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NOTE

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SIXTEEN HUNDRED AND FIFTY-THIRD MEETING

Held in New York on Friday, 21 July 1972, at 10.30 a.m.

President: Mr. Carlos ORTIZ DE ROZAS (Argentina).

Present: The representatives of the following States: Argentina, Belgium, China, France, Guinea, India, Italy, Japan, Panama, Somalia, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

Provisional agenda (S/Agenda/1653)

- 1. Adoption of the agenda.
- 2. The situation in the Middle East:
 - (a) Letter dated 5 July 1972 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/10730);
 - (b) Letter dated 5 July 1972 from the Chargé d'affaires, ad interim of the Permanent Mission of Lebanon to the United Nations addressed to the President of the Security Council (S/10731).

The meeting was called to order at 11 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East:

- (a) Letter dated 5 July 1972 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (\$/10730);
- (b) Letter dated 5 July 1972 from the Chargé d'affaires, ad interim of the Permanent Mission of Lebanon to the United Nations addressed to the President of the Security Council (S/10731)

1. The PRESIDENT (interpretation from Spanish): In accordance with the previous decision of the Council [1651st meeting] I propose, with the Council's consent, to invite the representatives of the Syrian Arab Republic and Lebanon to take places at the Council table in order to participate, without the right to vote, in the Council's discussion of this item.

At the invitation of the President, Mr. G. J. Tomeh (Syrian Arab Republic) and Mr. E. Ghorra (Lebanon) took places at the Council table.

2. The PRESIDENT (interpretation from Spanish): Similarly, in accordance with the decision taken by the Council, and with its consent, I propose to invite the representatives of Afghanistan, Mauritania and Morocco to take places in the Council chamber, on the understanding that they will be invited to take places at the Council table when they wish to make statements.

At the invitation of the President, Mr. A. R. Pazhwak (Afghanistan), Mr. M. El Hassen (Mauritania) and Mr. M. M. Zentar (Morocco) took the places reserved for them.

3. The PRESIDENT (interpretation from Spanish): As was agreed at our meeting yesterday [1652nd meeting], we shall first proceed to the vote on the draft resolution sponsored by the delegations of Guinea, Somalia, the Sudan and Yugoslavia contained in document S/10742.

4. The representative of Panama has indicated his desire to speak.

5. Mr. RIOS (Panama) (interpretation from Spanish): On specific instructions from my Minister of External Relations I wish to report that we shall vote in favour of the draft resolution before us. My Government considers that principles are involved here which we respect and uphold constantly. Security Council resolution 316 (1972) is already a United Nations instrument and we comply with it even though we abstained in the voting, for reasons which were explained clearly at that time [1650th meeting].

6. I should like to avail myself of this opportunity to make a comment which I consider to be relevant. Yesterday, when referring to the request for postponement by Panama and Belgium, the representative of Somalia as I understood it, was most respectful, indeed ceremonial, with the delegation of Belgium but rather caustic and indeed even disdainful toward my delegation. Why was this so? My delegation did nothing more than exercise a right which it has because it is a Member of the United Nations and a member of the Security Council. I should like to express our displeasure to the representative of Somalia. We are extremely respectful of others and, accordingly, we are entitled to be treated in the same manner and with the same consideration. Even when we submitted our request for postponement because of our need for consultations, we did so by appealing to a spirit of understanding and co-operation. We did not even invoke rule 33 of the provisional rules of procedure of the Council.

7. In conclusion, I would say that all the representatives here are entitled to the greatest respect. No one has the right to breach this elementary standard of courtesy. 8. Mr. FARAH (Somalia): My delegation is most happy with the statement made by the representative of Panama concerning the manner in which his delegation will vote on the draft resolution before the Council. It does indeed reflect an important change of attitude and policy on a matter which is held dear to the hearts of many members of the Council and, indeed, of the United Nations. It certainly means a departure from the attitude taken on resolution 316 (1972), and in this regard my delegation wishes to express its deep satisfaction with the policy of the Government of Panama.

9. I regret that the representative of Panama chose to interpret my statement of yesterday as a statement of discourtesy. I should like to assure him that my Government and my delegation hold the Government and people, and the members of the delegation of Panama in the highest esteem, and that in no way was an act of discourtesy meant. If I have offended him in any way, I respectfully ask his indulgence.

10. Mr. SEN (India): When we adjourned last night it was the expectation, at least of the representative of Somalia, that a few hours delay would improve the degree of support that his draft resolution might receive. I also indicated that in spite of many of the shortcomings of the draft resolution my delegation would have been happy to co-sponsor it, but that I simply did not have the time yesterday to consult my Government.

11. The few hours which have elapsed since then have enabled me to consult my Government and I am happy to announce that the Government of India will formally co-sponsor the draft resolution which has been submitted by the representative of Somalia on behalf of Somalia, Guinea, Sudan and Yugoslavia. As I did not have a chance to discuss it with them, I announce my intention publicly at this meeting in the hope that the other sponsors will accept our association, and if that is so, Mr. President, perhaps you could agree formally to add our name to the resolution.

12. The PRESIDENT (interpretation from Spanish): There appears to be no objection on the part of the co-sponsors and accordingly, the name of India will be included in the list of sponsors of the draft resolution.

13. Mr. RIOS (Panama) (interpretation from Spanish): I should like to say that my delegation is very pleased with the explanation just given by the representative of Somalia.

14. The PRESIDENT (interpretation from Spanish): The Council will now vote on the draft resolution sponsored by the delegations of Guinea, India, Somalia, the Sudan and Yugoslavia [S/10742].

A vote was taken by show of hands.

In favour: Argentina, Belgium, China, France, Guinea, India, Italy, Japan, Panama, Somalia, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Yugoslavia.

Against: None.

Abstaining: United States of America.

The draft resolution was adopted by 14 votes to none, with 1 abstention.¹

15. The PRESIDENT (interpretation from Spanish): I shall now call on those representatives who have indicated their wish to make statements after the vote.

16. Mr. NAKAGAWA (Japan): At the outset, my delegation wishes to associate itself with other delegations in expressing appreciation of the persevering efforts exerted by you, Mr. President, by the Secretary-General, Mr. Kurt Waldheim, by the Under-Secretary-General for Special Political Affairs, Mr. Roberto Guyer, and by the International Committee of the Red Cross to effect the early release of the captured Syrian and Lebanese officers. Those endeavours, as described in the statement made by the President of the Security Council on 18 July [1651st meeting) and in the Secretary-General's message to the President which was made available to the members of the Council through you, Mr. President, on the same day, appear so far not to have resulted in a positive outcome. None the less, my delegation believes that these endeavours indeed deserve admiration and they meet with our wholehearted support. It is our ardent hope that every possible avenue should be continuously explored and pursued in search of a settlement of this question. My delegation appeals to those concerned to continue to exercise their good offices to this end.

17. More than three weeks have passed since the adoption of resolution 316 (1972) without any tangible result. My delegation deplores deeply that the strong desire of the Security Council expressed in paragraph 3 of resolution 316 (1972) has not been complied with. At the previous meeting of the Council on the same subject-matter, my delegation stressed the importance of taking urgent steps to sever the vicious and deplorable cycle of action and retaliation in the area. No doubt the release of the captured Syrian and Lebanese officers would have constituted an important step forward for the de-escalation of tension in this already highly sensitive sector.

18. All of us in this Council are very well aware that the case before us is how to implement resolution 316 (1972) and to effect the earliest possible release of the captured Syrian and Lebanese personnel. My delegation believes that this question should be given urgent attention as a matter of first priority. That is the reason why it voted in favour of the draft resolution contained in document S/10742, which is the follow-up of resolution 316 (1972). It is to be added, however, that my delegation calls for the return of the personnel in question without prejudice to the problem of the general release of prisoners of war. My delegation, as a matter of principle, favours release of all prisoners of war as soon as actual hostilities have ceased in accordance with the spirit and provisions of the 1949 Geneva Convention relative to the Treatment of Prisoners of War. We certainly will be happy to see all the prisoners of war, now detained by the respective countries concerned, released through the good offices of the International Committee of the Red Cross or other third parties.

¹ See resolution 317 (1972).

19. Mr. JAMIESON (United Kingdom): My delegation voted in favour of the draft resolution which the Council has just adopted, although we have had and still have serious doubts about the wisdom of having further recourse to the Council at a time when certain efforts were still being made. We voted in favour because we think it is right that, since Lebanon and Syria have nevertheless so requested us, we should reaffirm our strong concern that the personnel taken by Israeli armed forces on Lebanese territory during the events of 21 to 24 June should be speedily returned.

20. My delegation regrets that it was not possible to reach agreement on a text which incorporated some language covering the possibility of progress towards a general release of prisoners of war. As I said in my statement before the Council on 26 June /1650th meeting], my delegation believes that, if only on humanitarian grounds, there is a strong case for such a general release of prisoners of war and that it would contribute towards the lessening of tension in the area. At the same time, the language which we would have liked to see included in the resolution would have been non-prejudicial. It would have made clear that this is a separate question not related to the events of 21 to 24 June which led to the adoption of resolution 316 (1972), and that we do not consider agreement on a general release as a necessary prerequisite for the return of the personnel referred to in this resolution.

21. Our views on this matter, therefore, do not affect the consideration which I mentioned at the beginning of this explanation of vote, and we therefore voted in favour.

22. The PRESIDENT (interpretation from Spanish): I call on the representative of the Syrian Arab Republic.

23. Mr. TOMEH (Syrian Arab Republic): Mr. President, since this is going to be my last appearance before the Council prior to my departure, I wish once more to thank you for your untiring efforts up to the present day. I wish also to thank the Secretary-General, Mr. Waldheim, for his efforts and to thank the sponsors of the draft resolution which was voted upon during our meeting this morning and which received 14 positive votes. I wish in particular to address the thanks of my delegation to Mr. Farah of Somalia for his constructive efforts to bring this debate to a constructive end. Mr. Farah has already distinguished himself, and I, as a former member of the Security Council, recall our very happy co-operation with him, as indeed with all other members of the Council, when Syria was a non-permanent member. In this connexion I might say that there should be three categories of membership in the Council: the permanent, the non-permanent and the nonpermanent permanent, to which perhaps we Arab delegations belong. I should be failing in my duty if I did not also thank, most genuinely, warmly and sincerely, the representative of France, Mr. de Guiringaud, who immediately upon his arrival at the United Nations plunged into the difficult and complicated problems of the Middle East and did his utmost, inside and outside the Council, taking the initiative with his colleagues and with members of his staff, to see to it that a constructive approach would be taken and that constructive work would be done. We would also address special thanks to the representatives and

delegations of Yugoslavia, the Sudan and Guinea. Certainly when the representative of Yugoslavia, Mr. Mojsov, presided over the Council during the difficult month of June he displayed great and real qualities of statesmanship. I also want to thank India for having joined in the co-sponsorship of the resolution adopted today.

24. Since I said this was going to be a sort of farewell speech in this important body of the United Nations, I cannot but recall here that history works in strange ways, for it was in 1946 in London, just after I had joined our Foreign Service, that I attended there the first Security Council meeting at which the Council also was considering a Syrian-Lebanese complaint. But I was sitting right at the back, and there were great and illustrious men who at that time, as now, were discussing problems pertaining to Syria and Lebanon, countries that by nature, history, tradition, language and other basic factors were as one, like all other Arab States indeed, and this remains our feeling. Today in 1972, as I say good-bye, it is also at a meeting on a Syrian-Lebanese complaint, sitting beside my distinguished brother and colleague, Mr. Ghorra of Lebanon.

25. I wish to thank all the members who voted in favour of the resolution adopted this morning. There are, however, certain points which I should like to emphasize as a party directly involved in this issue. One is the sense of urgency. All the members who have taken the floor so far have emphasized the fact that the abduction took place on 21 June. That is exactly one month ago today. Resolution 316 (1972), with its paragraphs 3 and 4, was adopted on 26 June. In the resolution of today it is stated that the abducted Syrian and Lebanese personnel should be released in the shortest possible time. Paragraph 3 specifically, clearly and unequivocally calls on Israel for the "return of the above-mentioned personnel without delay". Resolution 316 (1972) in its paragraph 3 also contains specific terminology emphasizing the immediacy of the problem. It states: "Expresses the strong desire that appropriate steps will lead, as an immediate consequence, to the release in the shortest possible time ... ". The repetition of all these terms certainly has a purpose, and the purpose is to see that this resolution is implemented and that the unit of time does not become a year or a decade or even longer, because we have resolutions which also express a sense of urgency and which still have not been implemented by Israel.

26. I cannot but draw attention here to the fact that testimony in the Commission on Human Rights of the United Nations as well as in the International Red Cross has borne out that Arab prisoners of war have had very tragic experiences in Israeli gaols. We wish to put on record here our hope that the abducted Syrian and Lebanese personnel will be treated with decency, in accordance with the laws of man and in accordance with the agreed-upon civilized behaviour of Member States of the United Nations.

27. The second point is that we should not confuse this issue with any other issue. We are dealing here with a specific complaint regarding the abduction of Syrian and Lebanese military personnel. I need not dwell on that at all except from the point of view of not confusing this issue with any other issue. All the members who have commented at yesterday's meeting or previously and those who

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have spoken this morning have separated the issues. I do not have the exact texts of what was said today, but, taking them in the order in which they spoke, I wish to point out that the representative of India yesterday said the following:

"It is in the context of the need for present action and the past record of Israel's persistent non-compliance with resolutions of the Council that we must view the straightforward issue of the return of the Syrian and Lebanese personnel abducted by Israel. No attempts should be permitted to confuse this issue with the other issue of the return of combatants captured by the different sides in the course of war. No amount of sophisticated and unnecessarily complicated argument can change such kidnapping to something else. We are, therefore, opposed to attempts to obscure this matter by linking it with issues which are not relevant to it." [1652nd meeting, para. 18.]

And the representative of the People's Republic of China, Ambassador Huang Hua, said the following:

"The facts show that the Israeli Zionists had no desire at all to implement resolution 316 (1972). From the very beginning of the abduction, they have been propagating a so-called 'general exchange of prisoners of war' in an attempt to use the abducted Syrian and Lebanese personnel as prisoners of war in exchange for the Israeli prisoners of war now in the hands of Syria, Egypt and other countries. This is a sheer arrogant and baseless demand with ulterior motives." [*Ibid., para. 23.*]

28. It is our earnest hope that the Council, which has taken this responsibility upon itself, the Secretary-General and the President of the Council will impress upon Israel the urgency of the matter of releasing the abducted Syrian and Lebanese military personnel.

29. Now, the third point is this: some members of the Council have, as I said, euphemistically referred to the act of abduction as being "illegal". I submit that the word "illegal" does not really apply here. Why? let me give an illustration.

30. To bulldoze a house or to raze a village to the ground is not against the laws of engineering, but it is a criminal act against the laws of humanity: To take penicillin when aspirin should be taken is against the laws of medicine, but to commit suicide is completely outside the science of medicine. To take prisoners of war in a battle could be stated as taking prisoners of war, but to abduct personnel on a visit is outside the realm of any law: it is lawlessness. Even to call it "illegal" would not be appropriate, any more than calling suicide "unmedical" or calling the razing of a village or house to the ground "a violation of the laws of engineering." For what happened is that Israel, by its act, has placed itself not just against the law but altogether outside the realm of law, and I need not go far to illustrate that.

31. When the agenda was voted upon and adopted in the manner in which it was adopted, what did we see? All the members of the Council saw the representative of Israel

leave the Council chamber in utter contempt for its membership, for its serenity, for what it stands for, and address himself to the press-not to the members of the Council, because all the time, even while speaking here, he is not addressing the Council; he is using propagandistic strategems and gimmicks in order to impress the public outside.

32. But I am addressing myself to the Council. And so the very same people who call for peace and negotiation and dialogue walk out, refusing a dialogue, even across the chamber table.

33. You yourself, Sir, heard, as indeed did all the members of the Council, the representative of Israel commenting on resolution 316 (1972) on 26 June [1650th meeting]. What did he say? He said of that resolution that it was "immoral", and that "It belongs in the morgue of history." Are those words to be said?

34. What party, standing before this forum, is guilty by its own utterances and by its own behaviour? What party spits in the face of international law and order? What party consigns the Charter of the United Nations to the bottom of its totem pole of values and loyalty? And this attitude of Attila the Hun, of every conqueror in history and every State that has ever put itself above the laws of nations causes small wonder, because for over 20 years now, braten Israel, contemptuous of the United Nations, precisely as it was on the morning of 5 June 1967, has been relying on the tradition of sheer power. But if there is one lesson to be learned from history, it is the powerlessness of power.

35. Therefore, in urging the implementation of the two resolutions-resolution 316 (1972) and the resolution adopted today-it is not alone for Arab rights that we press. It is not alone for Arabs that we plead now-and I beg the members of the Council to be clear about this-but for the life and integrity of the United Nations.

36. In all sobriety I say that unless Israel is prepared to retract its outrageous comments on the resolution of the Council and its reflections on the deliberations of tha Council, until and unless Israel shows its readiness-to give one gesture of goodwill only-to abide by the law at illustrated this very morning when 14 members voted favourably for the release of the abducted Syrian and Lebanese personnel, then the Council, not for the Arabs of for Arab rights but for its own integrity, really should ponder a little more deeply this very grave act.

37. The PRESIDENT (interpretation from Spanish): h the world of the United Nations and outside, everything is relative. Farewells too, I believe are relative. The representative of Syria has told us that the statement he has just made would perhaps be his last statement in the Council chamber. It seems to me that the relativity to which I have referred warrants our believing that on another occasion we shall once again have him among us. During his seven years as the representative of Syria in the United Nations Ambassador Tomeh has won the admiration and respect of all his colleagues, including, I am sure, even those who do not share or who at times have not shared his points of view. The defence of national interests, within the spint of the Charter and with the best endeavours of every representative, is in itself something that deserves the respect of one and all, and it would be stating the obvious to emphasize that in this respect Ambassador Tomeh has won the esteem of all his colleagues at the United Nations. I am sure I interpret the feelings of all members of this Council in wishing him all the best on his return to his country to assume a high position. As we Latins put it, we are saying not "good-bye" but "till we meet again".

38. Mr. MIGLIUOLO (Italy): The affirmative vote I cast on behalf of Italy on the draft resolution contained in document S/10742 must be interpreted in the light of two positions of principle, consistently supported by the Italian Government, which inspired the attitude of my delegation throughout the Security Council's deliberations on the issue before us. The first is that the enhancement of the authority and effectiveness of the United Nations must be constantly pursued, particularly through the implementation of the resolutions adopted by the Security Council. The second is that whenever and wherever a situation of conflict obtains humanitarian considerations should always lead the actions of Governments to the largest possible extent. Human lives are equally sacred irrespective of race, religious creed or social conditions. Human misery deserves compassion and relief under any circumstances.

39. Abiding by those principles, the Italian Government had extended its co-operation on previous occasions—as recently as the spring of last year—with a view to bringing about the release of prisoners of war and other persons kept in captivity in the Middle East area. In the same spirit, my delegation was instructed to support the drafting and adoption of resolution 316 (1972). The explanations of vote given on that occasion by the representative of Italy, Ambassador Vinci, and by the three sponsors of the draft of that resolution bear testimony to a deep concern both for the respect of law and order and for the plight of the people involved.

40. The Italian Government did not stand idle after the Council adopted that resolution. It pledged full support to the good offices that had been requested both of you, Mr. President, and of the Secretary-General, to whose untiring efforts we today wish to pay a tribute. On a bilateral basis, diplomatic steps were taken in a pragmatic attempt to encourage the adoption and implementation in separate stages of a number of unilateral measures for the release of prisoners which seemed to us to be fully warranted on many grounds. Convinced as we are that public controversy can hardly be conducive to better understanding and compromise, we had hoped that more time would be allowed for the continuation of all the efforts undertaken. But fulfilling our obligation as members of this Council, we have accepted to resume our deliberations and to vote on a document which has been presented to us as the logical follow-up to resolution 316 (1972). It is no secret that my delegation, as well as some others, would have preferred a different text. We had appreciated the co-operation of the sponsors in accommodating some of our views through appropriate amendments of the original draft. I wish to state that we had no objections whatsoever to confirming, if need be, resolution 316 (1972) in its entirety, including paragraph 3, which expresses the strong desire that appropriate steps will lead as an immediate consequence to the release of all Syrian and Lebanese officers captured on 21 June 1972.

41. May I repeat our position in this connexion? Those officers were not taken prisoner in a war action; they were not captured in retaliation for any action they were involved in. They were seen in the vicinity of the cease-fire line and the Israeli military unit crossed that line, entered Lebanese territory and abducted them. Acting on the basis of the accepted international rules in the matter, and within the framework of the principles of the Charter, the Council was right in requesting the immediate liberation of the above-mentioned personnel. We thought and we continue to think that the particular case of the abducted officers cannot be linked to other problems on legal grounds. But at the same time we strongly share the widely held opinion that the general situation of the prisoners of war in the Middle East should not be overlooked any further, as it injects a factor of added tension in the area. Such a situation can hardly be reconciled with the principles of the Charter, with the spirit of the Geneva Convention and with the relevant resolutions of the Council since those prisoners are still being detained years after the establishment by the United Nations of a cease-fire in that region. It is for that reason that resolution 316 (1972) speaks of the release of the abducted personnel "as an immediate consequence". My delegation and several other delegations expressed the hope that separate parallel developments could lead to the release of all prisoners of war.

42. In the spirit of the resolution just adopted, and particularly of paragraph 4, we wish to renew our appeal to Israel for the release with the shortest possible delay of the Syrian and Lebanese officers. But we wish also to plead with all parties concerned for a general exchange of all prisoners of war in line with their declared policy of finding a peaceful solution to the Middle East crisis.

43. Mr. DE GUIRINGAUD (France) (interpretation from French): First of all I should like to congratulate you, Mr. President, on the manner in which you have so far guided the debates of the Council. Once again, we have observed how very much we need your experience, your sound judgement and your spirit of co-operation, and on behalf of my delegation I wish to thank you.

44. I should like to tell the representative of Syria, Ambassador Tomeh, that I was very much moved by the very kind words he addressed to me. I am most grateful. Now as he himself is about to leave us, may I tell him how very much I regret not to have benefited for a longer time from his company, his vast experience and his wisdom in the Council. I sincerely hope that even after he leaves New York we shall be able to keep alive the very cordial relations we have established between ourselves in so short a time.

45. Now I come to the item under debate. My delegation voted in favour of the draft resolution submitted by Guinea, India, Somalia, the Sudan and Yugoslavia because we feel that in the present circumstances the text constitutes a logical follow-up of resolution 316 (1972) which we ourselves co-sponsored. 46. Although certain provisions of resolution 316 (1972) have been implemented, paragraph 3 has not been implemented so far despite the very praiseworthy efforts of the President of the Council and the Secretary-General whom we particularly wish to thank for their efforts. We wish to express our gratitude for other efforts directed to the same end. The delegations of Syria and Lebanon have therefore asked us to appeal again to Israel to see to it that the people who were abducted on 21 June are returned. Resolution 316 (1972) expressly provided that if the steps taken did not result in the release of the persons concerned the Council should consider further action. Since, to our deep regret, those steps have proved to be ineffective, it is proper for the Council to respond to the justified request of Syria and Lebanon.

47. We hope that the further efforts to be made by the President of the Council and by the Secretary-General will this time bring about a positive result. We trust that this new appeal of the Council will be heeded by Israel and that by agreeing to return these persons the Government of Israel will make an effective contribution to a lessening of tensions in the Middle East.

48. In the course of my statement on 26 June [1650th meeting] I indicated the very great interest of my Government in this more relaxed mood. Today I should simply like to say that as part of this process we should like another problem to be taken up in the near future, that is, the problem of a general exchange of prisoners of war by mutually agreed procedures. This would doubtless be the best way to contribute to this relaxed atmosphere which is a prior condition for the settlement of the Middle East situation.

49. The PRESIDENT (interpretation from Spanish): I thank the representative of France for the very cordial and generous words that he was kind enough to address to me.

50. Mr. MOJSOV (Yugoslavia): My delegation cosponsored and has voted for the resolution we have just adopted because we considered that the Security Council had to act again in the absence of Israel's further refusal to implement the requirements of resolution 316 (1972) adopted on 26 June, almost one month ago.

51. The position of my Government on the subject under consideration was stated here by me three days ago [1651st meeting] and I do not think that I have to restate it today. Let me then very briefly state the immediate considerations that guided us in co-sponsoring and voting in favour of the draft resolution.

52. The text directly stems from resolution 316 (1972) as a logical follow-up in our common effort to obtain its implementation in its relatively limited and modest aim, namely, the speedy release of the abducted Syrian and Lebanese officers. It asks Israel to do it without delay as we are here dealing with an urgent matter and experience indicates that it is not good to let a bad situation fester if we can help it in any way. It does not complicate the situation by introducing any other matter, and it does not set any kind of conditions for its implementation. Besides everything else, we think that such a course is more realistic than the opposite one.

53. We are again very disappointed that Israel continues to refuse to seize even this limited and modest opportunity to contribute even in a most limited way to at least some easing of tension in the area. We understand that the Secretary-General will in an appropriate and timely way inform the Council of the results of the renewed efforts to secure the implementation of this resolution.

54. Before concluding, may I stress that this resolution represented the absolute minimum of what was required of us today and it merited the widest approval and most constructive approach of all members of the Council. It is a realistic resolution. We can only have deep appreciation for those parties directly involved who in their statesmanship and co-operative approach, although faced with Israel's intransigence, supported it.

55. Finally, may I just add that in our debate on 18 July *[ibid.]* I explained fully our view why the Security Council, despite everything, has no alternative but to continue making its collective stand on the various aspects of the Middle Eastern crisis known and recorded, as it did again today.

56. Mr. VAN USSEL (Belgium) (interpretation from French): My delegation was in a position to support the resolution which has just been adopted by the Council. Actually, Belgium has not limited itself to co-sponsoring draft resolutions, amendments and initiatives designed to bring about a settlement of the various aspects of the crisis in the Middle East. Both in the United Nations and within the context of European co-operation, Mr. Harmel, the Minister for Foreign Affairs, has constantly sought to bring about the elements of an equitable and lasting solution to this problem and to ensure a better understanding of the position taking by all parties concerned. It was as an apostle of peace that he went to the various capitals in this disturbed area and it has been as an advocate of peace that he has acted in various international gatherings.

57. So it is that today Belgium in turn had expected a better understanding for the concerns it shared with the other European countries members of the Security Council. In point of fact, in recent weeks my delegation, with those of France, Italy and the United Kingdom, has fully co-operated in seeking a fair solution to the two items that we are now dealing with.

58. The resolution we have just adopted nevertheless calls forth certain serious reservations. First, there is the case of the Syrian and Lebanese military personnel abducted on 21 June 1972 by the Israeli military forces on the territory of Lebanon. As soon as news of this was out my Government declared without ambiguity that the request of the officials in Damascus and Beirut that these officers and security personnel be returned was a legitimate request to which the Israeli Government should accede immediately. It was for that reason that my delegation became a co-sponsor of resolution 316 (1972) of 26 June 1972. We profoundly regret that until now this appeal of the Security Council was not heeded. It is for that reason that, in casting our 59. Mr. President, may I be permitted to take this occasion to pay tribute to your eminent qualities as a President and as a diplomat and to express to you the gratitude of the Belgian Government for your untiring efforts to bring about the implementation of paragraph 3 of resolution 316 (1972). Our gratitude goes also to the Secretary-General and other functionaries who have been working in Geneva for a positive result.

60. When drafting the text of resolution 316 (1972) the European sponsors were constantly mindful of the plight of the hundreds of prisoners of war who for so many years now have been living in a foreign land, separated from their families, their friends and their homeland. It was for that reason that I indicated in my explanation of vote on 26 June [1650th meeting] that in the opinion of the Belgian Government paragraphs 3 and 4 of the resolution required dual action, namely, the release in the shortest possible time of the Syrian and Lebanese military personnel abducted on 21 June and, secondly, the general exchange of all prisoners of war according to procedures and terms to be agreed upon.

61. I should like clearly to stress that although these two actions are separate, it is nevertheless true that the Security Council, which bears main responsibility for the maintenance of international peace and security, has the duty to eliminate all the causes for tension among States and to ensure that the non-implementation of international conventions does not serve to foster a climate of insecurity.

62. We find it difficult to understand how the Security Council can, five years after the six-day war and two years after the cease-fire of August 1970, ignore the situation of the military personnel of every rank and service who have fallen into the hands of the enemy. It was for that reason that, together with the other three European members of the Council, we put forward an appeal in favour of these men. In actual fact we had drawn up a preliminary draft of a resolution which requested the immediate return of the military personnel abducted on 21 June, without prejudging—and I would repeat "without prejudging"—in any way the question of a general release of war prisoners. The omission of this reference, inspired as it was by humanitarian and juridical concerns, explains the reservations Belgium has about the resolution we have just adopted.

63. Furthermore, other paragraphs in the resolution appear to us not to be responsive to the present situation and to be contradictory. For example, paragraph 1, which reaffirms resolution 316 (1972) is not in accord with paragraph 3. In reaffirming the resolution of 26 June, the Council expresses its firm desire that the Syrian and Lebanese military and security personnel abducted by the Israeli forces be released in the shortest possible time. However in paragraph 3 the Council requests this return without delay. In addition we would have preferred that in the last preambular paragraph no reference be made to the untiring efforts which have been made by Governments and other bodies in the course of recent weeks. For the same reason we would have preferred paragraph 4 to have reproduced the text which the four European countries had inserted in their preliminary draft. In fact I am the first to recognize the authority, the effectiveness and the particular value of the action which was initiated by the President of the Council and the Secretary-General, but I think that we all agree here that their delicate and difficult mission would be greatly assisted if others backed up what they were doing by similar and parallel action. Furthermore, what is being done by the President and the Secretary-General is in my view very much restricted by the narrow context of paragraph 4 of the resolution we have just adopted.

64. In conclusion, by way of terminating this explanation, I should like to refer very briefly to the outstanding statement which was made last Tuesday by the representative of Afghanistan [1651st meeting]. Ambassador Pazhwak, who is a genuine authority on the United Nations because of the 25 years in which he has been actively involved in the work of the Organization, was quite correct in stressing the crisis now besetting the Security Council. Its credibility has been called into question and its effectiveness has been compromised. By its adoption of resolutions which are ambiguous, unrealistic and very often ineffective, the confidence of the international community has been affected and the international community is drawing away from the Organization. But if we did finally vote in favour of the resolution it was because in reaffirming resolution 316 (1972), the Council confirmed its hope that appropriate steps would immediately lead to the release of the military and security personnel which were abducted a month ago. This text therefore clearly stipulates that far-reaching consequences should flow from this, that is, the gradual exchange of all war prisoners. It is in this spirit that we voted in favour of this resolution and we hope that, over and above the text we have adopted, this spirit will preside over the efforts to be made in future to bring about the implementation of this resolution.

65. The PRESIDENT (interpretation from Spanish): I wish to express my gratitude to the representative of Belgium and for his expressions of friendship toward me.

66. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translation from Russian): The Security Council has completed its consideration of the situation which arose in connexion with Israel's refusal to implement resolution 316 (1972) concerning the immediate release of the Syrian and Lebanese military personnel abducted by Israeli armed forces on Lebanese territory. The discussion of this matter in the Council on 18, 20 and 21 July has shown that the actions of the aggressors and Israel's sabotage of Council resolutions, in particular resolution 316 (1972), have been condemned decisively, categorically and without reservation by all the members of the Council who have spoken and by a number of countries which have participated in the Council's work.

67. Israel's manoeuvres, which were designed to divert the Security Council's attention from the substance of the matter and artificially, wrongly and illegitimately, to link the question of the release of the Syrian and Lebanese military personnel with the general question of prisoners of war and thus to prevent the Council from taking a decision condemning Israel's obstructionist attitude, have been completely unsuccessful, as the results of our discussion, that is to say the resolution which we have just adopted, have shown. An assessment of this political manoeuvre on the part of Israel has been given by the Soviet delegation at the first meeting of the Council on that question. An assessment of this political manoeuvre has also been given in the statements made by the representatives of the People's Republic of China, India, Yugoslavia and Somalia and a number of other countries as well as by the representatives of Syria, Lebanon and certain other countries who took part in the discussion.

68. At today's meeting of the Council some members have again referred to the question of prisoners of war linking it with the need to reduce, as they put it, tension in the Middle East, although they did stress that this question has no relevance to the item we were discussing, namely, the question of the abduction by Israel of Syrian and Lebanese military personnel on Lebanese territory.

69. In this connexion the Soviet delegation would like to make the following statement.

70. The fundamental cause of tension in the Middle East is the fact that Israel, which has committed aggression against the Arab States, disregards United Nations decisions concerning a peaceful settlement, stubbornly refuses to withdraw its troops from the Arab territories occupied in 1967, pursues a policy of racial discrimination, mass terror and persecution and commits other criminal acts against the Arab peoples of the Middle East and violates the lawful rights of the Palestinian people. That is the reason for tension in the Middle East. It is our view, therefore, that the United Nations and the Security Council must demand the strict and immediate implementation by Israel of United Nations decisions, especially Security Council resolution 242 (1967) and other resolutions, including resolution 316 (1972) and the resolution which we have adopted today.

71. What has the discussion of Israel's abduction of Syrian and Lebanese military personnel and Israel's failure to implement resolution 316 (1967) shown? It has shown that the longer Israel continues to refuse to carry out a full withdrawal of its troops from all the occupied Arab territories and delays a political settlement in the Middle East, the more its international isolation will grow. It is time for Israel to understand that it cannot enjoy the advantages of United Nations membership and at the same time refuse to carry out its decisions and sabotage those decisions.

72. The Soviet delegation voted in favour of the resolution which the Security Council has just adopted, although we consider that the condemnation of Israel for its failure to implement resolution 316 (1972) should have been couched in stronger and more decisive terms. The purport of the resolution adopted by the Council is to reaffirm resolution 316 (1972) and to demand from Israel the unconditional return of the abducted Syrian and Lebanese military personnel. This is the mandate which the Security Council entrusts to its President and to the Secretary-General in their efforts to ensure the implementation of Council decisions in this matter. 73. In conclusion I should like to refer to the sad news which Ambassador Tomeh has given us. We in the Soviet delegation have known Ambassador Tomeh well for many years and we profoundly regret that he is leaving the United Nations to take up a new post.

74. Ambassador Tomeh's outstanding talents have been displayed in many United Nations debates. He is well known as a fine debater, a man of considerable learning and an experienced diplomat. His statements on questions relating to decolonization, both in the General Assembly and in the Committee on decolonization,² and his excellent statements on questions relating to a peaceful settlement in the Middle East will remain a superb example of a high-principled and consistent struggle for the fulfilment of the lofty purposes and principles of the United Nations.

75. Mr. President, in your kind remarks to Ambassador Tomeh you said that he had won the admiration of many, including even those who did not share his point of view. I am pleased to state that we in the Soviet delegation are among those whose admiration Ambassador Tomeh has won and who have shared his point of view.

76. The PRESIDENT (interpretation from Spanish): With the permission of the Council, I shall now make a statement as representative of ARGENTINA in the exercise of my right to explain my vote.

77. Despite the complexity inherent in every aspect of the situation in the Middle East, the delegation of Argentina does not deem it necessary to refer in detail to the case we are examining, since this was the subject of extensive consideration by it in the course of the debate during June 1972. Accordingly, my remarks will be brief and to the point.

78. On 26 June 1972 the Security Council adopted resolution 316 (1972); votes in favour were cast by Argentina and 12 more Member States. In paragraph 3 of that resolution, as has been recalled repeatedly here, the Council

"Expresses the strong desire that appropriate steps will lead, as an immediate consequence, to the release in the shortest possible time of all Syrian and Lebanese military and security personnel abducted by Israeli armed forces on 21 June 1972 on Lebanese territory".

79. This clear and unequivocal desire of the Council has now been ratified by the resolution we have just adopted. My delegation trusts that the Government of Israel will proceed to release without delay all the Syrian and Lebanese personnel abducted in an operation which merited the express condemnation of the Council. The obligation stands. To submit to it will mean not only compliance with the decision of the highest executive body of the Organization but will also—as I hardly need emphasize—contribute to creating a more propitious atmosphere for solving other pending matters, which are number-

² Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

less, in the alarming state of affairs which continues to affect the Middle East.

80. I should like to add that, since the Security Council has now reaffirmed the validity of resolution 316 (1972), which means that it is still in force, the delegation of Argentina reiterates its interpretation of resolution 316 (1972) as given in the explanation of vote made at the 1650th meeting.

81. In my capacity as PRESIDENT I now call on the next speaker on the list, the representative of Lebanon.

82. Mr. GHORRA (Lebanon): There are many points that I should have liked to touch upon, but, seeing that we are approaching the noon hour, I shall try to make my statement as brief as possible.

83. There is one point that I should like to make very clear, because it has been the subject of some talk, even of some press reports—the suggestion that there was a difference of opinion between Syria and Lebanon in regard to this complaint and in regard to coming to the Council, and that Lebanon came to the Council to support the Syrian complaint. Nothing is farther from the truth than that allegation which has been spread around, for the Council knows that it has been seized of what was originally a Lebanese complaint. I am not trying to detract in any way from the complaint of my Syrian colleague but I submit that the Syrian delegation joined the Lebanese delegation to support our complaint before the Council because of the very important and basic factor that the act of abduction took place on Lebanese territory. It has been very amply demonstrated, and it has been stated here in the Council previously and during the meeting today, that the Israeli armoured unit entered Lebanese territory and captured the Syrian and Lebanese army and security personnel. All the ingredients of that criminal act of abduction took place on Lebanese territory. The breach of sovereignty was a breach of the sovereignty of Lebanon's territory; that act was carried out in defiance of international law and of the General Armistice Agreement and took place behind the armistice demarcation lines which are still governed legally by the Israeli-Lebanese Armistice Agreement. Our complaint on 23 June (S/10715) was a complaint concerning an act of aggression by Israel against Lebanon, a part of which was the abduction of the Syrian and Lebanese officers.

84. In this connexion, I should like to state that in my first statement before the Council on this matter, at its 1648th meeting on 23 June, I mentioned that in addition to abducting the five Syrian officers and the one Lebanese officer Israeli forces had surrounded a Lebanese gendarmerie post in the vicinity of the village of Ramiah and had captured three gendarmes as well. In my statement at the 1651st meeting of the Council on 18 July I failed to mention this particular aspect of the abduction while recalling the details of the incident, and therefore I wish to mention it at the present time in order to set the record straight on this matter.

85. This particular aspect of the incident, as a matter of fact, reveals the intent of Israel. It was not, as the Israelis

have pretended, a simple act of hostilities or of the presence of Syrian and Lebanese military officers in a zone of hostilities that led the Israeli forces to capture that personnel. There was an intent of capturing—of kidnapping —and the fact that gendarmes, in their gendarmerie post, were surrounded and captured shows the real intent of Israel.

86. A very important and serious matter has been referred to here today by many delegations. We are gratified, as a matter of fact, to note that in resolution 316 (1972), in today's resolution and in the statements made in the Council no connexion or link was established, nor any attempt made to establish a connexion or link between this act of abduction and the general question of prisoners of war. We are very grateful to the many delegations that have invoked this very important juridical argument, in keeping with the realities and with the facts. However, the raising of the question of prisoners of war in general, which is extraneous to this matter, has all along given us some difficulties and doubts, and I owe it to many delegations here and to our colleagues to state our position.

87. This question of prisoners of war, until the act of aggression by Israel against Lebanon, had not been an urgent matter. Suddenly, Israel has sprung this question of the urgency of discussing the prisoners of war. Naturally, the delegation of Israel, like any delegation, has the right to come before the Security Council, the Human Rights Commission, or any other organ of the United Nations, and raise this question. But why has this question been raised and sprung in the face of the Council all of a sudden by Israel in connexion with the Lebanese complaint following an act of aggression by Israel against Lebanon-following a criminal act of abduction which, as I stated before, was similar to any other act of abduction, whether it be of an Italian executive officer in South America or any other diplomat in South America, but with one great difference: this abduction was committed by a State Member of the United Nations, under instructions from that Government, against another State Member of the United Nations.

88. During our consultations it was requested that mention be made, even without prejudice, in the draft resolution, which has now been adopted, to the general question of prisoners of war. Well, we had our misgivings; we did not see any juridical link whatsoever, and we felt that because Israel had taken advantage of our complaint and had come before the Council to raise as a matter of urgency this question which had never existed before, it was attempting to extort a ransom from the Council—from us, in this case—in this particular matter; we felt that any inclusion of this element in the resolution would be tantamount to acquiescing in the Israeli attempt. That is why in the Council we have rejected all Israeli allegations and were not in a position to accommodate some of our friends who were trying to be very helpful.

89. In that connexion, we agree with the general principles expressed in the Council today about humanitarian questions and matters of principle regarding prisoners of war. Naturally we agree that there are concerns; we understand that there are concerns in some quarters about prisoners of war. But I think the Council should also understand our 90. Without going into great detail, I would also refer to the 2,500 to 3,000 combatants from the Gaza strip, the Sinai, the west bank of the Jordan and the Golan heights who are languishing in the prisons of Israel, and I would appeal to the Council, and especially to those members of the Council who are concerned with the fate of prisoners, to join us in our concern also for the fate of those combatants. We understand and we appreciate very much that those members are moved by very deep humanitarian considerations, but we also hope that they will take our concern into consideration.

91. Before concluding, I should like to join my dear brother and friend Ambassador Tomeh in expressing our deep thanks to Ambassador Farah of Somalia who so ably, as usual, introduced the resolution on behalf of his delegation and those of Guinea, India, the Sudan and Yugoslavia. At the same time, I should also like to express my delegation's and my own personal gratitude to Ambassador de Guiringaud, who, as Mr. Tomeh said, plunged immediately into the complex and difficult work of the Council as soon as he arrived in New York. We did not, certainly, mean to make his arrival so difficult, but it was an opportunity for us to benefit from his co-operation, his wisdom and his friendship. These are characteristics of the traditional friendly relations existing between France and Lebanon, as also between France and Syria. Naturally, we are very grateful to him and to the Belgian, Italian and British delegations for having practically and spiritually sponsored resolution 316 (1972), which is the basis upon which the Council has acted today.

92. In this way, from different quarters of the Council and with the support the two resolutions have received from other delegations, for which we are grateful, we feel that the Council has very strongly expressed its decision to have the abductees, the Syrian and Lebanese officers and security personnel, released according to the terms of the two resolutions immediately, without delay, without conditions and without any linking of this particular problem to any other aspect of the question of prisoners of war.

93. In conclusion, Mr. President, I should like to express to you my delegation's thanks for the efforts you have deployed. We thank also the Secretary-General for the efforts he has deployed. We know you will be called upon once more to renew those efforts in accordance with the last paragraph of the resolution. We have great trust in the wisdom and ability of both you, Sir, and the Secretary-General, and we hope that the various calls upon Israel made here today by the various delegations will be heeded and that the abductees will be released as soon as possible.

94. Once more, to all the members of the Council, to all the delegations which supported the resolution, I wish on behalf of my Government and delegation to express our deepest gratitude.

95. The PRESIDENT (interpretation from Spanish): I thank the representative of Lebanon for his kind words.

96. Mr. FARAH (Somalia): I am not speaking on the resolution. I should like first of all to say that when my delegation first spoke on this item the day before yesterday, it did so on a procedural point and was therefore denied the privilege and opportunity of first expressing its felicitations on the fact that you, Sir, were now President of the Council. We should like to say that in the course of the last two meetings you have, as always in the past, conducted our proceedings with great statesmanship and have brought our debate to a very successful conclusion. I have known you for several years, and it has certainly been a most gratifying and rewarding experience to have known you and to have seen how wisely you apply yourself to any difficult problem with which you are confronted, particularly in the field of Council affairs.

97. This is likely to be the last meeting my distinguished colleague and friend Ambassador Tomeh will be attending as representative of the Syrian Arab Republic. I should like to say that in the seven years I have know him it has certainly been an inspiration to work with him. The experience of knowing him over this long period and working closely with him has enriched me considerably. I have always had the highest regard for his integrity and ability and for the judicious manner in which he has applied himself to all the problems with which he has been confronted. I know that at his next post he will certainly discharge himself with the same credit as he has in this Council. I hope he will encounter much happiness in his new post.

98. The PRESIDENT (interpretation from Spanish): I am sincerely grateful to the representative of Somalia for his very warm words addressed to me. I can assure him that I feel exactly the same towards him.

99. Mr. TOMEH (Syrian Arab Republic): Just a few words to say how very deeply I am moved and touched by the most kind and extremely generous words personally addressed to me by you, Sir, with your exemplary courtesy. by the representative of France, by the representative of the Soviet Union in his comprehensive statement and, last but not least, by my very dear brother and colleague Ambassador Farah of Somalia, with whom I have worked very closely for the last seven years of my career.

100. The PRESIDENT (interpretation from Spanish): Paragraph 4 of the resolution we have just adopted

"Requests the President of the Security Council and the Secretary-General to make renewed efforts to secure the implementation of the present resolution".

Of course, I cannot speak on behalf of the Secretary-General, but even in his absence I believe I can validly affirm that both he and the President of the Council will make the efforts requested by the Council so as to secure implementation of this resolution. The task is not an easy one, but that does not mean that our efforts will waver because of the magnitude of the task awaiting us.

101. That brings to an end the consideration of the agenda item.

102. Before adjourning, I should like to make a brief statement. During my consultations before and during the debate several delegations, in the Council and outside it, have repeatedly stated their view that an exchange of prisoners in the Middle East would contribute to lessening the tensions prevailing in that region. For humanitarian reasons they have also indicated their wish that a mutually acceptable solution on the subject be reached as soon as possible. I believe that favourable attention to this concern by the interested parties will in large measure serve to achieve that end. But I wish to add something that I believe has impartially and objectively been made perfectly clear by the President: that this aspect of the problem of the Middle East in no way—I repeat, in no way—is to be linked with the resolution the Council has just adopted, strict compliance with which constitutes a totally separate matter.

The meeting rose at 12.50 p.m.

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