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**LETTER DATED 4 APRIL 1985 FROM THE PERMANENT REPRESENTATIVE OF  
THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO  
THE SECRETARY-GENERAL**

Upon instructions from my Government, I have the honour to bring the following to your attention.

The aggressive war imposed upon the Islamic Republic of Iran by the régime in Baghdad has been dealt with in a very sad manner by many international bodies, in particular, the Security Council of the United Nations. Since some members of the Security Council believe that they have a legitimate role to play in this conflict, it seems to be very productive to refresh our memories with regard to the record of the Council on this issue. The following brief analysis is presented with that purpose.

When on 17 September 1980, Iraq abrogated its 1975 treaty with Iran and subsequently attacked the Islamic Republic of Iran in violation of the most sacred principles of international law as well as those of the Charter of the United Nations, declaring in its official communiqué to the United Nations that "Iraqi troops continue their march, inflicting further defeats on the Persian enemy ..." 1/ with the officially announced purpose of toppling the revolutionary Government in Iran, the Security Council adopted resolution 479 of 28 September 1980, where it simply appealed to both parties to cease fire. This resolution not only failed to condemn Iraq for its blatant violations of the most basic rules of international law, but also came short of demanding a withdrawal of Iraqi troops to internationally recognized boundaries. A brief look at the following remark by the Iraqi Foreign Minister in his letter of 24 October 1980 would clearly illustrate the blatant lack of impartiality and sincerity in the Security Council's position in the beginning of the imposed war:

"In light of the above-mentioned considerations, the Government of the Republic of Iraq wishes to point out that any call for the withdrawal of Iraqi forces, before Iran recognizes the said Iraqi sovereignty in practice and legally, is in our view a legal and practical impossibility, for Iran has not delimited its borders with Iraq in a precise manner .... The lands reached so far by Iraqi forces are the necessary positions for defense until Iran recognizes our rights and guarantees are reached for the achievement of a final and permanent solution to the dispute." 2/

The use of force by Iraq for the settlement of its international disputes, despite the peaceful means for such practice as provided inter alia in the 1975 Algiers Agreement between Iran and Iraq, and its attempt to use the fruits of its aggression as a bargaining chip in order to impose a settlement upon the Islamic Republic of Iran was in fact endorsed by the Security Council's refusal to request the withdrawal of Iraqi forces to internationally recognized boundaries. The fact that several permanent members of the Security Council have continued to supply Iraq with sophisticated weaponry for its aggressive designs in violation of the third operative paragraph of their own resolution 479, while attempting at the same time to prevent the Islamic Republic of Iran from acquiring the necessary means for its self-defense proves beyond doubt that international peace and security was synonymous for those members of the Council with a victory for the aggressor.

Having provided Iraq with exactly what it had requested through the above-mentioned letter of the Iraqi Foreign Minister, the Security Council remained aloof to the situation and kept a deafening silence during the following two years while the innocent civilians of the Islamic Republic of Iran were being killed, deported from their homes and uprooted by the invading army, and the Iranian cities were being totally destroyed and leveled to the ground with high explosives and heavy engineering equipment. <sup>3/</sup> While two years of occupation of the most important parts of the territory of the Islamic Republic of Iran and the suffering of the deprived masses of the war-stricken areas had not presented any threat to international peace and security to require the Security Council to take any position, when the steadfast defensive struggle of the people of the Islamic Republic of Iran pushed the aggressive enemy out of most of our territory, the Security Council found so serious a threat to its perception of international peace and security that it adopted two biased resolutions in less than three months (314 and 522) calling, this time, for a withdrawal of both parties to internationally recognized boundaries.

Having suffered such massive blows in the battlefronts, the Iraqi régime intensified its indiscriminate bombardment of civilian quarters. After continuous reports of these savage bombardments to the Secretary-General and repeated appeals by the authorities of the Islamic Republic of Iran for an investigation into these criminal behaviours of the Iraqi rulers, a mission was sent to both countries with the purpose of examining the facts. However, the report of the mission contained in S/15834, which clearly shows the factual nature of our claims and the fallacious nature of Iraqi allegations, was faced with no reaction from the Security Council, whose constitutional as well as moral duty requires it to speak out when such flagrant violations of international humanitarian law takes place. Assured of the commitment of the Security Council to support it despite its crimes, the Iraqi régime immediately continued its savagery by bombarding Iranian cities of Piranshahr, Baneh, Marivan, Andimeshk, and Gilan-e-gharb as well as many other cities which were subsequently attacked.

Moreover, in an attempt to spread the war into the Persian Gulf, Iraq assaulted Iranian oil wells in the Persian Gulf, which not only polluted the waters of the Persian Gulf, but also threatened the marine life and the interests of the littoral States. The criminal Iraqi régime tried desperately to link the question of harnessing the oil spill with an imposed peace, and thus delayed the harnessing operations vital to the survival of many Arab States of the Persian Gulf. The

Security Council again turned a blind eye to this Iraqi violation of international conventions. On the other hand, when Iraq started attacking unarmed neutral merchant ships in the Persian Gulf in violation of the established rules of international law, forcing the Islamic Republic of Iran into taking retaliatory measures, the Security Council adopted resolution 552, where instead of condemning the Iraqi rulers who had threatened international peace with their officially declared unlawful attacks on merchant shipping, it simply and swiftly condemned the Islamic Republic of Iran for using its right to retaliation in self-defense.

On another important issue, namely the use of chemical weapons by Iraq, the record of the Security Council is regrettable. Months before the victims of the Iraqi chemical war were to be sent to European countries for treatment, the Islamic Republic of Iran, based on irrefutable evidence, internationally raised the question of the imminent use of chemical weapons by the Iraqi régime. Unfortunately, once again the negligence and lack of appropriate reaction on the part of international bodies, and particularly the acquiescing silence of the Security Council encouraged the Iraqi rulers to further deploy such weapons on a large scale without any fear of probable consequences. The reaction of the Security Council, after several months, and only in response to the mounting pressure of world public opinion and following the confirmation of Iranian claims in the report of the United Nations mission, 4/ should become the subject of a serious study. Instead of adopting a resolution containing effective measures to prevent the reuse of chemical weapons by Iraq, the Security Council was merely satisfied with a communiqué, which shied away from identifying the culprit; hence not even in the least inducing Iraqi rulers to discontinue their use of chemical weapons. Resort to chemical warfare as a military policy of Baghdad has continued despite the Secretary-General's appeal to both parties to respect the 1925 Protocol. While the Islamic Republic of Iran immediately responded positively to that appeal, reiterating its commitment to refrain from using chemical weapons, Iraq has yet to respond. To our regret, the position of Iraq has not yet been publicized by the Secretariat nor has it been condemned by the Council. Although the documents on the recent use of chemical weapons by the Iraqi rulers convinced the Secretary-General to break his silence, the Security Council, consistent in its pro-Iraqi stance, has so far refused to condemn this violation of the most primary rule of international law regulating the conduct of hostilities.

In addition to these blatant violations of international law by the desperate rulers in Baghdad, they have continued their attacks on the civilian population as a part of their military strategy. Deadly silence and callousness on the part of the international bodies vis-à-vis almost three years of Iraqi attacks on our schools, hospitals and purely civilian population quarters forced the Islamic Republic into taking retaliatory measures. As soon as our limited, pre-announced retaliatory fire reached Basra, appeals to refrain from attacking civilian targets were produced one after another by various national and international entities, which had previously remained so aloof as if they had never heard of the Iraqi bombings of our cities, killing more than five thousand, and injuring more than 22,000 innocent civilians. The moratorium of 12 June 1984, which was formulated through the good offices of the Secretary-General has been repeatedly violated by the Iraqi régime, which is well-versed in the unilateral abrogation of mutual agreements and international treaties. The reports of the United Nations teams stationed in Tehran and Baghdad have clearly proven the accuracy of our claims and

the falsity of Iraqi allegations with regard to violations of the terms of the said moratorium. 5/ Unfortunately, but not unexpectedly, the Security Council has kept its silence with regard to these acts of lawlessness as well as the recent escalation of such acts by the Iraqi rulers.

With this dark record of indifference and lack of commitment to its constitutional duties, the Security Council has tried to apply massive pressure to impose upon the Islamic Republic of Iran a negotiated settlement with an enemy who has proven that it has no respect for its international agreements and commitments, and who invaded the Islamic Republic with the intention of annexing important parts of Iranian territory, and breaking down the Islamic Revolution. There is little doubt about the malicious intentions of some of these peace mediators, who have been carrying olive branches in one hand, while supplying the aggressor with most sophisticated weapons of mass-destruction in violation of the resolution they themselves adopted in the Security Council.

It is therefore evident that the pressure being mounted to impose a negotiated settlement upon the victimized people of the Islamic Republic of Iran at this juncture most suited to the Iraqi strategy of aggression is consistent with the policy of silence on the part of the Council vis-à-vis the Iraqi invasion of our country, its occupation of important portions of our territory, its total disregard for principles of international law regulating the conduct of hostilities and its violations of all revered rules of international humanitarian law. It is obvious to any impartial observer that a Security Council with such a record has never attempted to discharge its constitutional duties with regard to the Iraqi imposed war of aggression, and has thus undermined the basis for its legitimacy to intervene in the conflict. Such a body is not in a position to disrupt our defensive struggle, and its irresponsible interventions in this issue do not legally and constitutionally deprive us from our inalienable right to self-defense as embodied in Article 51 of the United Nations Charter. The interventions of the Security Council may become relevant to the issue only after the latter fulfils its duties with regard to condemnation of Iraqi aggression.

It will be highly appreciated, if this letter is circulated as a document of the Security Council.

(Signed) Said RAJAIE KHORASSANI  
Ambassador and Permanent Representative

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Notes

- 1/ A/AC.1/35/5 13 October 1980.
- 2/ S/14236 24 October 1980.
- 3/ See Report of the Secretary-General's mission, S/15834.
- 4/ S/16433 of 26 March 1984.
- 5/ S/16750 and S/16920.

