between the super-Powers in the Middle East has become ever fiercer. In the Middle East war last October the two super-Powers vied with each other in deploying their forces and confronted each other with daggers drawn. This provides the best proof. The people of the world have discerning eyes. No matter what high-sounding and fine words the super-Powers may use, they cannot cover up the truth about their contention for hegemony in the Middle East. Is this not clear enough? In advertising a so-called "just and lasting peace in the Middle East", the purpose of the super-Powers is to suit their needs of contention for hegemony, spread illusions about peace and lull the fighting will of the Arab and Palestinian peoples who are waging valiant struggles to recover their lost territories and regain their national rights. All this can only be to the benefit of Israeli zionism and super-Power hegemony but to the detriment of the just cause of the Arab and Palestinian peoples.

50. The draft resolution further calls on "all parties to refrain from any action which might endanger negotiations aimed at achieving a just and lasting peace in the Middle East". What does this mean? To put it bluntly, this means asking the Palestinian and other Arab peoples to submit servilely to the manipulations of the two super-Powers and forbidding them from taking any action of resistance in self-defence, or they would be charged with "endangering peace negotiations". This is a language implying threats. However, the times have changed. The great Arab and Palestinian peoples are experiencing daily awakening. It is not the one or two super-Powers but the united Arab peoples who dare to struggle and dare to win that will decide the fate of the Middle East. In their attempt to seek hegemony and rule the fate of the people in the Middle East, the super-Powers will only end up by dropping on their own feet the rock they have lifted. No force on earth can stop the just struggle of the Arab and Palestinian peoples for the recovery of their lost territories and national rights.

51. Second, condemnation of all acts of violence contained in the draft resolution is something that the Chinese delegation cannot agree to. We have never favoured adventurist acts by individuals or a few people divorced from the masses, because they are detrimental to the cause of national liberation and the people's revolution. Nevertheless, on the question of violence, one must first of all distinguish between two categories of violence which are entirely different in nature: the violence used by the aggressors and oppressors is unjust, while the violence used by the victims of aggression and the oppressed to resist aggression and win liberation is just. All justice-upholding countries and people condemn the former and support the latter. The Israeli Zionists have been using reactionary violence to carry out aggression and oppression against the Palestinian and other Arab peoples. But the draft resolution makes no distinction between the right and the wrong, between the aggressors and the victims of aggression, between justice and injustice. Instead, it makes an indiscriminate condemnation of all acts of violence. Does not this mean asking the Arab and Palestinian peoples who are subjected to aggression and oppression to lay down their

arms before zionism and hegemony and wait for death with folded arms? What kind of logic is this? The Palestinian people will never accept it, nor will the Arab peoples and all the justice-upholding countries and peoples in the world.

52. It must be pointed out that the Chinese delegation had made active efforts in order to have those very harmful contents, deleted from the draft resolution. Regrettably, however, our just request has not been accepted. In these circumstances, the Chinese delegation has decided not to participate in the voting on the draft resolution.

53. In conclusion, the Chinese delegation reaffirms that the Chinese Government and people firmly support the Palestinian and other Arab peoples in their just struggle to oppose Israeli zionism and super-Power hegemony and to recover their lost territories and regain their national rights. This position of ours is firm and unshakeable. We believe that the Arab people's cause for liberation is just, and a just cause will eventually triumph no matter what twists and turns and hardships it may encounter. This is an irreversible law of history.

54. Mr. EL HASSEN (Mauritania) (*interpretation from French*): I should like very briefly to explain the vote which my delegation will cast on the draft resolution. My delegation has decided to support that draft resolution for the following reasons.

55. The Security Council has had before it only one complaint of Lebanon against Israel. It was Israel which in fact violated the sovereignty of Lebanon, destroying villages, killing or abducting innocent, peaceable Lebanese civilians. In other words, my delegation feels that this draft resolution concerns only two parties: Lebanon and Israel. It is in that spirit that we will support this draft, and in that spirit too that we interpret its provisions.

56. For my delegation, the condemnation of all acts of violence and the full respect for the provisions of the Charter and for the international obligations flowing therefrom embodied in operative paragraphs 2 and 3 are addressed only to the two parties to the present complaint before the Council.

57. Now, it is clear that Lebanon has committed no act of violence of any nature whatsoever and that it has always respected, and continues to respect, its international obligations. It is Israel alone which has committed acts of violence on Lebanese territory, thus violating that country's sovereignty and territorial integrity. It is Israel alone which has acted, and continues to act, as it pleased, in defiance of the Charter and of international law and Security Council resolutions.

58. Consequently, we understand the provisions of operative paragraphs 2 and 3 of the draft resolution as being addressed to Israel, which is making violence the very cornerstone of its policy. We also feel that the explicit condemnation of Israel in operative paragraph 1 is a logical consequence of the foregoing.

59. Hence, in voting in favour of this draft resolution, we wish to associate ourselves with the condemnation of

injustice and with the condemnation of aggression against a country—Lebanon—which, to defend itself, has only its right and its unshakeable faith in the United Nations and its most competent body, the Security Council. While this condemnation of Israel is justified by the gravity of the act which led Lebanon to lodge a complaint with the Security Council, it is also a response to Mr. Tekoah's insult to you, Mr. President, and, through you, to all the members of the Council. I know Mr. Tekoah is no longer present to hear this, but I thought it my duty, as a member of the Council, to put it on record at this meeting.

60. We know that there are conflicts between men, States and blocs. Those conflicts have always had their repercussions here in the form of bitter and sometimes vehement statements. But we have never heard here or read in United Nations documents words like those addressed at the 1768th meeting of the Security Council by Mr. Tekoah to the President of this Council.

61. Had Mr. Tekoah addressed the representative of Iraq in bitter terms there would have been no particular surprise, but that he should have addressed the President of the Council as he did, and using the language that he did, justifies, on the part of all of us, a clear censure. All of us are called upon to guide the proceedings of this Council, and we can do so only if we enjoy the respect attaching to that serious and complex responsibility.

62. The PRESIDENT: There are no further names on my list of members wishing to explain their votes before the vote. I shall accordingly, now put to the vote the draft resolution in document S/11275.

*A vote was taken by show of hands.*

*The draft resolution was adopted by 13 votes to none.<sup>1</sup>*

*Two members (China and Iraq) did not participate in the voting.*

63. The PRESIDENT: I shall now call on those representatives who wish to explain their votes after the vote.

64. Mr. SCALI (United States of America): The situation in the Middle East presents grave risks and great opportunities. During the last few months the first concrete steps towards peace were taken—after decades of strife between Arab and Israeli. All principal parties to the conflict have accepted Council resolutions 242 (1967) and 338 (1973) as a basis for peace. A framework for negotiations, the Geneva Peace Conference, has been established. New foundations of stability required for further progress have been created. These include the dispatch of the United Nations Emergency Force, the implementation of the cease-fire on the Israeli-Egyptian front and the Egyptian-Israeli agreement on the disengagement of forces.

65. Despite this promising diplomatic progress, however, acts of violence and terrorism threaten to undermine the prospects of permanent peace. Clashes between Israeli and Syrian military forces on the cease-fire line increase in

<sup>1</sup> See resolution 347 (1974).



intensity. We must most emphatically deplore such resorts to force in violation of the cease-fire demanded by the Council, and in contradiction to the disengagement being actively pursued at the present time.

66. Once again we meet here to consider the massacre of innocent men, women and children. On 11 April, three terrorists brutally killed 16 civilians in Kiryat Shmona. Alleging that the terrorists came from Lebanon, Israel launched a reprisal raid two days later against several villages in southern Lebanon, which reportedly resulted in civilian casualties as well.

67. We do not presume to make a judgement about the respective claims as to whether or not the terrorists came from Lebanon. The fact is, however, that innocent people were brutally murdered, and spokesmen for the murderers held a press conference in Beirut to boast of their callous act. Once more we have been faced with mounting violence, ugly language and harsh retribution. This is a familiar tale, but with a significant difference. This time the cancer of terrorism not only takes innocent lives; it threatens the new and more promising trends toward peace in the area. This, indeed, may have been the principal motive of the attackers.

68. Despite these difficulties, the United States pledges to continue its efforts to move the parties towards peace. Simply put, my country seeks through discussion, negotiation and accommodation to move, on the basis of resolution 242 (1967), toward a just and durable peace, a peace which will transform the atmosphere, the relations and attitudes in the Middle East for the benefit of all concerned. This is a goal to which the vast majority of the United Nations membership subscribes and to which the United Nations itself is making a key contribution.

69. Sadly, this objective is still repudiated by groups of terrorists, uninhibited by law and unrestrained by common standards of human decency. The group which claims responsibility for the murders at Kiryat Shmona is categorically opposed to the process of negotiation through the peace conference at which the Soviet Union and the United States are co-chairmen. Indeed, one spokesman who claims to speak for that group has reportedly claimed that Kiryat Shmona was just the beginning of revolutionary violence aimed at preventing a permanent Arab-Israeli settlement.

70. We in the Council have invested much of our labours, resources and goodwill during the past months in an attempt to turn the Middle East away from a cycle of violence and retaliation. We cannot allow recent achievements to be destroyed by the mindless terrorism of a small band which seeks to destroy the fragile peace we are seeking so arduously to construct.

71. Neither should this Council jeopardize its constructive work of recent months by resort to worn and one-sided rhetoric devoid of practical effect or reality. It is, of course, natural and right that we voice here our condemnation of senseless acts of terror such as occurred at Kiryat Shmona, just as we condemn the violence undertaken in retaliation in southern Lebanon by Israeli forces. We regret that our amendment to refer expressly to Kiryat Shmona did not

receive the necessary support in this Council. We believe, however, that the resolution before us condemns all violence whatever its origin, including the tragedy at Kiryat Shmona.

72. But we must move forward from condemnations of violations to encouraging moves toward a just and durable peace. Above all, our efforts in this Council must contribute to the climate of peace and mutual goodwill which is indispensable if negotiations are to succeed.

73. Mr. ANWAR SANI (Indonesia): Allow me first, Mr. President, on behalf of my delegation, to join you and other colleagues in expressing to the delegation of Austria and, through it, to the Government and people of Austria sincere condolences on the sad occasion of the passing away of the President of Austria, Mr. Franz Jonas.

74. My delegation would like to thank those delegations whose efforts made it possible for the Council to have a draft resolution before it for consideration. It is a pity that at the last moment they decided to remain anonymous.

75. My delegation voted in favour of the draft resolution, though we did not do so without entertaining some doubts. It has always been the considered view of my delegation that the Council cannot and should not treat acts of violence committed by desperate and frustrated victims of aggression, suffering from spiritual and material hardships as a result of expulsion from their homes and their land on the same level as acts of aggression committed by a country as part of its avowed official policy.

76. Much as we would prefer to have a truly balanced resolution which took into account the view I have just expressed, we are very much aware that such a draft would have had little chance of winning the necessary support under the present circumstances. We therefore decided to vote for the present resolution, especially in view of paragraphs 1 and 4, which apparently meet the immediate interests of Lebanon.

77. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): The Soviet delegation, associating itself with the condolences expressed on behalf of the Council by the President of the Council on the occasion of the death of the President of Austria, Mr. Franz Jonas, would like for its part directly to convey its sympathy and profound grief to the representative of Austria in the Council, Ambassador Jankowitsch, on the death of his President. In this connexion we should like to point out that the presidency of Mr. Jonas was marked by the development and further strengthening of relations of friendship, mutual understanding and co-operation between the Soviet Union and Austria. We share the sorrow of Austria and its people on the occasion of this heavy loss.

78. As we are all aware, a group of members of the Council from the non-aligned countries prepared a stronger draft resolution condemning the new act of aggression committed by Israel against Lebanon on the pretext of "reprisals"—a pretext which is inadmissible, illegal and condemned by the Council. It made specific references to previous resolutions of the Council, condemned the aggres-

sive acts of Israel against Lebanon and contained the necessary stern warning to Israel. That draft resolution also provided for a firm condemnation of the repeated military attacks by Israel on Lebanon and of the Israeli officials' threats with regard to the further use of force against this peace-loving State. The draft resolution also included the demand that Israel refrain from the threat or use of force against Lebanon and a strong warning to Israel that, in the event of a repetition of such attacks on Lebanon, the Council would take appropriate action to carry out its decisions in accordance with the provisions of the Charter.

79. At the time, the Soviet delegation supported that draft resolution and it would unquestionably have preferred to see the Council adopt precisely that draft. Subsequently, however, for reasons and circumstances well known to all, the draft resolution prepared by the non-permanent members of the Council, the non-aligned countries, was unfortunately not submitted to the Council for consideration.

80. The draft resolution finally adopted by the Council is, in the view of the Soviet delegation, not sufficiently strong and effective. The Soviet delegation considered, however, that it could go along with the adoption of this draft resolution, bearing in mind the acceptability of the text to the country which complained to the Council of aggression against it by Israel and with due regard for the views of that country.

81. As for the latest slanderous statement by one representative at today's meeting, I can say only that if he believes everything he said I am sorry for him. And if anyone is so naive as to believe everything he said, one can only feel sympathy for such naive people.

82. Now I believe it would be appropriate to inform the Council and its members about the position of the genuinely socialist countries and the genuinely socialist community on the Middle East question. I have in mind the official document adopted recently at the Conference of the Political Consultative Committee of the States Parties to the Warsaw Treaty: the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Socialist Republic of Romania, the Union of Soviet Socialist Republics and the Czechoslovak Socialist Republic. The conference was held, as is well known, on 17 and 18 April 1974 in Warsaw. I shall read out the document:

*[For the text see document S/11276, annex II.]*

83. Mr. BOOH BOOH (United Republic of Cameroon) (*interpretation from French*): Mr. President, first, we would like to join in the words of condolence which you expressed on our behalf to the Austrian delegation upon the passing of President Franz Jonas.

84. Mr. President, after listening to the discourteous words that one representative uttered at the 1768th meeting of the Council about your country and questioning your performance as President of the Security Council, my delegation feels that it is necessary once again to say that it places its trust in you and admires your dignity, impar-

tiality and competence in your delicate functions as President of the Council during the present month. We would also like to take this opportunity to say how very much we admire the contributions that your country, Iraq, has always made to the cause of peace and emancipation of peoples.

85. By voting in favour of the resolution just adopted by the Council, my delegation has wished unreservedly to condemn Israeli aggression against Lebanon and, furthermore, to draw the attention of the international community to the need to find a just solution, as a matter of urgency, to the crisis in the Middle East. That position emerges clearly from the statement made in the Council on 16 April last by my Foreign Minister.

86. Like many representatives who have spoken before me, I should like, on behalf of my Government, to state for the record the following in connexion with paragraph 2 of the resolution just adopted. Because of its general imprecise language, my Government interprets this paragraph as an expression of the compassion of the Council for innocent civilians who were killed in the specific events at present being considered by the Council. That attitude of the Council cannot mean the condemnation of the activities of political liberation movements; the justice and legitimacy of their struggle has been recognized in the relevant resolutions of the various bodies of the United Nations.

87. The PRESIDENT: I have no further names on my list of representatives wishing to explain their vote, after the vote. I wish, therefore, with the permission of the Council, to say a few words as representative of IRAQ in explanation of my delegation's vote.

88. My delegation has refrained from participating in the vote on the draft resolution which the Council has just adopted. In explanation of its position, allow me to state at the outset that Iraq stands fully behind a brother country, Lebanon, in the defence of its sovereignty and territorial integrity which has been repeatedly violated by Israel.

89. The latest act of aggression by Israel which led to the present complaint was even more bloodily conceived and dangerous than all previous acts. Its arch perpetrator, General Moshe Dayan, has promised a repetition of such acts of aggression against Lebanon which will in his view render the southern part of Lebanon barren and uninhabitable. Such dangerous threats, when viewed against the background of Israel's aggressiveness and its defiance of previous Council resolutions, demands the Council's most serious consideration. When it is recalled that the Council had previously warned Israel, in resolution 280 (1970), against the repetition of such acts of aggression and that these solemn warnings have gone unheeded by Israel, it has become the Council's unavoidable duty to seek a remedy for the situation in accordance with the power invested in it under the Charter.

90. Our past experience has proved that a mere condemnation of Israel, though just and necessary, does not by itself constitute a sufficient deterrent to such an aggressor and habitual law-breaker as Israel. Firmer action in this case was certainly required. Unfortunately, and for reasons well

known to all of us, the Council failed to take such action. That is our first reservation.

91. Our second reservation concerns the attempt to view individual acts of violence on a level with premeditated acts and wilful acts of aggression by one Member State against another. In our view, any such attempt, no matter how well intentioned and regardless of how deplorable individual violence may be, will only result in the erosion of a State's responsibility to act in strict accordance with its rights and obligations under the Charter.

92. We also feel that where acts of individual violence are concerned all the facts pertaining to such incidents are never fully made available to the Council in order for it to be able to pass judgement.

93. The resolution which has just been adopted refers more than once to negotiations and diplomatic efforts which are being undertaken in the Middle East. My Government has consistently reserved its position on these issues and there is very little reason for us to change our position.

94. Finally, we must stress to the Council once more our firm belief that the tragic events in the Middle East with which the Council has had to deal so frequently can be eliminated only by restoring to the peoples of Palestine their inalienable rights in their homeland. I wish once again to reiterate the full support of the people and Government of Iraq for the just and rightful struggle of the people of Palestine.

95. Now, as PRESIDENT, I call on the representative of Lebanon, who wishes to make a statement.

96. Mr. GHORRA (Lebanon): Mr. President, I wish to associate my delegation with the words of sympathy and condolence that you and other members of the Security Council have expressed to the representative of Austria and to the Austrian Government and people on the sad occasion of the death of the President of Austria, Mr. Franz Jonas.

97. On behalf of my delegation I wish to express to you, Sir, our appreciation of the efforts that you have deployed during these meetings of the Security Council. The performance of a President reflects on the collectivity of the Council, for it is the collective trust of all its membership. Your contribution to enhance its prestige and authority is in the best and fairest traditions of this Council. The patience, forbearance and thoroughness that you have demonstrated have kept the presidency at the level at which past Presidents have maintained it and at which future Presidents should maintain it, that of dignity. My delegation wishes to pay a vibrant tribute to your performance as President a tribute with which, I am certain, all fair-minded representatives will agree is well deserved.

98. I wish also to express our appreciation to all delegations that have supported us in our case of the aggression launched by Israel against Lebanon. I wish to thank them for their kind statements and I wish also to thank them for their positive votes. I express our deep appreciation even to those delegations that did not participate in the voting,

because we understand the reasons why they did not participate.

99. In the long and arduous negotiations that took place we accepted the draft resolution that was adopted by the Council as reflecting our minimum demands. We had hoped that the Council would move one step further by taking the effective measures or steps that it had promised us it would take in the event Israel repeated its attacks against Lebanon.

100. In its resolution the Council recalls its previous resolutions. It is quite obvious to members of the Council and to us which resolutions are being recalled. They are resolutions 262 (1968), 270 (1969), 279 (1970), 280 (1970), 285 (1970), 313 (1972), 316 (1972), 317 (1972), 332 (1973) and 337 (1973). Those resolutions were adopted between 31 December 1968 and 15 August 1973 following several acts of aggression committed by Israel against Lebanon. Israel has been condemned six times for its premeditated and repeated attacks against Lebanon. The Council has demanded that Israel should forthwith withdraw all its military forces from Lebanese territory. The Council has constantly called upon Israel to desist or refrain from any military action against Lebanon, or demanded that it do so. The Council has warned against the repetition of such attacks and has committed itself, if such attacks were repeated, to consider taking adequate and effective steps or measures in accordance with the relevant Articles of the Charter to implement its resolutions.

101. In the present case we were warned after the last attack that Israel would strike again against the Lebanese people and the civilian centres of Lebanon and that the population of southern Lebanon would be forced to leave their area and that their homes would be destroyed. This is a flagrant case of a premeditated terrorist campaign organized at a State level. And the Council did not deem it possible to take the effective measures that it had promised us in the past.

102. The resolution once again condemns Israel for its violation of Lebanon's territorial integrity and sovereignty and calls once more on the Government of Israel to refrain from further military action and threats against Lebanon. I wonder whether these condemnations are sufficient for the Government of Israel, because we have seen that in the past condemnations have not yielded any positive results. On the contrary, our people have been suffering from the repeated assaults of Israel against Lebanon. One hundred and fifty innocent people of Lebanon have died during the last four years as a result of these assaults. Hundreds were injured, several towns were affected, several hundred houses were destroyed, many civilian installations were completely demolished. In addition to that, Israel maintains a campaign of threats and intimidation against Lebanon and its people.

103. The resolution, among other things, calls on Israel promptly to release and return to Lebanon the abducted Lebanese civilians. We take it that the Council wishes Israel to do that at the earliest possible moment. That is very important for us. We are not going to allow our people who have been abducted and kidnapped by those who have the

habit of kidnapping people from our territory to remain in Israel's hands. We demand that they be returned immediately and unconditionally to Lebanon and to their families.

104. In paragraph 5 of the resolution the Council calls upon all parties to refrain from any action which might endanger negotiations aimed at achieving a just and lasting peace in the Middle East. We are cognizant of our commitments and obligations under the Charter and under international law to refrain from the use of force or the threat to use force and to support all efforts and actions aimed at the promotion of conditions of peace and the solution of problems by peaceful means. Over the years we have made positive contributions to that end in many ways. If we have at our doorstep a recalcitrant State bent on disturbing the peace in the Middle East, on committing aggression, on carrying out provocation and intimidation and on constantly widening the area of conflict, it is not Lebanon and its people that should be held responsible. If that State, namely, Israel, has for 25 years scuttled every attempt at a peaceful solution, certainly it is not Lebanon that must be blamed. I am certain that no fair and reasonable person could point the finger of culpability at Lebanon, its Government and its people for having impeded any action for a peaceful solution of the Middle East problem. This is not a self-serving statement that I am making. This is a reflection of truth about a country and a people that pursue a moderate and peaceful policy. Lebanon will pursue that policy in the future.

105. The solution of the Middle East problem, as we were reminded today by the representative of the Soviet Union, must be based on some basic elements. To be just and lasting it must accomplish a complete withdrawal of the Israeli troops from all the occupied Arab territories. It must restore to the Palestinian people their rights—their inalienable rights recognized by many resolutions of the United Nations—so that they can live in their homeland in dignity. It must put an end to the expansionist and militaristic policy of Israel. This is the kind of peace we hope will be achieved, and we hope that Israel will see the light and not only heed the various calls of the Security Council but also collaborate in the efforts which are being made for the settlement of the problem of the Middle East.

106. Once again, Mr. President, I thank you and members of the Council for your patience and for your support for Lebanon. I am certain that all the members can appreciate that Lebanon relies, as it has always relied in the past, on the goodwill of the Council and of the United Nations, because we are not a militaristic State and we do not have any shield of protection except the Charter.

107. The PRESIDENT: I now call on the representative of Austria, who wishes to make a statement.

108. Mr. JANKOWITSCH (Austria): Mr. President, in the early hours of this morning Franz Jonas, the Federal President of the Republic of Austria, passed away in Vienna. At this hour of national grief the words of high tribute and warm sympathy expressed by you on behalf of

therefore, express to you, Mr. President, and all members of the Council who have joined you so generously the Council and by members of the Council are a source of comfort and consolation for the Austrian people. Let me, profound gratitude of the Austrian delegation and my own gratitude.

109. Franz Jonas, one of the elder statesmen of the Austrian Republic, devoted his life to public service and the promotion of the economic and social welfare of his people. His stations in public life include 14 years as Mayor of Vienna, the capital city of Austria, which owes to him its spectacular rehabilitation after years of destruction and occupation. For nine years and until the end of his rich life, Franz Jonas held the highest elected office the Austrian people can bestow, an office in which he was confirmed after a first term in 1971. His were years of unprecedented progress and well-being for the Austrian people, built on the solid foundations of democracy and tolerance at home and on the constant development of friendly relations with all peoples of Europe and the world. As President of Austria, Franz Jonas visited many countries, some of them represented here around this table. On his travels and in his constant concern for peace he was the faithful interpreter of the peaceful disposition of the Austrian people towards the people of the world. His life was a life of service, and the supreme accomplishment of his life is the rich heritage of selfless devotion to the welfare of his people. In honouring his memory, the members of this Council have shown that the message that was his life has been well understood.

110. The PRESIDENT: No other delegations have expressed the wish to speak on the item inscribed on our agenda. I shall, therefore, take it that we have concluded the discussion of the complaint by Lebanon.

#### Statement by the representative of Mauritania

111. Mr. EL HASSEN (Mauritania) (*interpretation from French*): The problem that I should like to mention has no direct connexion with the problem at present under consideration, but there is perhaps a link, because it is a question of respect for the sovereignty and independence of States. It is a question of international peace and security. I think that this information should be brought to the attention of the members of the Security Council.

112. On 22 April 1974, at 1.10 p.m., five fighters from the Portuguese colonialist army flew over the territory of the People's Republic of the Congo and flew over Banga, near the Congo-Ocean railroad. At 1.30 p.m. the same day three Portuguese aircraft flew further over Congolese territory. This action on the part of the Portuguese Army is part of the policies of the Lisbon authorities, who wish to extend their colonial wars to the territory of independent African States.

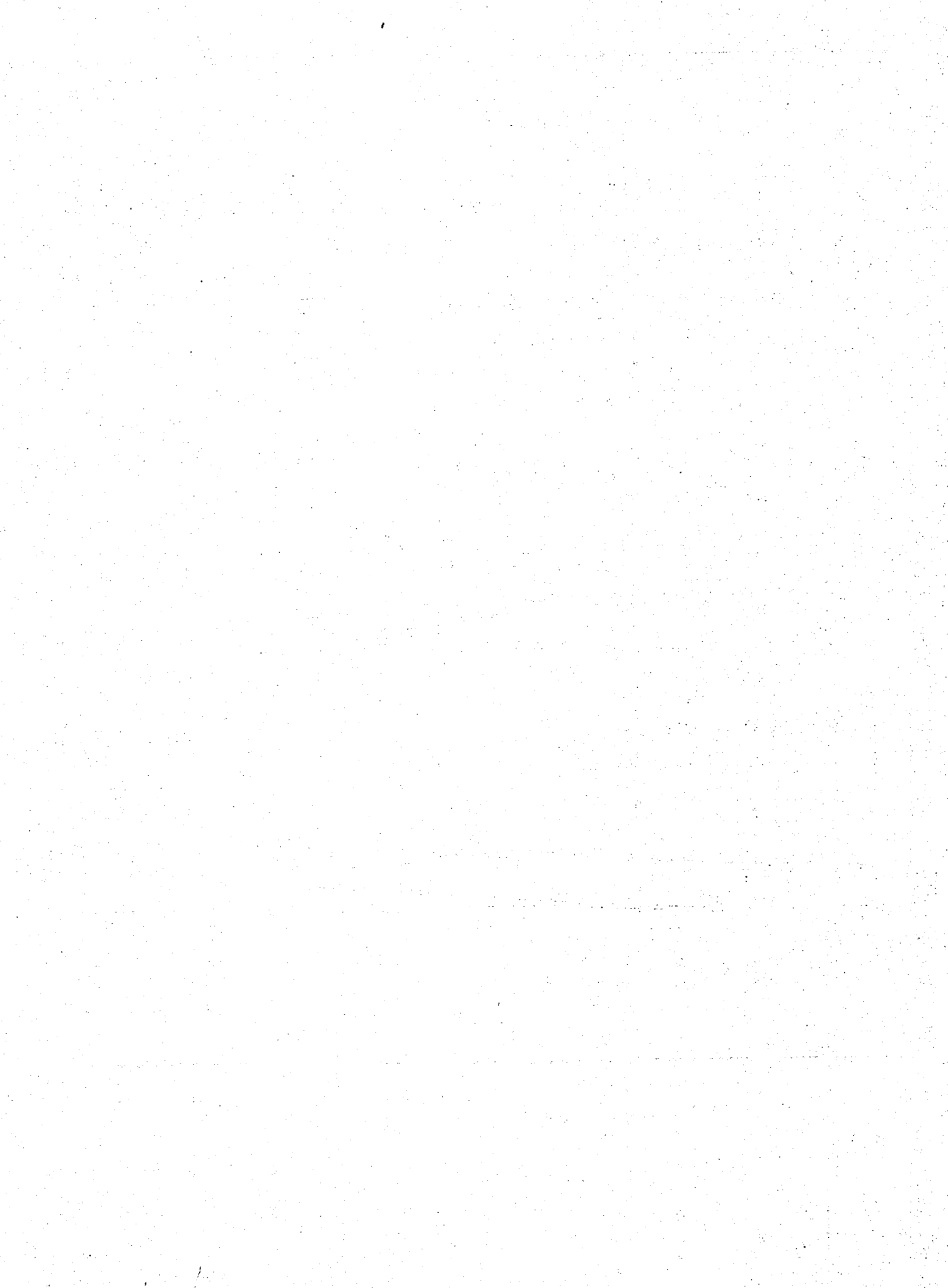
113. That repeated violation of Congolese air space over an economically important area could be a prelude to other Portuguese military actions of a more serious nature. The Congolese Government, through me, wishes to advise members of the Council of the potential dangers of such

actions. So it is solely by way of information that I have made this statement.

114. The Ambassador of the Congo to the United Nations has already placed the matter before the President of the

Security Council to inform him of the situation. He certainly will seize the Council of the matter if the seriousness of the situation so requires.

*The meeting rose at 8.10 p.m.*





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