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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/...) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2322nd MEETING

Held in New York on Wednesday, 6 January 1982, at 3.30 p.m.

President: Mr. Oleg A. TROYANOVSKY
(Union of Soviet Socialist Republics).

Present: The representatives of the following States:
China, France, Guyana, Ireland, Japan, Jordan,
Panama, Poland, Spain, Togo, Uganda, Union of
Soviet Socialist Republics, United Kingdom of Great
Britain and Northern Ireland, United States of Amer-
ica, Zaire.

Provisional agenda (S/Agenda/2322)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:
(a) Resolution 497 (1981);
(b) Report of the Secretary-General (S/14821)

The meeting was called to order at 4.05 p.m.

Opening statement by the President

1. The PRESIDENT (*interpretation from Russian*):
As this is the first meeting of the Security Council in
this new year, I should like first of all to say a few
words of greetings.
2. I heartily wish my colleagues, representatives of
States members of this lofty body, the Secretary-
General and the officials of the United Nations Secre-
tariat a happy new year, good health and further
success in their joint work for the cause of interna-
tional peace and security for all peoples.
3. It is a particular pleasure for me to welcome
amongst us the new non-permanent members of the
Council: Guyana, Jordan, Poland, Togo and Zaire.
4. On behalf of the delegation of the Soviet Union,
I take special pleasure in welcoming participation in
the Council's work by the fraternal Polish People's
Republic. There can be no doubt that people's Poland
will make a worthy contribution to the strengthening
of peace and of international security.
5. We welcome Guyana, with which we have rela-
tions of friendship and co-operation that go back to
the first years of the existence of that country as an
independent State.
6. We welcome Jordan and express our conviction
that it will make its contribution in the search for

solutions to complex issues facing the Council, one
of which is the achievement of a comprehensive
Middle East settlement.

7. In welcoming amongst us the representatives of
the African continent, Togo and Zaire, we express
the hope that the fruitful participation of the delega-
tions of those States in the Council will promote the
fulfilment of the aspirations of African peoples.

8. In welcoming the new non-permanent members
of the Security Council, we express the firm expecta-
tion that their participation in the Council's work
will contribute to the successful settlement of impor-
tant and complex problems facing the Council.

9. I wish also to express our gratitude to the coun-
tries which were non-permanent members of the
Council until the end of last year: the German Demo-
cratic Republic, Mexico, Niger, the Philippines and
Tunisia. During their tenure, those outgoing mem-
bers made a great and very positive contribution to
the Council's work. The representatives of those
States did a great deal to achieve mutual under-
standing in the Council and to find constructive ways
and means to solve complex problems facing the
Council.

10. We wish the delegations of all those countries
and the heads of those delegations—Messrs. Muñoz
Ledo, Taieb Slim, Alejandro Yango and Idé Ouma-
rou—success in their further work. I venture to speak
especially about the delegation of the German Demo-
cratic Republic, which has earned deserved authority
in the Security Council. We express our special regret
at the fact that Mr. Peter Florin, who has headed the
delegation of the German Democratic Republic for
all these years, is leaving his post as Permanent Repre-
sentative. His outstanding diplomatic talent and rich
experience have fruitfully contributed to the Coun-
cil's successful work. We wish Comrade Florin great
success in his new post.

11. Mr. Jacques Leprette's duties as representative
of France are also coming to an end. We have worked
with him for many years, particularly in the Security
Council's work. We have had repeated opportunities
to appreciate his great diplomatic talent, which has
been especially useful in solving complex issues facing
the Council. We therefore express our gratitude to
Mr. Leprette and wish him success in his future
activities.

12. On behalf of the members of the Council, I should like once again to express gratitude to my predecessor, the representative of Uganda, Mr. Olara Otunnu, for his skilful leadership of the Council's work during December 1981. We highly value his outstanding diplomatic talents, which to a significant extent have facilitated the successful solution by the Council of many complex and delicate items that came before it at the end of last year.

13. On behalf of the members of the Council and on my own behalf, I should like most heartily to congratulate and welcome the new Secretary-General, who is attending a meeting of the Security Council in that capacity for the first time today. Many of us know Mr. Pérez de Cuéllar as the former representative of Peru to the United Nations and the representative of that country to the Security Council. His diplomatic skill and his devotion to the cause of the United Nations were demonstrated especially clearly during his work as Under-Secretary-General at the United Nations. We express the hope that in his activities in the lofty post of Secretary-General he will help to carry out the major task under the Charter of the United Nations, to enhance the authority and effectiveness of the Organisation as an important instrument for the maintenance of peace and security. We pledge our support to the Secretary-General in his efforts to that end.

14. On behalf of the members of the Council, I should like to take this opportunity to express our gratitude to Mr. Kurt Waldheim, who has concluded his mandate as Secretary-General. We realize the complexity and responsibility of the tasks which he had to cope with during his 10 years as Secretary-General of the United Nations. His outstanding qualities as a statesman and diplomat, his talents, his broad practical experience, his skill and tact earned him great respect in his important and responsible post.

15. In conclusion I should like to express the sincere hope that co-operation between the members of the Council and the President will be as effective and fruitful in January as it was last month.

Adoption of the agenda

The agenda was adopted.

The situation in the occupied Arab territories:

- (a) Resolution 497 (1981);
- (b) Report of the Secretary-General (S/14821)

16. The PRESIDENT (*interpretation from Russian*): I should like to inform members of the Council that I have received letters from the representatives of Cuba, Democratic Yemen, Israel, Kuwait, the Lao People's Democratic Republic, Morocco, Senegal, Sri Lanka, the Syrian Arab Republic, Yemen and Yugoslavia, in which they request to be invited to participate in the discussion of the item on the agenda. In

accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Blum (Israel) and Mr. El-Fattal (Syrian Arab Republic) took places at the Council table; Mr. Roa Kouri (Cuba), Mr. Ashtal (Democratic Yemen), Mr. Abulhassan (Kuwait), Mr. Kittikhoun (Lao People's Democratic Republic), Mr. Mrani Zentar (Morocco), Mr. Sarré (Senegal), Mr. Fonseka (Sri Lanka), Mr. Alaini (Yemen) and Mr. Komatina (Yugoslavia) took the places reserved for them at the side of the Council chamber.

17. The PRESIDENT (*interpretation from Russian*): I should like to inform the Council also that I have received a letter from the representative of Jordan, dated 5 January [S/14823], which reads as follows:

"I have the honour to request the Security Council to extend an invitation to the representative of the Palestine Liberation Organization to participate in the Council's consideration of the item entitled 'The situation in the occupied Arab territories', in accordance with the Council's usual practices."

18. The proposal by the representative of Jordan is not made pursuant to rule 37 or rule 39 of the provisional rules of procedure, but if approved by the Council the invitation to participate in the debate would confer on the Palestine Liberation Organization (PLO) the same rights of participation as those enjoyed by a Member State pursuant to rule 37. Does any member of the Council wish to speak on this proposal?

19. Mr. LICHENSTEIN (United States of America): The United States opposes extending to the Palestine Liberation Organization the same rights to participate in the proceedings of the Council as if that organization represented a Member State. We have consistently taken the position that under the provisional rules of procedure of the Security Council, the only legal basis on which the Council may grant a hearing to persons speaking on behalf of non-governmental entities is rule 39. For 35 years the United States has supported a generous invocation of rule 39 and would not object in this case. We are, however, opposed to special, *ad hoc* departures from orderly procedure. In particular, the United States does not agree with the recent practice which appears selectively to try to enhance the prestige of those who wish to speak in the Council through a departure from the rules of procedure. We consider this special practice to be without legal foundation and to constitute an abuse of the rules.

20. For those reasons the United States requests that you, Mr. President, put the terms of the proposed

invitation to the vote. The United States will vote against it.

21. The PRESIDENT (*interpretation from Russian*): If no other member of the Council wishes to speak at this stage, I shall take it that the Council is ready to vote on the proposal of Jordan.

A vote was taken by show of hands.

In favour: China, Guyana, Ireland, Jordan, Panama, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, Zaire

Against: United States of America

Abstaining: France, Japan, United Kingdom of Great Britain and Northern Ireland

The proposal was adopted by 11 votes to 1, with 3 abstentions.

22. The PRESIDENT (*interpretation from Russian*): I invite the representative of the Palestine Liberation Organization to take the place reserved for him at the side of the Council chamber.

At the invitation of the President, Mr. Terzi (Palestine Liberation Organization) took the place reserved for him at the side of the Council chamber.

23. The PRESIDENT (*interpretation from Russian*): I should like further to inform members of the Council that I have received a letter from the representative of Jordan, dated 5 January [S/14824], which reads as follows:

"I have the honour to request the Security Council to invite Mr. Clovis Maksoud, Permanent Observer of the League of Arab States, to participate in the consideration by the Council of the question entitled 'The situation in the occupied Arab territories', in accordance with rule 39 of the provisional rules of procedure."

24. If there are no objections I shall take it that the Council agrees to comply with this request.

It was so decided.

25. The PRESIDENT (*interpretation from Russian*): The Council is meeting today in accordance with paragraph 4 of its resolution 497 (1981). Members of the Council have before them document S/14821, which contains a report submitted by the Secretary-General in pursuance of that paragraph.

26. I should also like to draw the attention of members of the Council to the following documents: S/14805, containing a report submitted by the Secretary-General in pursuance of paragraph 7 of General Assembly resolution 36/225 B; S/14807, containing a

letter dated 17 December 1981 from the representative of the United Kingdom of Great Britain and Northern Ireland to the Secretary-General; S/14813, containing a letter dated 21 December from the representative of the Union of Soviet Socialist Republics to the Secretary-General; S/14815, containing a letter dated 22 December from the representative of Madagascar to the Secretary-General and S/14825, containing a letter dated 5 January 1982 from the representative of Mongolia to the Secretary-General.

27. The first speaker is the representative of the Syrian Arab Republic. I now call upon him.

28. Mr. EL-FATTAL (Syrian Arab Republic): Allow me to congratulate you, Sir, on your assumption of the presidency of the Council for this month of January. I am confident that the Council will begin a fruitful year because of your wisdom and your valuable experience.

29. We should like also to express our great admiration for the dynamic and unceasing efforts of your predecessor, Mr. Otunnu of Uganda, who ran the affairs of the Council with judiciousness and proficiency during a month fraught with difficult and complicated problems.

30. We avail ourselves of this opportunity to congratulate Mr. Pérez de Cuéllar on his election to the very esteemed post of Secretary-General of the United Nations. We pledge that we will give him our full co-operation in his endeavours to enhance full respect for the Charter of the United Nations and the implementation in good faith of the purposes and principles of the Charter, of which he is the guardian and the custodian.

31. We should like also to express our gratitude and admiration for the work done by the previous Secretary-General, Mr. Kurt Waldheim, and his excellent performance and objectivity.

32. On 14 December last, the Syrian Arab Republic requested an urgent meeting of the Council [S/14791] in order to consider a very grave situation affecting not only the Middle East but the world at large. I came before the Council approximately three weeks ago [2316th meeting] to inform it of a stark act of aggression committed by Israel, which had decided to change its lawless occupation of Syrian territory into outright annexation.

33. We made it clear then, as we are making it clear now, that our resort to the Council stems from our confidence that it will take the necessary measures under the Charter to compel Israel to rescind this grave breach of international law. But before the ink had dried on the Council's unanimous resolution [resolution 497 (1981)] the Israeli representative was impudently declaring that his Government totally rejected its decision. Did he not say, "Israel cannot

and does not accept the resolution just adopted" [2319th meeting, para. 37]? Since then, his superiors in Tel Aviv, intoxicated with the fumes of their new aggression, have been competing in affirming and reaffirming this defiant rejection. And even those Zionist voices which rose in criticism of Begin's blitz spoke of the timing of the act but not of its substance.

34. Resolution 497 (1981) contains three elements: first, that Israel should forthwith rescind its annexationist measure; secondly, that the imposition of Israeli laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect; and, thirdly, that, in the event of non-compliance by Israel, the Council would meet urgently to consider taking appropriate measures in accordance with the Charter of the United Nations.

35. In compliance with the request contained in paragraph 4 of resolution 497 (1981), as well as in paragraph 7 of General Assembly resolution 36/226 B, the Secretary-General submitted two reports [S/14821 and S/14805] which confirmed Israel's refusal to revoke its annexationist measures in the Syrian Golan Heights. Both confirmed Israel's defiance of the resolution of the Security Council as well as that of the General Assembly.

36. It was not Israel's rejection of the Council's unanimous resolution contained in its reply to the Secretary-General's report [S/14821, para. 3] which came as a surprise either to the Council or to us, but the deceitful arguments to justify that crime against peace—arguments which portray the nature of Israel and its perverted logic, with which the United Nations is by now only too familiar.

37. Three of those Israeli arguments have struck us as being particularly false.

38. First, the justification of the occupation and annexation of the Golan is claimed by the Israeli representative to be what he calls "the repeated bombardment of the northern part of Israel and the harassment of its population between 1948 and 1967" [*ibid.*]. The Council's memory is not so short as to make it forget that the causes of tension along the armistice lines and within the demilitarized zones were always the net result of Israeli violations of the Israeli-Syrian General Armistice Agreement of 20 July 1949.¹

39. Indeed, the Council, in its resolution 93 (1951), decided that: "Arab civilians who have been removed from the demilitarized zone by the Government of Israel should be permitted to return forthwith to their homes". Israel not only rejected that resolution but went so far as to impose its administration, jurisdiction, citizenship and sovereignty on the demilitarized zones, in utter violation of articles II and V of the Armistice Agreement. That resolution is only one of

a series of Security Council resolutions all of which condemn Israel's systematic violations of the Armistice Agreement.

40. In its resolution 100 (1953), the Council asked Israel to suspend drainage work in the demilitarized zone—another request which went unheeded.

41. In its resolution 111 (1956), the Council condemned Israel for its armed attack against Syria on 11 December 1955, calling that attack a flagrant violation of the cease-fire provisions of its resolution 54 (1948), as well as of the terms of the General Armistice Agreement between Israel and Syria and of Israel's obligations under the Charter of the United Nations. In paragraphs 4 and 5 of resolution III (1956), the Security Council, whose patience was running out,

"Expresses its grave concern at the failure of the Government of Israel to comply with its obligations;

"Calls upon the Government of Israel to do so in the future, in default of which the Council will have to consider what further measures under the Charter are required to maintain or to restore the peace."

42. Again, in its resolution 171 (1962), the Council reaffirmed its resolution 111 (1956) and determined that the Israeli attack of 16-17 March 1962 constituted a flagrant violation of that resolution and called upon Israel scrupulously to refrain from such action in the future.

43. And yet the Israeli representative lies to the same Council which repeatedly condemned Israeli attacks against Syria, a Council which drew its information from the Chiefs of Staff of the United Nations Truce Supervision Organization (UNTSO). In short, Israeli policies and practices from 1948 to 1967, contrary to Israel's claims, were systematically geared to erode the Armistice Agreement with my country in order to undermine the involvement of the United Nations in the Palestine question. The resolutions that I have just quoted deny all Israeli claims that Israel was the victim. Had it truly been the victim, it would not have stopped attending, as early as 1951, the regular meetings of the Israeli-Syrian Mixed Armistice Commission, in violation of its obligations under the Charter as well as the Armistice Agreement itself.

44. Therefore, Israel bears full responsibility for destroying the armistice régime. Its encroachment on Arab rights in the demilitarized zones, its eviction of Arabs from their homes and lands in those zones, its traditional practices which continue today to change the demographic, geographic and economic character of Arab lands in pursuance of Zionist territorial aggrandizement, culminating in its premeditated all-out blitzkrieg against three Arab countries on

5 June 1967—all are but facts illustrating a systematic and premeditated policy to terminate the Armistice Agreements with Syria, Jordan and Lebanon, as well as with Egypt. For armistice lines and international borders do not agree with Israeli expansionism.

45. Secondly, in his reply to the Secretary-General, the Israeli representative stated his Government's decision to "normalize" the situation in the area in question. In Zionist language, "normalization" is a euphemism for occupation and annexation. Or does the deprivation of tens of thousands of Syrian citizens, evicted by force 14 years ago and the denial of their right to return to their homes and property, constitute "normalization", as the Israelis put it? Is plundering, bulldozing, dynamiting Arab houses "normalization"? Do the imposition of curfews, the searching of homes, the detention of citizens and the denial of fundamental human rights fall under the Israeli concept of normalization? Has the Israeli representative forgotten that there exists a Council resolution, resolution 237 (1967), unanimously adopted, which, in paragraph 1, called on his Government

"to ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities",

as well as scores of other resolutions to this effect?

46. What property rights does the Israeli reply refer to when our citizens under occupation and our displaced citizens watch their lands being confiscated? Perhaps Mr. Blum would like to explain to the Council where his Government builds those colonies, on whose lands they establish them and what is the nationality of the land they confiscate and cultivate.

47. As for education, is it not a mockery when our children are denied the right to learn about their history, their geography and their Arab culture, and a tragedy when our young men and women who opt to pursue their higher education in Syrian universities are denied the right to rejoin their families under occupation?

48. Members of the Council who have read the Israeli reply carefully will have noticed that Mr. Blum has scrupulously omitted any reference to "Syrians" in the occupied Golan Heights. When any mention is made of the inhabitants of the Golan, they are called "the local population". In the same way, the people of Palestine are never referred to as Palestinians, so now the Syrians under occupation have been rechristened "the local population". This is a ploy that we have come to understand in the Israeli racist mind—that is, if people and land are not called by their names, in time they will sink into oblivion. The rights of which Mr. Blum speaks apply to the Zionist colonial settlers, and only to them, to those who have been

imported by his Government and to future ones who will be dragged in.

49. The third and perhaps the most viciously misleading point in the Israeli rejection is the mention of peace in the context of occupation and annexation. We have learnt from history that the meaning of peace in such a *de facto* situation imposed by force is nothing but a surrender to aggression. Peace in the Israeli lexicon signifies that the Arab nation should, *a priori*, kneel before the diktats of the Israelis and bow to their *faits accomplis*. Meanwhile Syria has reiterated that for it peace signifies, first, the unconditional withdrawal of Israel from all the occupied Arab territories, including Jerusalem, and secondly, the exercise by the Palestinian people of their right to return to their homeland, their right to self-determination and their right to establish their national State without external interference. Separate agreements with Israel have only encouraged Israel to despoil the Arabs of their fundamental rights. We firmly believe that the Israeli annexation of the Golan Heights was enhanced by capitulationist agreements. This cannot be allowed to recur, and Syria will never capitulate.

50. The Government and the people of the Syrian Arab Republic know the meaning of a just and lasting peace. It certainly does not mean the accommodation of Zionist aggression, nor does it mean stripping the Palestinians of their inalienable rights as defined by General Assembly resolution 3236 (XXIX), which has gained international recognition, nor does it mean reaching a settlement under Israeli threats and diktat, nor does it mean anything identical to or remotely resembling the structural and institutional injustices inherent in the Camp David accords.

51. The United States refuses to understand our Arab position and instead continues to provide Israel with unlimited assistance and support in the military, economic and technological fields, thus encouraging Israel to escalate its aggression against the Arabs.

52. Need we remind the United States that its extensive interests in our area are to be respected only to the extent to which it is willing to respect our vital national interests. It has been a basic and systematic policy of the United States to support Israeli aggressive policies, and the result of our present deliberations will serve as a new test of United States willingness to desist from protecting an enemy which threatens our very existence.

53. At one point in its rejectionist reply, the Israeli Government informs the Secretary-General that "the Government of Israel could not wait endlessly for Syria to begin to show political will to make peace and agree on secure boundaries". No doubt Israel is now introducing a new norm of international law, the concept of impatience as a justification for aggression and annexation, and abrogating another prin-

ciple of international law, the non-acquisition of territory by force.

54. The Israeli annexation was also justified in this reply as "urgently necessary to bring to an end the anomalous situation regarding the Golan Heights". We fully agree that the situation in the Syrian Golan is indeed anomalous. For occupation, colonization, confiscation of land and property, deprivation of people's right to return to their homes, the imposition of Israeli nationality and identity cards, and repression, as well as other terroristic Israeli measures and practices, render the situation indeed anomalous, to say the least. But to use this anomaly to annex the territory of another State is tantamount to stating that Syria's sovereignty, territorial integrity and independence are "anomalous", that the very consideration by the Security Council of the Israeli annexation is also an anomalous decision. The real anomaly is that Israel is acting as a colonial entity in a post-colonial era.

55. In paragraph 4 of its resolution 236 (1967), the Council called for: "the prompt return to the cease-fire positions of any troops which may have moved forward subsequent to 1630 hours GMT on 10 June 1967". Yet Israel continues to view that resolution, as well as previous resolutions, as anomalies in the work of the Security Council.

56. Council resolution 497 (1981), unanimously adopted on 17 December last, has been flouted by the same aggressor. For Israel has avoided the mention of the essence of that resolution, which demands that Israel rescind forthwith its decision to apply Israeli laws, administration and jurisdiction in the Syrian Golan Heights. It has only reconfirmed its decision to continue the application of the so-called Golan Heights Law—No. 5742/1981—thus defying the spirit and the letter of paragraph 2 of that resolution.

57. All the arguments advanced by professional fabricators in the Israeli reply are meant to obfuscate the central issue, which is that Israel abide by the demand that the aforementioned Israeli law be rescinded. This is a direct affront to the Council's rights and responsibilities under the Charter. This unlawful law continues to be applied despite the Council's injunction.

58. The suffering of our citizens under Israeli occupation aside, the anger of the Arab nation aside, the indignation of the world at large aside, the Council must, here and now, invoke the Charter of the United Nations in order to weigh this act for what it is and translate its own commitments—that is, to take "appropriate measures"—into concrete action.

59. Article 39 of the Charter confers upon the Council the full power to determine the existence of any threat to the peace, breach of the peace or act of aggression. In its resolution 497 (1981), the Council

reaffirmed the principle that acquisition of territory by force is inadmissible, in accordance with the Charter of the United Nations, the principles of international law, and relevant Security Council resolutions.

60. Need I remind the members of the Council that, after years of deliberation, the General Assembly, convinced that the adoption of a definition of aggression would contribute to the strengthening of international peace and security, came forth with a historic resolution meant to dispel any equivocation or misrepresentation—or, for that matter, any justification of acts of aggression similar to the ones committed by Israel against my country since 1967. Allow me to quote from article 3, paragraph (a), of the Definition of Aggression which appears as the annex to resolution 3314 (XXIX), adopted by consensus on 14 December 1974. The article defines an act of aggression, *inter alia*, as:

"The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof".

61. Undisputedly, the status of Israel is that of an aggressor. Equally clear, this status was earned not only on 14 December 1981 but as far back as June 1967—this, in regard to my country, Syria, as well as the other occupied Arab territories. But as regards the Palestinian people, the Zionist aggression began in 1948 and continues to date.

62. By changing the status of the Golan Heights from that of occupied territory to that of annexed territory, Israel is threatening the very foundations of the international system. This double act of aggression—that is, occupation, then annexation—if allowed to go unpunished, will return us all to the pre-Second World War system, when States took the law into their own hands, indulging in perverse acts of aggression such as the ones committed by nazism and fascism. The *Anschluss* of Austria, Czechoslovakia and Ethiopia are but examples of a lawless world where the stronger felt free to crush the weak—conditions that inevitably led to general conflagration in Europe.

63. We all heard the Israeli representative justifying annexation: at times, under the pretext of Israel's security interests; at other times, arguing for the necessity "to normalize" the situation in the Golan Heights; and yet again, stating that his Government was heeding the advice of its friends and allies. Ironically, the truth emerged when he stated that: "Certainly every Government of Israel since 1967 has declared that it would be impossible to return to the pre-1967 lines" [2316th meeting, para. 42]. But the Council members have unanimously disregarded these falsifications, for, as article 5, paragraph 1, of the Definition of Aggression states in the clearest of terms:

"No consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression".

64. Equally pertinent in this context is an invocation of other solemn declarations of the United Nations, all of which uphold a basic principle of the Charter—that is, that the territory of a State shall not be the object of acquisition by another State resulting from the threat or use of force; no territorial acquisition resulting from the threat or use of force shall be recognized as legal.

65. If we truly abide by the Charter, if we intend to uphold the principles of international law and if we believe in the validity of the principles and provisions that were codified by us all to protect us all, if we genuinely adhere to the aforementioned solemn commitments, then it is the duty and the responsibility of the Security Council to determine the existence of a threat to the peace, breach of the peace and a flagrant act of aggression in this situation before us.

66. If the Israeli act is still not considered a grave act of aggression by the Council, then no self-respecting country can claim that the United Nations was created to save succeeding generations from the scourge of war; no longer will any man, woman or child believe that the United Nations was established to take effective collective measures for the prevention and removal of threats to peace and for the suppression of acts of aggression.

67. I reaffirm before the Council the position of my Government that the Israeli annexation of the Golan Heights constitutes a grave violation not only of international law and the Charter of the United Nations but also of Security Council resolution 338 (1974), as well as a unilateral revocation of the cease-fire, for annexation is an act of war.

68. It is our right as a Member State to demand that the Council fulfil its obligations by applying Article 41 of the Charter in order to compel Israel to abrogate its annexation of the occupied Golan Heights, to withdraw unconditionally from occupied Syrian territories and to dismantle its colonial settlements in order to enable us to exercise full sovereignty and to protect our full territorial integrity therein.

69. In case of failure by the Council to discharge its responsibilities towards a Member State which has been the victim of aggression, the Syrian Arab Republic reserves its right, under Article 51 of the Charter, to deal with this aggression.

70. We are confident that all the members of the Council will fully assume their responsibilities and face up to this aggression with the necessary sanctions under Chapter VII of the Charter, as we have already exhausted all other means to deter Israel from its ever-growing aggression. A mere condemna-

tion will not be sufficient; nor is that language that Israel understands. Sanctions and only sanctions under Article 41 of the Charter are the sole avenue left. We demand that this privileged aggressor be deprived of, *inter alia*, the benefits of international trade and military assistance, as well as diplomatic and consular relations. If the international community wishes to avoid the disastrous consequences of this act of aggression and spare mankind untold suffering, it should promptly and collectively act to castigate lawlessness and penalize the aggressor. Israel may be under the impression that it is above and beyond the law of nations—and, admittedly, its allies and protectors have encouraged this belief—but the principle of equality before the law applies to all of us. The United Nations cannot afford to have a favourite child, or a spoilt brat, or a raving mad Member bent on destroying order in our universe.

71. Mr. NUSEIBEH (Jordan): As this is the first occasion I have had to address the Security Council as a member of this body, it is only appropriate that I should at the outset wish everyone in the Council a Happy New Year.

72. I wish also to extend my most sincere congratulations to our highly esteemed President for this month of January, Mr. Oleg Aleksandrovich Troyanovsky of the Union of Soviet Socialist Republics, on his assumption of the presidency in the present trying circumstances in which the Council is now meeting. His statesmanship, wisdom and diplomatic skills have been widely acknowledged over the years in the councils of the United Nations.

73. I should like also to pay a high tribute to my colleague Mr. Olara Otunnu of Uganda for the outstanding manner in which he performed the duties of the presidency during the month of December 1981 in similarly difficult circumstances facing the Council.

74. It gives me great pleasure to welcome, on behalf of my Government, the new Secretary-General, Mr. Pérez de Cuéllar, whose outstanding abilities are widely recognized, and to wish him every success in his high office.

75. I wish, too, to pay a most profound tribute, on behalf of my Government, to the outgoing Secretary-General, Mr. Kurt Waldheim, who performed with such excellence during his ten-year term of office. We shall certainly miss him in the chambers of the United Nations and we wish him continued health, happiness and success.

76. Jordan, which I am privileged to represent in the Council, is both proud and grateful for the confidence shown in it by the Member States of the General Assembly in electing it, on the initiative of the Group of Asian States, one of that Group's two non-permanent members of the Security Council. It is an honour which Jordan deeply cherishes and which

carries with it heavy responsibilities, opportunities and challenges. I pledge Jordan's determination to live up to the confidence placed in it, guided first and foremost by unwavering adherence to and respect for the letter and spirit of the Charter, to which the United Nations is committed as the only guarantor of international peace, security and justice.

77. The Council is confronting today one of the most ominous and dangerous situations in its almost four decades of existence. An act of unbridled aggression, lawlessness, territorial expansion and unheeding defiance has been committed by Israel in total disregard of Security Council resolution 497 (1981).

78. It is tantamount to an act of war with potentially enormous ramifications, which will no doubt unfold in consequence of Israel's blatant legislation, rammed through within a few hours, theatrically and defiantly, on 14 December, to apply "the laws, jurisdiction and administration of the State to the Golan Heights".

79. That was the same procedure Israel adopted shortly after its occupation of the West Bank, Jerusalem, the Gaza Strip and other occupied Arab territories as a prelude to the subsequent stupendous and incredible annexation of Jerusalem, which is close to the heart of hundreds of millions of people in all corners of the globe.

80. Israel's dangerous and highly provocative action of 14 December 1981 is tantamount to the outright annexation of an integral part of the Syrian Arab Republic, a sovereign independent State and one of the founders of the United Nations. It tears to shreds the basic tenets of the Charter, the architects of which painstakingly formulated it in the aftermath of one of the most horrendous wars that humanity had ever suffered, in the determination to save succeeding generations from the scourge of war.

81. The architects of the Charter of the United Nations were not simply armchair academicians; they were great statesmen who had been deeply and directly immersed in that gigantic war, triggered by a deranged mind or minds bent upon conquest, hegemony, and the application of raw power to achieve the enslavement of other peoples on this planet. Thus it is that we have a Charter which spells out meticulously what remedial action should be taken in all conceivable contingencies and situations. Yet we have been witnessing over a long span of years a resuscitation and reincarnation of that evil spirit of blatant conquest and an unabashed and systematic policy of expansion, colonization, hegemony and annexation. Jerusalem and the West Bank have already been colonized to the extent of almost 40 per cent. Israel deliberately purports to undo both the spirit and the letter of the Charter in all its aspects, not to mention the relevant solemn Convention of The Hague² and subsequent Geneva Convention relative to the Protection of Civilian Persons in Time of War.³

82. There are close to 200,000 Syrian citizens of the Golan Heights who have been squatting and suffering in refugee camps in and around Damascus during 15 years of Israeli occupation, while the remnants of the inhabitants—a mere 12,000 to 13,000—are being ordered to undergo a metamorphosis which would transform them by vicious alchemy from Syrian citizens, whose country is universally recognized as one of the foremost cradles of world civilization, into the bondage of an intruding Israeli armed horde.

83. After exhaustive analysis by the international community of a precise definition of what constitutes an act of aggression, the twenty-ninth session of the General Assembly adopted without dissent resolution 3314 (XXIX) of 14 December 1974 which, in article 3 of the annex, defines an act of aggression as

"The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof".

The Israeli acts in the Golan Heights, including massive colonization of the victims' lands and resources, culminating on 14 December 1981 in an act of outright annexation, are the ultimate end within the meaning of an act of aggression.

84. By its resolution 497 (1981), the Security Council unanimously declared that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect. The Council further decided that, in the event of non-compliance by Israel within two weeks, the Council would meet urgently, and not later than 5 January 1982, to consider taking appropriate measures in accordance with the Charter of the United Nations.

85. In his report to the Security Council of 31 December 1981 [S/14821], the Secretary-General conveyed the Israeli occupying authorities' reply. The reply should have come as no surprise to anyone well versed in Israel's flagrant and undisguised policy of conquest, expansion, colonization and annexation, which the Israeli leadership across the entire political spectrum, though in varying modalities and forms, upholds.

86. Mr. Shamir, Minister for Foreign Affairs of Israel, just to mention one, declared at a recent meeting of the Herut Party, which is Menachem Begin's party, that withdrawal from Sinai was absolutely and categorically the last withdrawal that Israel was willing to make and that it would in no circumstances submit to any outside pressures. Evidently he does not recognize that the United Nations exists. That clearly means annexation of the Syrian Golan Heights, expansion of Jerusalem which at present comprises one fifth of the occupied West Bank, and the Gaza Strip.

87. The Israeli representative's reply to the Security Council dated 29 December 1981 [*ibid.*, para. 3] not only confirms his earlier replies of rejection but is also loaded with the most dubious and distorted disinformation designed to mislead the Council, without regard to the most elemental facts. I could drive a carriage and horse through it if I were not mindful of the precious time of the Council. These diversionary issues are engaged in to distract attention from an act of blatant aggression and annexation perpetrated against the sovereign independent Republic of Syria.

88. The entire world knows of the savagery and expulsion and the occupation of four fifths of Palestine in 1948, even before the end of the British Mandate and before the entry of a single Arab soldier after 15 May 1948 to rescue the remnants of the Palestinian people, whose national life had been devastated at the point of the bayonet. We all know who triggered by calculation and design the 1967 war, by Israel's sneak attack on the Egyptian Air Force at dawn of 5 June 1967, the very same day on which the then Vice-President of Egypt, Mr. Zakaria Muhyiddin, was scheduled to arrive in Washington to resolve the Straits of Tiran crisis.

89. We all know that subsequent to the 1973 ceasefire and disengagement agreements, on the basis of Council resolutions 242 (1967) and 338 (1973)—designed to end the consequences of that specific aggression—the Israelis torpedoed the process and viciously dynamited and razed to the ground the entire city of Qunaitra, the capital of the Golan Heights, rather than giving it back in habitable conditions to its lawful inhabitants, in fulfilment of the disengagement agreement.

90. The Council is aware of the massive colonization of the occupied Golan Heights which makes a sham and a chimera out of any talk about peace, which the Israelis are fond of paying lip-service to, while their actions put Israel inexorably on a collision course not only with the whole of the Middle East but with the world at large.

91. The Israelis want peace, yes, but at the price of Arab surrender and the abdication of any meaningful rights for the long-victimized Palestinian people. That is the peace of the grave but not of the living.

92. This mental block regarding the Palestinian people and the penchant to see them disappear somehow from the face of the earth is revealingly described by the late General Dayan in his last book, entitled *Breakthrough*, in which he narrates the process leading to the Camp David accords. Describing the talks which Begin was conducting with the President of the United States, the then Minister for Foreign Affairs Dayan writes:

"After Begin had spoken at the morning meeting with the aides present, Shmuel Katz took the floor.

He was the foreign press adviser in the Prime Minister's office and the purpose of his contribution now was to give the Israeli position an ideological wrapping. His main 'ideological' argument was that most of the Palestinian Arabs were really new immigrants who had come to Palestine only in the last 100 years."

General Dayan continues:

"The silliest part was his 'proof' that the Arabs were strangers in the land of Israel. It was almost certain, said Katz, that that was the reason why so many Arabs had fled easily in the 1948 war. Farmers rooted in their soil did not behave that way. The only Arabs who really belonged to the country were those who stayed, despite the war."

General Dayan continues:

"Katz's words were also in the cabled report and when I read them I did not even try to guess what the Americans must have thought when they heard them. According to this criterion, the Arabs in the Golan Heights fled in the six-day war because they lacked a deep attachment to their soil, whereas the Arab refugees in the Gaza Strip, who had been there less than 20 years when the 1967 war reached them, remained during that war because their hearts beat with the feeling that the miserable camps in which they lived were their homeland."

93. Incidentally, the Palestinian people, traditionalists as they are, whose natural and continued habitat and marriage to the soil in Palestine date back over 5,000 to 6,000 years in a unique amalgam, regard a fellow countryman whose ancestors have been there for 500 to 600 years as a relative newcomer. The late Mr. Dayan, reared in childhood with Palestinian children in the Tiberias area, was very much aware of that fact.

94. The Israeli refusal to rescind its annexation legislation, which constitutes an act of aggression according to the Charter and the Definition of Aggression adopted by consensus by the General Assembly [*resolution 3314 (XXIX), annex*], and its defiance of Security Council resolution 497 (1981), which specifically demands that Israel, the occupying Power, should rescind its decision forthwith, strikes at the very heart of international law and the Charter. It is not only a challenge to Syria and to the Arab world, but also to the international community in its entirety. It poses a fundamental question to the Security Council concerning the safeguarding of world peace and security. The response will determine the maintenance or the inevitable breakdown of the international order as envisaged in the Charter.

95. Israel has over the years been encouraged in its bellicosity and acts of aggression by the failure of the Council to pursue effective action in response to the

ominous challenges to its authority and to the continued validity of the Charter.

96. The time has therefore come when the Council should rise to the challenge of its solemn duties as spelled out in the relevant provisions of the Charter. The draft resolution which is now being formulated and negotiated amongst Member States is not therefore a Syrian, a Group of Arab States or a non-aligned document. It could well have been formulated by the great architects of the Charter themselves, for it is a verbatim prescription of their vision, their foresight and their wisdom.

97. Because of permissiveness and depleted resolve, one or more of the major Powers, I am informed, has indicated an unwillingness to go along with the draft resolution, suggesting conditions and negotiations with the aggressor after he has eaten the cake. This makes it appropriate to give a timely reminder of something said by a great leader, who had been through the excruciating experience of the Second World War, in a radio and television address on 20 February 1957 concerning what Articles 1 and 2 of the Charter say about illegal acquisitions and occupations.

98. President Eisenhower, challenged by Israel's refusal to withdraw from Sinai during the tripartite invasion of 1956, explained categorically:

"The use of military force to solve international disputes could not be reconciled with the principles and purposes of the United Nations. We are approaching a fateful moment when either we must recognize that the United Nations is unable to restore peace in this area, or the United Nations must renew with increased vigour its efforts to bring about Israeli withdrawal.

"Israel seeks something more. It insists on firm guarantees as a condition to withdrawing its forces of invasion. This raises a basic question of principle. Should a nation which attacks and occupies foreign territory in the face of United Nations disapproval be allowed to impose conditions on its own withdrawal?

"We cannot consider that the armed invasion and occupation of another country are 'peaceful means' or 'proper means' to achieve justice and conformity with international law. But the United Nations"—and this is really timely and pertinent; I am quoting President Eisenhower—"faces immediately the problem of what to do next. If it does nothing, if it accepts the ignoring of its repeated resolutions calling for the withdrawal of invading forces, then it will have admitted failure. That failure would be a blow to the authority and influence of the United Nations in the world and to the hopes which humanity placed in the United Nations as the means of achieving peace with justice."

That really says it all.

99. Let us hope that by timely and decisive action the Council can save the Middle East and the world from the awesome consequences of the latest Israeli aggression.

100. The PRESIDENT (*interpretation from Russian*): The next speaker is the representative of Kuwait. I invite him to take a place at the Council table and to make his statement.

101. Mr. ABULHASSAN (Kuwait): At the outset, Sir, allow me to express to you my sincere congratulations on your assumption of the presidency of the Council for this month.

102. I should like also to congratulate your predecessor, Mr. Otunnu of Uganda, for conducting the affairs of the Council so adroitly.

103. It is a pleasure for me to extend my delegation's congratulations to Mr. Pérez de Cuéllar, the Secretary-General, and to see him in our midst during these important deliberations.

104. I should like to express my delegation's appreciation of the valuable contributions made by the outgoing members to the Council's deliberations; I would also express my delegation's congratulations to the new Council members, the representatives of Guyana, Jordan, Poland, Togo and Zaire.

105. I feel that I should be remiss if I let this opportunity pass without expressing to all present my delegation's best wishes for a more prosperous and more peaceful year for mankind.

106. Once again we find ourselves face to face with yet another situation in which we have to deal with another case of Israeli defiance of the international will.

107. On 17 December 1981, the Security Council unanimously decided that the Israeli decision to impose its laws and administration in the occupied Syrian Golan Heights was null and void [*resolution 497 (1981)*].

108. As expected, it took Israel no time to reject the unanimous decision of the international community—on grounds so flimsy that none but Israel would dare to offer them on such an occasion if ever.

109. We are told that Israel had to do what it did because, first, the Syrians did not show any sign of negotiation and, secondly, it wanted to normalize the situation.

110. What an affront to one's intelligence. We wonder which international law offers annexation as a price for the lack of negotiation or as a method for the normalization of similar situations.

111. Of course, the only law which Israel is applying—as it has in similar cases—is the law of the jungle, the kind of law which makes us wonder where the analogy between Israeli thinking and Israeli actions and those of the Nazis ends on such matters.

112. The non-stop Israeli determination to violate all international laws should for a change be met seriously and effectively by the international community, whose tolerance and inaction on Israel's lawless behaviour and its arrogant disregard of its dictates have up till now given the Israelis all the encouragement they need to achieve all their expansionist designs in all the occupied Arab territories without any fear of punishment.

113. We have before us today a clear-cut situation in which the prestige, reputation and effectiveness of the world Organisation are at stake. A unanimous decision by the Council has been flatly rejected by Israel, and the Council should now, in accordance with its resolution 497 (1981), consider taking necessary measures in accordance with the Charter of the United Nations. The time has therefore come to take punitive action against Israel in the form of measures which would be commensurate with the magnitude of the Israeli aggression.

114. On similar occasions in the past we have listened to a lot of rhetoric about what need be done, but nothing has actually taken place, which is the very thing that, on the one hand, has added to world frustration and, on the other, has whetted the Israeli appetite to pursue its policies of nonchalance towards the comity of nations.

115. The Israelis are, as we know, not of a different breed that needs to be granted a different kind of treatment. If the Israelis consider themselves to be a unique people with unique privileges and that makes them think they are above international law, it is time that notice be served on Israel and those of its friends who grant it a special relationship despite its ceaseless crimes against its neighbours that there is a limit to the patience and tolerance of the international community.

116. The only way that Israel will be forced to abide by international law and to desist from pursuing its arrogant behaviour is for the Council to assert its authority by imposing sanctions as a last resort to bring Israel back to its senses, if it ever had any.

117. Sometimes we fail to understand the double standard displayed by certain Powers which hasten to demand the imposition of sanctions on some other countries whereas they stand steadfastly behind Israel whenever there is any move made to stop its criminal conduct through the imposition of meaningful and effective sanctions.

118. Those Powers, with special responsibilities towards world peace, are required more than anybody

else not only to establish the rule of law and order in the world but also to see to it that those extraneous elements which so persistently endanger world peace and stability are duly punished.

119. Even while the world community, represented by this body, is considering the latest Israeli aggression against the Syrian Arab territories, Israel, as if to punctuate its disdain of world opinion, has reportedly violated Iraqi airspace in the past few days. Its message to the world community is only too obvious—you can continue to judge our behaviour or our action, but we want to assure you that nothing you do or say will stop us from acting in the role of the sword of Damocles all over the Middle East.

120. This state of affairs cannot go on forever. Something should be done—and done effectively—to bring Israel back to its real size and to bring back to the United Nations the prestige of the world Organization, which has never been put to such a test as it has been as a result of Israel's arrogance and its repeated acts of defiance of the world community.

121. The PRESIDENT (*interpretation from Russian*): The next speaker on my list is the representative of Senegal. I invite him to take a place at the Council table and to make his statement.

122. Mr. SARRÉ (Senegal) (*interpretation from French*): First of all, I should like to renew my best wishes for the New Year to the members of the Council, who have enabled me once again to participate in a debate which is so decisive in the quest for a solution to a problem which is of concern inasmuch as it involves international peace, security and stability.

123. I should also like to extend to you, Mr. President, my warmest and most sincere congratulations on your assumption of the presidency of the Council. Your qualities as a distinguished diplomat, your common sense and the role played by your country in the Council guarantee that our work will be crowned with success—success dedicated to peace.

124. To your predecessor, Mr. Olara Otunnu of Uganda, I shall simply say that I continue, as an African, to take pride in the tribute paid him for the dedication and competence with which he led the work of the Council last month.

125. I cannot fail to reiterate my warm and sincere congratulations to the Secretary-General, Mr. Javier Pérez de Cuéllar, along with our wishes for success in accomplishing his lofty and noble duties dedicated to a better understanding among peoples and among nations. He sets a good example; he is a diplomat; he is well versed in international relations; he is a humanist. For all of these reasons, I am sure that he will succeed in strengthening the credibility of the Organization. For the same reasons, his predecessor, Mr. Kurt Waldheim, is deserving of our appreciation.

126. I also congratulate the representatives of Guyana, Jordan, Poland, Togo and Zaire on their assumption of seats in the Council. I am sure that the Council will benefit from their experience, as it did, in other circumstances, from that of the representatives of the German Democratic Republic, Mexico, the Niger, the Philippines and Tunisia, to whom I pay tribute.

127. On 17 December last, the Council unanimously adopted resolution 497 (1981), which, need I recall, only reflected the world's emotion and stern disapproval in the face of Israel's decision to extend to the Golan Heights—a Syrian territory—the laws and regulations in effect in Israel. The responsible attitude of the Council in respect of a decision contrary to international law and morality could only be to the further credit of the Organization. Better still, countries with limited means of defence saw in it some hope for their survival.

128. The Council, in its traditional wisdom, set a time frame for the occupying Power to rescind its measures without delay. According to the report of the Secretary-General and the information available to us, nothing has been done to date. Worse still, tension has even increased in the region and, if care is not taken, that tension might lead to a widespread war. Appropriate steps must therefore be taken to compel Israel to comply scrupulously with the decisions taken by the United Nations, of which it is a Member. Might must give way to right. It is only with that in view that nations will be able to live together in perfect harmony.

129. Is there any need to recall that the Golan issue is only one aspect of the over-all problem of the Middle East, for the solution of which the Organization has adopted some 260 resolutions over the past 33 years? If we analyze all of those resolutions, they essentially have the following main points in common, namely: withdrawal by Israel from all the occupied Arab territories; recognition of and respect for the sovereignty, independence and territorial integrity of the States of the region; the exercise by the Palestinian people of its inalienable rights to self-determination and to the establishment of a State in its homeland; and, finally, the full and responsible participation of the PLO in any process concerning the Palestinian people.

130. At the present stage of our debates, it does not seem useful to my delegation to dwell again here on the background of the Middle East issue, for that is known to us all. I should simply like, on behalf of my country, to renew our appeal to the members of the Council for, since the Security Council wishes—and it is its role—to contribute effectively to the establishment of a just and lasting peace in the Middle East, it should, through the responsibilities conferred on it by the Charter, do everything possible to ensure strict and speedy application of the relevant resolutions that it has adopted on this issue.

131. Furthermore, it should bring to bear all its influence on all the parties concerned so as to create conditions favourable to the establishment of a side-by-side relationship which should replace a face-to-face confrontation, which has, alas, proved sterile thus far.

132. A few weeks ago, the General Assembly adopted a resolution on a year of peace, a month of peace and a day of peace [resolution 36/67]. We have begun the new year with the consideration of an issue which involves the safeguarding of peace. Let us see to it that our first decisions are fully in keeping with the spirit and letter of that resolution. In so doing, we shall be consistent in our actions.

133. The PRESIDENT (*interpretation from Russian*): The next speaker is the representative of the Lao People's Democratic Republic. I invite him to take a place at the Council table and to make his statement.

134. Mr. KITTIKHOUN (Lao People's Democratic Republic) (*interpretation from French*): Mr. President, first of all, on behalf of the delegation of the Lao People's Democratic Republic, I wish to express to you and to all the members of the Council my sincere appreciation for allowing me to take part in the present deliberations, thereby giving me an opportunity to put forth the views of my Government on the question before the Council. Since this is the first time that as a young diplomat I have spoken in this lofty body, I wish to show my respect for the Council and to declare my full confidence in its ability fully and effectively to discharge its primary responsibility, which is to maintain international peace and security for the benefit of present and succeeding generations.

135. In addition I wish to extend to you, Mr. President, the warm congratulations of my delegation on your assumption of the presidency of the Council for this first month of 1982, which has only just begun and which will, we trust, usher in a new era in international relations, which recently have been marked by a dangerous renewal of tension owing to the policy of confrontation deliberately adopted by certain Powers whose responsibility in the maintenance of international peace and stability is, in everyone's opinion, particularly important.

136. This situation has serious implications for the independence and sovereignty of the peoples of the world and, in particular, for the developing countries, as is clearly shown by the present debate. In spite of this, it is a pleasure to point out that it is auspicious for the future development of international relations that it is you, a respected representative of the Soviet Union, which advocates and implements a policy of peace and détente in inter-State relations, who are presiding over the Council's work as the year 1982 begins.

137. We consider it also a good sign that the new year begins with the assumption of his post by the new Secretary-General, Mr. Javier Pérez de Cuéllar, a statesman and diplomat of world-wide reputation, to whom my delegation wishes every success in his lofty and responsible position. Now and henceforth, my country wishes to assure him of its full support and co-operation in the noble activities that he will be undertaking to strengthen peace and understanding among all peoples of the world.

138. I take this opportunity also to express the heartfelt congratulations of my delegation to all the new non-permanent members, who will, I am sure, make a positive contribution to its work.

139. Finally, on behalf of my delegation, I wish wholeheartedly to congratulate Mr. Olara Otunnu of Uganda, who presided with rare skill over the deliberations of the Council in December, thereby to some extent making up for the failings of the Council earlier in 1981.

140. The present deliberations of the Council are specially crucial. They are crucial because they will allow each and every one of us to determine objectively whether the Council is willing and able to cope with situations entailing risk of a breach of the peace and a destructive armed conflict, as the Security Council is mandated to do by the Charter of the United Nations. The case before us is undeniably one of those situations that I have just described.

141. In this regard, a little more than two weeks ago the Council met and unanimously adopted resolution 497 (1981), in which it decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect and demanded that Israel would rescind forthwith its decision.

142. Not unexpectedly, the injunctions of the Council, as well as the other decisions of the United Nations, had practically no effect on Israel, which, by its arrogant response [S/14821, para. 3], made it known quite clearly that it would never bow to the Council's decision.

143. For years now the Council and the United Nations as a whole have been subjected to intolerable humiliation as a result of Israel's continued defiance and Israel has benefited, and continues to benefit, from the unconditional support of its powerful ally on the other side of the Atlantic. The most recent Israeli adventure of 14 December 1981, like many other Israeli acts of aggression which had taken place before that date, never could have happened if the Zionist leaders had not felt quite certain that they would have the uncritical support of the United States, making it possible for Israel to escape international sanctions.

144. By that provocative act, the expansionist and hegemonistic leaders in Tel Aviv once again demonstrated that peaceful coexistence with the Arab States and the Arab nation and a just and lasting peace in the Middle East are not what they want. What they want is to consolidate the acquisition of the lands of others by force and to impose by acts of terrorism the primacy or domination of the Zionist State in that area, the nerve centre of the world, with the strategic alliance agreement between Israel and the United States as solid guarantee.

145. The delegation of the Lao People's Democratic Republic denounces and strongly condemns this policy which undermines the peace and security of all peoples in the Middle East, as well as universal peace and stability.

146. A just and lasting peace will never be established as long as Israel stubbornly flouts the Charter of the United Nations and the elementary principles of international law—in particular, the principle of the inadmissibility of the acquisition of territory by force—continues to trample underfoot the inalienable rights of the Palestinian people, including its right to create an independent State in Palestine, and believes that it can pursue with impunity its policy of aggression, expansion and domination at the expense of all its neighbours, near and far.

147. With this recent measure to annex the Golan Heights, which, notwithstanding Israel's illegal occupation, are an integral part of Syrian territory—a measure which followed a long series of acts of aggression and provocation, in particular the raid on the Iraqi nuclear reactor in Tamuz, the criminal bombing of Palestinian refugee camps in southern Lebanon, the further momentum given to the establishment of settler colonies in occupied Arab territories, to mention only those—Israel has made the situation even more explosive than the one prevailing before the outbreak of the 1967 conflict. There can be no doubt that if this situation is not dealt with forthwith, it might very well plunge the Middle East once again into a widespread conflict infinitely more deadly and destructive than before.

148. My delegation urgently calls on the Council to take the kind of action required by the gravity of the situation—action of the sort that will make Israel understand the language of law and justice. In this context, we strongly support the decision of the plenary meeting of the non-aligned countries, held in New York on 5 January last, calling upon the Security Council to take appropriate action under Chapter VII of the Charter to force Israel to respect the full sovereignty of the Syrian Arab Republic over all its territory [see S/14829, annex]. These measures are just and are warranted by the circumstances; while furthering respect for the Charter and international law, they would enhance the authority and prestige of the Council and the United Nations, which have all too long been flouted by Israel.

149. The Government and people of the Lao People's Democratic Republic will stand firmly by our friends the Syrian people and other Arab peoples in their just combat against the attempts of imperialism, with Israel as its agent, to expand and dominate.

150. The PRESIDENT (*interpretation from Russian*): The next speaker is the representative of Israel, on whom I call.

151. Mr. BLUM (Israel): Sir, at the outset, let me pay my respects to you on your assumption of the duties of the presidency of the Security Council for this month. We trust that you will conduct the Council's business with your customary skill, propriety and impartiality.

152. I should also like to take this opportunity of paying my compliments to the President of the Council for the month of December, Mr. Otunnu of Uganda, whose diplomatic skills we have all come to appreciate.

153. It also gives me great pleasure to join all those who have welcomed the new Secretary-General, Mr. Javier Pérez de Cuéllar. As he assumes the burdens and responsibilities of his high office, we salute this great son of Peru and of Latin America and wish him success in his endeavours. We trust that his broad vision, coupled with his vast diplomatic experience in the service of his country and of the United Nations, will stand him in good stead as he embarks on the fulfilment of his onerous duties as a servant of international peace and of better understanding among nations.

154. The Council would not have been meeting today—nor, for that matter, last month—on the issue before us were it not for Syria's relentless enmity towards Israel throughout the entire period of Israel's existence as a sovereign State. Syria's attitude has been one of persistent and adamant refusal to recognize Israel, to negotiate with it, or even to maintain any semblance of tolerable neighbourly relations. As our Syrian colleague, with the urbanity, refinement and lucidity that have become his hallmark, has repeatedly made clear in his statements before the Council, Syria regards the very existence of Israel as an ongoing act of aggression. This uncompromising hostility has led a long succession of Syrian régimes since 1948 into repeated acts of armed aggression against Israel, with the attendant destruction and suffering on both sides.

155. One of the basic principles of the Charter of the United Nations is that States are prohibited in their international relations from the use or even threat of force. If a State violates this fundamental principle of the Charter—as Syria has done without interruption since 1948 by alternately using and threatening force against my country—such violation certainly does not create any rights for the violator. Moreover, under Article 2, paragraph 3, of the

Charter, it is incumbent upon all Members to settle their international disputes by peaceful means. This, too, Syria has adamantly refused to do. It has rejected Security Council resolution 242 (1967). There is certainly no justification for an aggressor, such as Syria, having been defeated once in war, to go on for well over a quarter of a century and engage in relentless hostilities against its neighbour—hostilities punctuated by two further wars of aggression initiated by it. And there is certainly no justification for that aggressor State to be allowed to perpetuate a state of war for decades or even centuries on end.

156. Before 1948, Syria did everything in its power to prevent the establishment of Israel. Ever since Israel's accession to independence in 1948, Syria has refused to accept Israel's right to exist as a sovereign and independent State. When the concerted Arab attempt to crush Israel in 1948 eventually failed, Syria was the last of Israel's neighbours to conclude an armistice agreement with it. That agreement was to have been the first step towards a negotiated peace between our two countries. Yet, in sharp contrast to the spirit, intent and terms of the Israeli-Syrian General Armistice Agreement of 20 July 1949,¹ Syria repeatedly unleashed against my country unrelenting armed aggression and political warfare which by now has lasted for over 33 years.

157. The representative of Syria in his statement here today referred to the Definition of Aggression, adopted by the General Assembly in the annex to its resolution 3314 (XXIX) of 1974. So, incidentally, did the representative of Jordan. With their characteristic selectiveness, they have failed to mention article 1 of that annex, which contains the central definition of aggression. That omission is most revealing. I invite the representative of Syria to listen closely to the text of that article:

“Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition.

“*Explanatory note:* In this Definition the term ‘State’:

“(a) Is used without prejudice to questions of recognition or to whether a State is a Member of the United Nations”.

Article 2 goes on to state:

“The first use of armed force by a State in contravention of the Charter shall constitute *prima facie* evidence of an act of aggression . . .”.

It is quite evident why the representative of Syria should have omitted any reference to those articles. He knows, as do all of us, that this is precisely the

conduct that his country has been guilty of over the past 33 years in its attitude towards Israel. Since the Definition of Aggression so clearly incriminates his country, he simply disregards it. But if he attempts conveniently to forget those central provisions of the Definition of Aggression, this certainly cannot mean that the rest of us have also forgotten about them.

158. Here we have before us the root-cause of the Arab-Israel conflict: the refusal of the rejectionist Arab countries, including Syria, to come to terms with Israel's very existence and its right to exist, irrespective of territories and boundaries. They regarded the very establishment of my country as illegitimate in 1948 and they have had no change of heart in this regard since 1948. They consequently set out to destroy the State of Israel by force of arms in clear violation of the Charter of the United Nations and of the Definition of Aggression adopted by the General Assembly. They are still committed to this criminal objective. Syria and those in the same rejectionist camp with it deny the right of a sovereign State, a Member of the United Nations, to exist and to live in peace, as is the right of every sovereign country and every State Member of the United Nations.

159. In its sinister designs against Israel, the Golan Heights were of paramount importance for Syria, which made the Heights the most advanced bridge-head for aggression and harassment of Israel and its population. Located some 3,000 feet above the Hula Valley and the Sea of Galilee, the Golan Heights were transformed by Syria from a peaceful agricultural area into a gigantic army encampment. Between 1948 and 1967 Syria turned the Heights into one of the most fortified, well-equipped military strongholds in the Middle East. The fire-power concentrated in this minuscule area, which comprises about 450 square miles in all, was truly unprecedented. At the same time, the civilian population of the Golan Heights was placed under the direct command and administration of the Syrian military authorities.

160. Not only were major parts of Syria's mobile armoured and artillery divisions often deployed on the Golan Heights, but the Syrian army actually turned scores of tanks, heavy mortars and artillery pieces into permanent gun emplacements, which further added to the fire-power of Syria's army on the Heights. The Syrian military concentrations on the Golan Heights and Syria's logistic and strategic military infrastructure there served Syria as a launching pad for its attack against Israel in June 1967.

161. It will be only appropriate to recall in this connection that Syria bore a heavy responsibility for precipitating the events that led directly to the six-day war of June 1967.

162. After the six-day war, Syria refused to accept, and to date has refused to accept, Council resolution

242 (1967), which affirms the right of every State in the area to live in peace within secure and recognized boundaries.

163. Instead, in October 1973 Syria unleashed another war of aggression against Israel. After having repulsed Syria's military thrust towards the Galilee, Israel, in its quest for peace, withdrew considerably from territory captured in its defensive operations during the wars of June 1967 and October 1973. Israel was entitled to expect that Syria would finally decide to settle the outstanding differences between our two countries through negotiations aimed at establishing peace rather than maintain its policy of armed conflict.

164. Despite all this, and in disregard of Council resolution 338 (1973), which calls for negotiations for the establishment of peace, Syria has refused to go beyond the agreements on cease-fire and the disengagement of military forces. This Syrian position has placed the Golan Heights and its inhabitants in a limbo: if left to the policies of the present Syrian Government, there would be no peace with Israel for generations to come.

165. For its part, Israel could not wait endlessly for Syria to begin to show political will to make peace with Israel and agree on the establishment of secure boundaries. Israel could not be expected to maintain indefinitely a military administration on the Golan Heights merely to accommodate Syria's interest in persistent conflict. Israel had thus to act to normalize the anomalous situation regarding the Golan Heights.

166. The Golan Heights Law was enacted almost 15 years after the six-day war of June 1967, which Syria and other Arab States forced upon Israel. This legislation seeks, in the absence of peace or even of negotiations aimed at reaching peace, to normalize the situation in the area in question. The Israeli Law on the Golan Heights does not in the slightest manner diminish the rights of the local population, including, of course, their property rights and their right to education and religious worship according to their traditions. All these are fully safeguarded.

167. It is preposterous that a State like Syria should be permitted to unleash repeated acts of aggression with the aim of conquering and even destroying a neighbouring country and then, having been repulsed, should be permitted to come before the Council to invoke international law in a selective and distorted manner and to find fault with legislation which seeks, in the absence of peace or even of negotiations aimed at reaching peace, to normalize the situation in the area in question.

168. This Syrian attitude violates not only the basic notions of equity but also Article 2, paragraph 2, of the Charter which states:

"All Members, in order to ensure to all of them the rights and benefits resulting from membership,

shall fulfil in good faith the obligations assumed by them in accordance with the present Charter."

169. In conclusion, I should like to express the hope that any further consideration by the Council of this matter will focus constructively on the attainment of peace through negotiations between the States directly concerned and on the prevention of the threat or use of force. In this connexion, I should like to repeat here again that for its part the Government of Israel stands ready, now as always, to negotiate unconditionally with Syria, as with its other neighbours, for a lasting peace in accordance with Council resolutions 242 (1967) and 338 (1973).

170. Let the representative of Syria address himself at last to this call rather than engage in his deliberate distortions of this history of the Arab-Israeli conflict, including the history of Syria's ongoing aggression against my country. I made this call three times before the Council last month. The representative of Syria has remained conspicuously silent on it. I therefore reiterate before the Council my call to Syria to start negotiations with Israel, in compliance with resolutions 242 (1967) and 338 (1973). And let me express the hope that this time the representative of Syria will not dodge this issue, which is the real issue before us.

171. The PRESIDENT (*interpretation from Russian*): I shall now call on representatives who wish to speak in exercise of their right of reply.

172. Mr. EL-FATTAL (Syrian Arab Republic): I find myself in a very strange situation: the Israeli representative is trying to write my statement for me.

173. The Definition of Aggression, work on which was started in 1933 owing to threats directed at the Soviet Union, was negotiated for 33 years. Syria had the honour of being a member of the Committee that drafted resolution 3314 (XXIX), which contains that definition. That resolution also was seen as an act of aggression by those who defy the principle of self-determination, a principle which has never been mentioned in any Israeli statement. That is selectivity; that is true selectivity. That is falsification. Therefore, I request, through you, Mr. President, the Secretariat to distribute the Definition of Aggression as an official document of the Security Council, so that no one can say that Syria has selectively chosen the articles that suit its purposes. For that resolution applies to every act of Israel since 1948. That is my first point. No one can dictate to Syria how to write its statements, because we know the pertinent provisions relating to this situation—that is, annexation of territory by force; and occupation is the use of force.

174. I do not think that the Israeli representative was listening while I was speaking. I explained to everyone present here what is Syria's vision: a just, lasting and comprehensive peace based on the principle of self-

determination—words that have never been used by the Israeli representative in this chamber; the establishment of a Palestinian State and the return of the Palestinian refugees of 1948 and the displaced persons of 1967. He ignored that part, because the Camp David accords deny the Palestinians the right to self-determination, the right to return to their homes and the right to establish a State in their homeland. That is selectivity. That is distortion of the law of nations.

175. The aggression—"the Syrian aggression against Israel of 5 June"—is described by Dayan himself, who said the following a year after the June 1967 war:

"Our fathers reached the frontiers that we recognized in the partition plan of 1947"—that they recognized, not the United Nations.

"Our generation reached the 1949 frontiers, but the six-day generation"—the six-day-war generation—"was able to reach Suez, Jordan and the Golan Heights in Syria. This is not the end, for after the present cease-fire lines there will be new lines; but they will be extended beyond the Jordan River, maybe to Lebanon and perhaps central Syria as well."

176. Mr. Mordecai Bentov, member of the Israeli Cabinet during the 1967 war, was quoted by *Al Hamishmar* on 14 April 1971 as having said:

"The entire story of the danger of extermination was invented in every detail and exaggerated *a posteriori* to justify the annexation of new Arab territory."

177. If Syria was the aggressor, why did Israel not bring its case to the Security Council? Israel never dared to face the Council because Israel was being systematically condemned by the Council before 1967 for its acts of aggression against the demilitarized zone guaranteed by the Security Council. They had annexed the demilitarized zone against the will of the United Nations, despite the Council's decision to prevent them from doing that.

178. Do we not have the right to have an army on the Golan Heights to defend ourselves? Do we not have the right to prevent Israel from committing acts of aggression in the Golan Heights? This is all in the reports of the United Nations.

179. I do not want to take up the Council's time, but I have to quote an American source—a very scholarly source—because whatever I said in my statement before was a rebuttal of this claim which Israel is still trying to sell to the world and which no one believes. I quoted resolutions adopted by the Council unanimously—with the vote of the United States. The representative of Israel said that Syria was the aggressor—he is condemned here and Syria is the aggressor. I do not understand this logic, I really do not.

180. This scholarly study states:

"Although the Golan Heights represents an important part of the over-all Arab-Israeli conflict, too little effort has been made to ascertain the facts of this much-misunderstood issue and to analyse Israeli arguments for retaining the Heights which have been so widely and uncritically accepted in the West over the years. The Israelis allege that: (1) before the 1967 war Syrian guns on the Heights frequently shelled 'without provocation' Israeli farm settlements in the Hula plains below; and (2) these Heights were vital to Israel's national security."

It goes on to state:

"How valid are these contentions and do they give Israel the right to retain the Heights?

"The most reliable and authoritative sources of information about the incidents which took place in the Golan Heights and Syrian-Israeli Demilitarized Zone areas prior to the 1967 war came from the many reports made to the United Nations by the United Nations Truce Supervision Organization (UNTSO) and the United Nations Chairmen of the Syrian-Israeli Mixed Armistice Commission (MAC)" —which Israel has boycotted since 1951. "All UNTSO officials and MAC Chairmen, and the United Nations observers involved, who were responsible not only for discouraging incidents, but also for investigating and reporting to the United Nations on the incidents which took place, came from pro-Israeli Western countries and were hand-picked by pro-Israeli Governments. None came from any pro-Arab States. As a result, the Arabs had greater reason to be concerned about their impartiality than the Israelis. Moreover, two former UNTSO Chiefs-of-Staff, Lt. Gen. E. L. Burns of Canada and Maj. Gen. Carl von Horn from Sweden provided further detailed, first-hand, and authoritative accounts of incidents between Israel and Syria in their books, *Between Arab and Israeli* and *Soldiering for Peace*" —

I am sure that the Israeli representative has not read these two books, I am absolutely sure.

"UNTSO repeatedly reported that the most serious problems in the demilitarized zone developed for the following reasons:

"(1) Major differences arose over the legal status of the zone. Israel claimed sovereignty over all of it; seized the greater part of it; set up fortifications in it; and sent heavily armed frontier police and some heavy military equipment to it. Not only Syria, but the United Nations and the United States (including Ralph Bunche, who helped write the Syrian-Israeli General Armistice Agreement) denied Israel's claim to sovereignty and held that she had

no right to fortify and send military personnel and equipment into the zone. In summarizing the situation, General Burns wrote:

"Briefly stripped, so far as possible, of technicalities, the question at issue may be put thus: The Israelis claimed sovereignty over the . . . zone. They then proceeded, as opportunity offered, to encroach on the specific restrictions, and so eventually to free themselves, on various pretexts, from all of them . . . The Israelis in fact exercised almost complete control over the major portion of the [demilitarized] zone through their frontier police . . . This was directly contrary to article V of the General Armistice Agreement and the "authoritative interpretation" of it [by Ralph Bunche]."

"(2) 'The progressive extension of Israeli cultivation towards the East' at the expense of the Palestine Arab farmers and cultivators in the zone precipitated Palestinian 'opposition to what they considered as encroachment on their land'. United Nations officials frequently warned Israel that her armed encroachments not only were illegal but also would provoke incidents; but Israel disregarded these warnings. It was these illegal and provocative armed encroachments that led to the great majority of incidents—first with the Palestinian farmers and then, on occasion, with Syrian gunners on the Golan Heights when they tried to help the vastly out-gunned Palestinian farmers who were forcibly pushed off their lands. As General van Horn concluded in his book:

"[Israeli encroachments were], of course, part of a premeditated Israeli policy to edge east through the demilitarized zone towards the old Palestine border [with Syria] and to get all the Arabs out of the way by fair means or foul (with the help of "border police" in "armoured vehicles"). In fact, the Israelis never observed the rules of the Armistice Agreement, which allowed only limited numbers of locally recruited civilian police in the demilitarized zone. Instead, a patrol from the border police of the State of Israel would arrive, usually in an armoured vehicle . . . It was hardly surprising the Arab farmers should feel . . . threatened."

181. I could continue this quotation until nine o'clock. However, I said everything in my statement, if it is read carefully—but of course it will not be read by the Israelis.

182. The point is the following. I ask the Israelis, through you, Mr. President: Has Israel rescinded that law which annexes the Golan? The Council demanded that Israel rescind this annexation. Has Israel done so or not? Why does the Israeli rejection appear in three official documents? Why should we hear on the radio and on television that Israel will not cede the Golan

back to Syria even with a peace treaty? These are questions that I am putting to the Israeli representatives, through you, Mr. President.

183. Mr. BLUM (Israel): I will not go on until 10 o'clock; I will try to be very brief indeed.

184. The representative of Syria has asked that the Definition of Aggression adopted by the General Assembly [resolution 3314 (XXIX), annex] be circulated as an official document of the Security Council. I have no objection to that. I have been under the impression—a false impression, apparently—that resolutions of the General Assembly are official documents of the United Nations, but I may be wrong on that, and, as I have said, I have no objection to the Definition being disseminated also as a document of the Security Council.

185. The representative of Syria complained that he could not follow my logic. I find that most regrettable. I would have preferred that he did. The Middle East would have been a better place to live in.

186. But the problem concerns not only divergencies with regard to logic. Statements of "fact" have been most inaccurate. I am not going to detain the Council at length on this.

187. But to give just one example, it has been stated that Mr. Mordecai Bentov was a member of the Israeli Cabinet in 1967. Mr. Mordecai Bentov was not a member of the Israeli Cabinet in 1967. I mention this simply so that members of the Council can judge for themselves how much weight should be given to other statements of "fact" made by the representative of Syria. I would suggest that they treat them with some caution, *cum grano salis*.

188. There is, though, one problem that has remained pending—not surprisingly. And that is the fact that the representative of Syria has chosen once again to ignore my appeal to him—not made through you, Mr. President; I have no inhibitions about appealing to him directly—to sit down with us and negotiate peace in accordance with Council resolutions 242 (1967) and 338 (1973). He has studiously avoided any reference to those resolutions. I believe that this evasion speaks for itself.

189. Mr. EL-FATTAL (Syrian Arab Republic): It seems that the Israeli representative is not willing to listen. In my statement I mentioned resolution 338 (1973); I said that Israel had violated it. It has violated the cease-fire accepted under resolution 338 (1973). So resolution 338 (1973) has one meaning for Israel—everything except that of annexation. According to his logic, it can be interpreted as he wishes; resolution 338 (1973) could be used to negotiate Syria's capitulation. That will never happen. Resolution 338 (1973) was violated by the latest Israeli act. We said that in our statement, and we repeat it now.

190. Perhaps I am not well versed in the internal matters of Zionism, and I hope I am not being accused of misquoting because the Israeli representative wishes to do so. I would remind him of Mordecai Hood, as quoted by the *Sunday Times*. He is or he was with the Israeli army. As quoted in the *Sunday Times* on 16 July 1976, he said the following:

"Sixteen years of planning had gone into those initial 18 minutes. We lived for the plan; we slept on the plan; and we ate the plan constantly. We perfected it."

That was the Israeli aggression of 5 June 1967.

191. Mr. BLUM (Israel): The statement of the representative of Syria is most useful, for it has at long last clarified for all of us that Syria rejects Security Council resolution 338 (1973). He has explained that the Golan Heights Law is the reason for that rejection. One wonders what prevented Syria from negotiating with us under resolution 338 (1973) between 1973 and 1981. So much for resolution 338 (1973).

192. Resolution 242 (1967) was conspicuously absent from the statement of the representative of Syria. We must therefore conclude that Syria continues to reject that resolution.

193. Mr. NUSEIBEH (Jordan): I have no intention of derailing the discussion that has been taking place; my main purpose is to focus on the fundamental question that the representative of Syria has posed before the Council. He has asked directly whether Israel has, as demanded by the Security Council, rescinded its decision to apply its laws, jurisdiction and everything else to the Golan Heights. That question has not been answered.

194. Now, to give a factual background: I am all too familiar with the period between 1948 and 1957 as regards the seasonal border incidents that occurred as a result of Israel's violation of the demilitarized zone and its licence in cultivating the land there. But that is beside the point. We are now focusing on the annexation of the Golan Heights.

195. I have a few figures here that are more telling than any semantic arguments. The representative of Israel has stated that the annexation law in no way undermines the rights and religious freedoms of the inhabitants of the Golan. May I remind him that before the occupation of 1967 the inhabitants of the Golan numbered close to 180,000. At present the inhabitants of the Golan Heights number a tiny 12,000 to 13,000. Now, by and through this annexation, 200,000 Syrian citizens—Syrian citizens that have inhabited the Golan Heights for thousands of years—are doomed to remain dispersed refugees outside their territory. In addition, before the passage of this notorious legislation, the number of settlements established by Israel on the Golan Heights was 33. That means colonization.

The amount of land confiscated before the annexation amounted to 680,000 dunams. It was the livelihood of the 200,000 Syrian citizens of the Golan Heights that, as I said in my earlier statement, are now squatting in refugee camps somewhere in Syria.

196. At present there exists an additional plan. It is an on-going process. It is a plan to establish another 18 to 22 new Israeli settlements by the end of 1985 to absorb 30,000 new Israeli settlers.

197. How can the representative of Israel talk about resolutions 242 (1967) and 338 (1973) when his country's authorities have—in the Golan Heights, in ever-expanding Jerusalem, and in Gaza—torpedoed the letter and spirit of those resolutions? They have literally transformed a very substantial part of those territories into Israeli settlements and colonies.

198. We are not playing with figures. If we want to go to the genesis of this affair, resolutions 242 (1967) and 338 (1973) were adopted by the Council to resolve the consequences of Israel's aggression of 5 June 1967. They address the core of the entire Middle East problem, namely, the fate of the Palestinian people. According to the figures of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, there are at least 1,850,000 Palestinian refugees. As I said, almost 40 per cent of the land of the newly occupied territories—I mean the territories occupied since 1967—has been effectively colonized, and the process is proceeding relentlessly.

199. If we come to the fundamental problem, namely, what the Palestinians' rights are, we should never overlook the decision which brought Israel into existence. I am referring to General Assembly resolution 181 (II), which provided for the establishment of a Palestinian Arab State—the boundaries of which are meticulously delineated in the files of the United Nations—alongside an Israeli state. The Israelis, of course, paid lip service to that Assembly resolution because they knew that the Palestinian people, who constituted two-thirds of the population of Palestine and owned at least 94 to 95 per cent of the total lands of Palestine, would of course be disenchanted with the dismemberment of their country, as any other country in the world would be disenchanted with the dismemberment of its territory.

200. What did the Palestinian people do? They expressed their disenchantment verbally, and this was taken by the Israelis as an excuse to implement their long-prepared plans to conquer by force and through massacres—I need hardly remind members of Qibya and scores of other places. That was the reason why those Palestinian farmers were forced at bayonet point to leave their land. This enabled the Israelis to take over four-fifths of Palestine—an area far in excess of anything the General Assembly resolution had recommended should be their share of the territory—and the Assembly had recommended that the Security Council implement this.

201. The representative of Israel has claimed that Syria—and I assume, for that matter, other Arab countries—has adamantly refused to negotiate a peace settlement. Need I remind anyone—any members of the Council—that the Arab countries co-operated very closely with every emissary sent by the United Nations, beginning with the late Count Folke Bernadotte, who was murdered in the streets of Jerusalem by Israeli terrorists. They then co-operated, more substantively, through the Palestine Conciliation Commission, which after lengthy and exhaustive negotiations initialed the Lausanne Protocol,⁴ which would have resolved the entire conflict more than three decades ago, thus sparing the Council the numerous meetings which it has had to hold to deal with this problem.

202. The Lausanne Protocol was based on United Nations resolutions, and all the Arab States, including Syria, Jordan, Egypt and Lebanon—and, I might add, Israel—initialed it. But then, as soon as it was sent to the late Mr. Ben-Gurion, he turned it down and the Israelis turned their backs on the peace process.

203. As for the incidents which occurred between 1948 and 1967, I happen to have been the chief representative of Jordan in the Jordanian-Israeli Mixed Armistice Commission and the Council can see from the record that a relentless effort was made by Israel to undermine the Armistice Agreements by constant attacks against and massacres of the population of Arab villages.

204. I am sure that many of us remember the brutal attack against Qibya—and the hero of this was none other than General Ariel Sharon—in which heaven knows how many men, women and children were slaughtered in cold blood. I remember the attack on Naharayim. I remember numerous others—we used to spend 24 hours on end in that no man's land where the Armistice Commission met, in less comfortable surroundings than those in which we are meeting today. The whole thing culminated in a brutal attack against the village of As Samu in 1966. This, I am certain, was a prelude to and an exercise for the planned 1967 war, which Israel was determined to launch at the right moment, when it had obtained the green light—which it did—from the United States.

205. As a matter of fact, one of the Israeli newspapers, 5 or 10 days after the 1967 war, said that "We had set a trap for King Hussein and he fell right into it". As a matter of fact, he did not, but we honour our word as a country and we were bound by a collective security agreement with Egypt and the Syrian Arab Republic. We would have given our all, regardless of consequences, to honour our word and our pledge, because if we did not act collectively then Israel would simply single out each Arab country and either occupy it, devastate it or colonize it.

206. I turn now to the question of a Geneva conference. It is Israel which says that there are no Pales-

tinian people, that they are phantoms, that they do not exist. But there are Palestinian people. It so happens that there are 4 million Palestinians, who have inalienable rights, and Israel is refusing to entertain the idea that there are Palestinian people. It seems to have forgotten that Jews and Palestinians lived side by side, in amity during the British Mandate, except for a few occasions during which there were disturbances and clashes. Now if the Palestinian people are deprived of the right to participate in a Geneva conference or in any United Nations conference and to exercise their right to self-determination, their right to return to their homes and to their homeland—rights which are universally recognized—how can we achieve peace? As I said, peace in Mr. Blum's thinking seems to be abject surrender. But we shall never do so even though we spend a whole millenium in the diaspora. If he wants to have a meaningful peace, then he must take into account the dispossessed and the dispersed, the Palestinian people who have been suffering for almost 34 years—and now, added to that, 200,000 Syrian citizens who are also suffering as refugees.

207. According to the Camp David accords, there are 1.2 million Palestinians inside. But what about the rest? Does not every human being want to go back to his home, to his house, to his little plot of land? Is that not what the General Assembly decided in resolution 194 (III) and has reiterated every year? Is that not the inalienable right of every human being on this planet, if we are to give meaning and substance to what is unfortunately abused in the name of human rights? These are the impediments to peace and nothing else. All the Arab countries are anxious to achieve a just, comprehensive and lasting peace, provided it is just, comprehensive and therefore lasting.

208. Mr. BLUM (Israel): The representative of Jordan, under the guise of the right of reply, gave his standard speech. I shall try to confine myself to a brief reply.

209. The representative of Jordan referred to General Assembly resolution 181 (II). What he forgot to tell the Council is that all the States members of the League of Arab States, including Transjordan, as his country was called at the time, in 1947 categorically rejected resolution 181 (II). Those States formally reserved their complete freedom of action and then set out to destroy that resolution by the illegal use of force from the moment of its adoption. While that aggression was successful in destroying resolution 181 (II), it failed in its other avowed purpose, namely, that of crushing the State of Israel. The fact that the Arab States failed in their armed aggression in 1948 and 1949 aimed at destroying Israel does not, however, legitimize their violation of international law. At the same time, that armed aggression precludes them from invoking in any form whatsoever the benefits of a General Assembly resolution which they both rejected and destroyed by force of arms.

210. I have listened with great admiration to the statement of the representative of Jordan, which was apparently prompted by a spirit of solidarity with his Syrian colleague—and I hope it is permissible to use the term "solidarity" in this chamber. Let me just say that this sense of gratification at this display of solidarity was greatly augmented by the fact that, to the best of my knowledge, some 10 months ago Syria and Jordan broke off diplomatic relations. Perhaps the representative of Jordan could inform us about the current state of diplomatic relations between the two countries. The official Jordanian pretext for that severance of diplomatic relations at the time was the alleged kidnapping by Syrian agents of Jordan's Chargé d'affaires in Lebanon, Hisham Moheissen. Jordan claimed at the time that he had been abducted by Syrian agents acting under the orders of Rifa'at Assad, the brother of Syrian President Hafez Assad.

211. Jordan later called for an overthrow of the "sectarian and dictatorial régime of Hafez Assad through armed and other means", as reported by the *Christian Science Monitor* of 7 March 1981. Syria, in turn, accused Jordan of planning to break with the PLO, and on 16 March Saliman Kaddum, a member of the Baath national leadership in Damascus, in a broadcast over Damascus Radio, called for the Jordanian people "to topple down Hussein's régime". Earlier, on 1 February, an editorial in *Tishrin*, the official Syrian army newspaper, declared that "the overthrowing of the Hashemite monarchy is an urgent national duty". In the light of all this, it is all the more remarkable and gratifying that the representative of Jordan should have displayed a sense of solidarity with a régime that called for the overthrow of his Hashemite monarch.

212. In conclusion, let me say I think it was clear from my earlier statement that our call for peace negotiations in accordance with Security Council resolutions 242 (1967) and 338 (1973) is not confined to Syria: it applies also to Jordan. And I invite the representative of the Palestinian Arab State of Jordan to take note of this.

213. Mr. EL-FATTAL (Syrian Arab Republic): I am amazed that the Zionist entity of Israel should send as representative here someone who is not informed. Syria's relations with Jordan are normal; they are friendly relations. The name of the representative of Jordan is well known. It is in diplomatic books; it can be found in the library. His name is Houssein Hammamy.

214. Mr. NUSEIBEH (Jordan): I am sorry, particularly being a new member of the Council, to be speaking more than once, but I am doing so now in the exercise of my right of reply.

215. To begin with, I wish to inform the representative of Israel that the name of Jordan before the creation of Israel was the Hashemite Kingdom of

Jordan, and not Transjordan. A treaty was signed between Jordan and the United Kingdom in 1946, and the Kingdom became known as the Hashemite Kingdom of Jordan—and not Transjordan. Moreover, its name is still—and will continue to be—the Hashemite Kingdom of Jordan—and not the Palestinian State of Jordan—because Palestine is Palestine, and Jordan is Jordan.

216. Now, coming to General Assembly resolution 181 (II), I have stated that the people of Palestine, like all other peoples in the world, had indicated their disenchantment with the dismemberment of their country. And they constituted two-thirds of the population. As a matter of fact, the United Nations Special Committee on Palestine had recommended two resolutions, one of which provided for a federal state, and not partition. It is tremendously difficult for any citizen who has been living in a country for ages to see his country partitioned. But did we in any way, even forcibly, prevent the Security Council, which was assigned the responsibility of implementing that resolution, from implementing it? Even if we had wanted to, we were totally disarmed under the British Mandate—and I am sure that my colleague Sir Anthony Parsons would corroborate my statement on this score; whereas we discovered three days after the adoption of that resolution 181 (II) that there was an army consisting of 80,000 troops, in addition to the splinter terrorist groups such as the Irgun Zvai Leumi, the Stern and others, fully armed and equipped, against totally unarmed civilians. And the Israelis immediately started attacking Arab towns and villages, even while the British were still in Palestine. It was not the Palestinian people who were the impediment to the establishment of the Palestine Arab State in accordance with resolution 181 (II): it was the Israeli pre-emptive plans to torpedo the implementation of that resolution while paying lip-service to it on the basis of their forecast that the Arabs themselves—the Palestinians particularly—would reject it as a matter of principle.

217. It is therefore incorrect to state that we tried to destroy Israel. We had no arms with which to destroy Israel: there were no Arab armies. As a matter of fact, the Jordanian army was stationed in the most strategic areas throughout the breadth and length of Palestine. It was the Jordanian army which was guarding the broadcasting station in which I was working near Mir Sherem. It was the Jordanian army which was in West Jerusalem—which, incidentally, is two-thirds Arab-built and Arab-owned, even though the Israelis took it over. It was in El Alamein military camp—one of the biggest—on the road to Bethlehem. It was in Haifa; it was everywhere.

218. Yet, out of deference to the United Nations resolution on partition, the Jordanian army promptly—and to the last man—withdrew from the territory of Palestine, across the River Jordan, and not a single soldier remained by 15 May. The Jordanian army re-

entered small portions of territories allocated to the Palestinian Arab State on the urgent pleas of the 100,000 citizens of Jerusalem, both new and old, who were taking sanctuary in the walled city of Jerusalem, to save them from being massacred, especially after what had happened in scores of villages.

219. Let us all remember that out of 500 Palestinian towns and villages, the Israelis, immediately after they took over the country, destroyed 400; they razed them to the ground. It was therefore the duty, and it was a last-minute decision by the Arab Governments, to send small contingents of their troops. And what contingents? I believe the Syrian contingent was a mere 5,000. The Jordanians had no more than 4,000 or 5,000. They had to mobilize. The Egyptians had 16,000 to 17,000 all together. Iraq sent a brigade. All together, they would not have amounted to 25,000, while the Israelis had 80,000 highly organized and well equipped troops. This was revealed by a renowned British journalist, Mr. Kimshe, in March of 1948. There was no secret about it. This is the reason why the Palestinians are still deprived of their inalienable rights.

220. But then, even assuming that the Palestinians were disenchanted with the dismemberment of their country, did they or did they not accept the Lausanne Protocol, which was based on that very decision? And every Arab delegation had Palestinian representatives within it, including some of the leadership, such as the late Mr. Ahmed Shukhairy, Mr. Farid Assad and other representatives who were witness to that Lausanne Protocol on the basis of resolution 181 (II). And yet we are told that we have always been against achieving a just, comprehensive and lasting peace.

221. Not a single refugee has been allowed to return to his home. The Israelis have been claiming that we deprived them of the possibility of visiting the Wailing Wall. I know that when I served on that Armistice Commission—and even a few years before that—a special committee was formed under which all the Israelis, all the Jews, would have been allowed to visit the Wailing Wall, Mount Scopus, Hebrew University and Hadassah Hospital in exchange for restoring our natural water resource of Ras el Ayn in the plains of Palestine; restoring electricity, which happened to be located in West Jerusalem, then occupied by the Israelis; and opening the Jerusalem-Bethlehem road. And yet, Mr. Eitan, when appealed to by the Conciliation Commission on Palestine to make a special arrangement for Jerusalem, replied to the Commission by saying: "Well, it is too early now to come to an agreement on this problem. Let us give more time to the General Assembly to discuss the issue". It was not us; we made a solemn declaration that the Holy Places would be accessible to adherents of all religious faiths, but the Israelis deliberately refused to make a similar solemn declaration because they did not want, and they still do not want, a single Palestinian Jerusalemite to return to his home—a

home built with his sweat and his savings—in West Jerusalem.

222. I hope that the members of the Council will take cognizance of what I have just stated.

223. The PRESIDENT (*interpretation from Russian*): The representative of Israel has asked to speak. Before calling on him, I should like to ask him whether he insists on speaking now, bearing in mind the lateness of the hour, or whether he could speak at our next meeting.

224. Mr. BLUM (Israel): Mr. President, I intend to speak for less than two minutes.

225. The PRESIDENT (*interpretation from Russian*): I call on the representative of Israel.

226. Mr. BLUM (Israel): I really hesitate to take issue with the representative of Jordan with regard to the proper name of his country. I have before me *The Middle East and North Africa 1981-1982* and I should like to quote a few lines from the entry on Jordan, on page 494:

“In September 1948 an Arab Government was formed at Gaza under Egyptian tutelage and this was answered from the Trans-Jordanian side by the proclamation in December in Jericho of Abdullah as King of all Palestine. In the following April”

—that is, April 1949—“the country’s name was changed to Jordan.”

227. Now, I have been startled all along by the constant attempt of the representative of Jordan to reject the characterization of his country as the Palestinian Arab State. He tries constantly to de-Palestinize his country. But it is not only a matter of puzzlement for me. I am afraid an element of *lèse-majesté* is also involved, for the representative of Jordan, which is the Palestinian Arab State, seems to be repudiating his own King. As recently as a fortnight ago in an interview with the Lebanese weekly *al-Nahar el-Arabi Wal-Duali*, King Hussein reiterated that: “The truth of the matter is that Palestine is Jordan and Jordan is Palestine.” That was reported in a news dispatch of the Arab Gulf News Agency of 28 December 1981—that is to say, last week.

The meeting rose at 7.25 p.m.

NOTES

¹ *Official Records of the Security Council, Fourth Year, Special Supplement No. 2.*

² Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

³ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

⁴ See *Official Records of the General Assembly, Fourth Session, Ad Hoc Political Committee, Annex*, vol. II, document A/927, annexes A and B.