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LETTER DATED 20 FEBRUARY 1985 FROM THE PERMANENT REPRESENTATIVE OF  
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

With reference to the letter addressed to you by the Minister for Foreign Affairs of Iran contained in document S/16910 and dated 25 January 1985, and on instructions from my Government, I should like to state the following:

1. The statement of the Minister for Foreign Affairs of Iran regarding the concern of his Government at the situation of shipping in the Arabian Gulf is surprising since everyone knows that Iran, through its aggression against Iraq, has prevented by military might the exercise by Iraq of its legitimate right to free navigation in the Arabian Gulf. In view of the persistence of the Iranian Government in continuing its aggression and in refusing to comply with the provisions of the Charter by settling its dispute with Iraq by peaceful means, Iraq has had no alternative but to pursue its policy of defending itself on the basis of those provisions of international law which authorize a State which is a party to an armed conflict to impose a blockade on the ports of the adversary State, within a precisely defined zone made known to all, in order to induce that State to accept peace.

2. The term "neutral mercantile ships" used by the Minister for Foreign Affairs of Iran is inconsistent with reality, since the activity of the said ships is tantamount, from the point of view of the outcome, to supplying the Iranian military machine and enabling Iran to continue its aggression in violation of the provisions of international law. Accordingly, the said ships forfeit their neutral character since they violate a right unequivocally conferred by international law, and the owners and sailors of those ships and the Iranian régime are all responsible for the consequences entailed by that violation.

3. If the Iranian Government was in fact desirous of ensuring the freedom of navigation and security in the Arabian Gulf, as stated by the Minister for Foreign Affairs, it would be more fitting for it to comply with Security Council resolution 540 (1983), issued on 31 October 1983, which called for a halt to hostilities in the region of the Gulf, including all ports and waterways, thereby enabling all the littoral States to exercise their legitimate right to free navigation in order to serve the interests of the international community.

4. Clearly, the essential point is that the Iranian Government has the responsibility under the provisions of the Charter and of international law of settling the dispute by peaceful means and of renouncing the policy of continued war and aggression, because that alone is capable of bringing about the security, well-being and stability of the Arabian Gulf region and the welfare of its peoples.

I should be grateful if you would be so kind as to have this letter circulated as an official document of the Security Council.

(Signed) Riyadh M. S. AL-QAYSI  
Permanent Representative

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