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NOTE

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2324th MEETING

Held in New York on Friday, 8 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 America, Zaire.

Provisional agenda (S/Agenda/2324)

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.

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)

1. The PRESIDENT (*interpretation from Russian*): In accordance with decisions taken at previous meetings [2322nd and 2323rd meetings], I invite the representative of Israel and the representative of the Syrian Arab Republic to take places at the Council table. I invite the representatives of Afghanistan, Algeria, Bangladesh, Cuba, Democratic Yemen, the German Democratic Republic, India, Kuwait, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Morocco, Qatar, Saudi Arabia, Senegal, Sri Lanka, Sudan, Yemen and Yugoslavia to take the places reserved for them at the side of the Council chamber. 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. Blum (Israel) and Mr. El-Fattal (Syrian Arab Republic) took places at the Council table; Mr. Zarif (Afghanistan), Mr. Bedjaoui (Algeria), Mr. Kaiser (Bangladesh), Mr. Roa Kouri (Cuba), Mr. Ashtal (Democratic Yemen), Mr. Florin (German Democratic Republic), Mr. Krishnan (India), Mr. Abulhassan (Kuwait), Mr. Kittikhoun (Lao People's Democratic Republic), Mr. Burwin

(Libyan Arab Jamahiriya), Mr. Mrani Zentar (Morocco), Mr. Jamal (Qatar), Mr. Allagany (Saudi Arabia), Mr. Sarré (Senegal), Mr. De Silva (Sri Lanka), Mr. Abdalla (Sudan), Mr. Mubarez (Yemen) and Mr. Komatina (Yugoslavia) took the places reserved for them at the side of the Council chamber; Mr. Terzi (Palestine Liberation Organization) took the place reserved for him at the side of the Council chamber.

2. The PRESIDENT (*interpretation from Russian*): I should like to inform members of the Council that I have received letters from the representatives of Hungary, Iraq, Pakistan and the Ukrainian Soviet Socialist Republic 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. Rácz (Hungary), Mr. Al-Ali (Iraq), Mr. Mahmood (Pakistan) and Mr. Kravets (Ukrainian Soviet Socialist Republic) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from Russian*): I should like to draw the attention of the members of the Council to document S/14827, which contains the text of a letter dated 7 January from the representative of Benin to the Secretary-General.

4. The first speaker is the representative of Yemen. I invite him to take a place at the Council table and to make his statement.

5. Mr. MUBAREZ (Yemen): Allow me at the outset, Sir, to congratulate you on your assumption of the presidency of the Council for this month. I am certain that your wisdom and long experience will help the Council to shoulder its responsibilities as it should. I should also like to commend your predecessor, the representative of Uganda, for the excellent manner in which he guided the work of the Council last month.

6. I should like also to avail myself of this opportunity of addressing the Council to extend our sincere congratulations and very best wishes to the new Secretary-General, Mr. Javier Pérez de Cuéllar. Mr. Pérez de Cuéllar has already established a very

distinguished record of achievement in his previous capacity in the Organization and we feel confident that his skilled discernment and diplomatic qualities place him in an eminently prominent position to guide the United Nations in the pursuit of its noble goal of achieving peace and prosperity for mankind. We wish him well and assure him of our total support and co-operation.

7. The Council meets today to discuss what can be done to ensure Israel's compliance with Council resolution 497 (1981) concerning the occupied Syrian Golan Heights. Israel has been habitually rejecting United Nations resolutions on the question of Palestine and the Middle East for over 30 years, and this time is no exception. The Israeli representative wasted no time in rejecting that resolution outright, even before the ink on the document had dried.

8. I do not intend to deal at length with this issue, for the basic facts have been sufficiently explained by previous speakers and the Council has already put the Israeli decision to annex the occupied Golan Heights in its proper legal perspective. Members of the Council concurred, whether in statements made during the debate or through the resolution that was adopted thereafter, that Israel's decision is a blatant and open violation of the Charter of the United Nations and that the acquisition of territory by force is inadmissible under international law and a violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.¹ It furthermore constitutes a deviation from established international norms and ethics.

9. Although this resolution adopted by the Council caused concern to the Government of Israel at first, Tel Aviv rejected and defied it. The Israeli leaders were convinced that their allies and friends in the Council would not allow the Council to go beyond simply issuing the resolution. Israel has also learnt from several experiences that its friends, notably its ally the United States, might have to join the international consensus in denouncing Tel Aviv's adventures and its attacks on its neighbours but would not ultimately allow Israel to be punished, whatever its crime might be. Has not Washington continued to support Israel politically, economically and militarily, despite the latter's defiance of the Council resolution on Jerusalem [resolution 465 (1980)] to which the United States was a party? Have not certain other capitals continued their customary support of Israel despite their reservations on Israel's illegal actions and practices in the occupied Arab territories? Notwithstanding the dismay of Israel's friends and the protests of some of them over Israel's repeated incursions into Lebanon and its raid on the Iraqi peaceful nuclear reactor, Tel Aviv has continued to receive their unreserved and unlimited support.

10. Now there is the latest Council resolution which Israel has rejected and considered to be empty words.

Indeed, it will remain such unless the Council forces Israel to comply with its provisions. We hope that Israel's supporters will this time go beyond their narrow interests and join the international consensus to compel Tel Aviv to implement the provisions of the Council's resolution in the common interests of peace and legality.

11. Israel's decision to annex the occupied Syrian Golan Heights, after having already annexed Jerusalem, is another step towards the annexation of all occupied Arab territories. Many of those participating in this meeting have undoubtedly read about or heard the Zionist leaders reiterating the necessity of extending Israel's sovereignty over all occupied Arab lands. Israel's lust for expansion and colonization and its leaders' ambitions for domination and hegemony will be curbed only when the Arab nation mobilizes all its capabilities to defend its rights and existence and when the Council takes immediate deterrent measures in support of justice and the principles of the Charter.

12. The Government of the Yemen Arab Republic has expressed its condemnation of the recent Israeli aggression against Syria. It said in the official statement issued on 15 December 1981 by the Ministry of Foreign Affairs:

"The Government of the Yemen Arab Republic, while strongly denouncing the null action taken by the Zionist entity, affirms its firm and unreserved support for the Government of the Syrian Arab Republic".

The statement goes on to say that the Government of the Yemen Arab Republic

"appeals to the international public opinion represented by the United Nations to shoulder its responsibilities in regard to that Zionist step, which is a flagrant violation of international will and a total disregard for all norms and values".

13. The credibility of the Council and the effectiveness of the Organization are to a great extent contingent upon what action the Council adopts this time to ensure the implementation of its resolution. Even more important, the future of peace and security in the region at the present stage and perhaps in the foreseeable future depends on the results of these deliberations.

14. Israel's friends in the Council should remember that peace is indivisible and that securing a just peace in the Middle East is in the best interest of everyone. After all, respect for their interests in the area is possible only to the extent that they respect the inalienable rights of the Arab people.

15. The Council should assume the special responsibility entrusted to it by States Members of the Organ-

ization. It should address itself to the question of immediately imposing sanctions against Israel, in accordance with Chapter VII of the Charter. That is the only alternative if the law of the jungle, which the Zionist State has been pursuing in the area, is to be eliminated and if peace is to prevail in the Middle East area in the interests of the region and of the rest of the world.

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

17. Mr. TERZI (Palestine Liberation Organization): Sir, it is a privilege to be addressing the Council, on the specific issue of acquisition by force and annexation of territory, under your presidency. You represent a great nation, a nation which paid with the lives of more than 20 million innocent men, women and children to liberate its territory from the yoke of foreign domination. Thus, when we address this issue of occupation and annexation, you understand our plight because you do know. The knowledge is even more profound because the occupying Powers have the same militaristic expansionist and racist motives and aims. Your country succeeded in crushing the Fascists, but unfortunately the forces of racism, encouraged in particular by the Government of the United States, still finds breeding facilities to perpetrate their evil and criminal acts.

18. In particular, the Palestine Liberation Organization (PLO), on behalf of the Palestinian people, expresses its deep appreciation for the principled support—moral, political and concrete—that the Union of Soviet Socialist Republics gives to our cause and struggle to achieve a comprehensive and just peace in the Middle East through peace in Palestine.

19. The most recent visit to the USSR of the PLO delegation under the leadership of Chairman Arafat, and the warm, brotherly and comradely reception by the Soviet leadership led by President Brezhnev are concrete manifestations of the relationship between the PLO and the USSR.

20. To you personally, Sir, I wish to extend my congratulations on the assumption of the presidency of the Council for this month and to reiterate our confidence in your prudence and objectivity. I should like to thank you and, through you, all the members of the Council who joined in inviting the representative of the PLO to participate in the current debate.

21. To my friend Mr. Otunnu of Uganda I should like to express our admiration for his skills, clear vision and judiciousness, and especially for the dynamism with which he conducted the work of the Council in December.

22. I should like to extend to the Secretary-General, Mr. Javier Pérez de Cuéllar, a hearty welcome and

recall the words used by Chairman Arafat in welcoming his appointment:

“Your election and appointment is a victory of the will of the peoples of the third world struggling for its independence and economic and social development . . . We are certain that under your valiant leadership the United Nations will be faithful to its commitment towards peoples struggling against imperialism, zionism and racism, and for the free expression of its legitimate and inalienable rights.”

23. Mr. Kurt Waldheim, who has concluded his mandate as Secretary-General, merits our gratitude, not only for his talent, perseverance and skill, but because he proved, during his 10 years as Secretary-General, to be a champion and a friend of the Organization and its principles.

24. To the member who voiced his opposition to our participation, I can only repeat the words of James Reston:

“This administration is getting in trouble with its adversaries and its allies, not because its instincts are wrong but because it thinks it can make the world, at home and abroad, shape up to its desires.”

25. The Council, according to the approved agenda, is dealing with a specific and precise matter, namely, resolution 497 (1981) and the report of the Secretary-General [S/14821]. The Council is dealing precisely with Israel's decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights, as well as with Israel's non-acceptance—rejection—of a Security Council decision, Article 25 of the Charter of the United Nations notwithstanding. The Council has already decided that Israel's decision is null and void and without international legal effect.

26. In his report, the Secretary-General reproduces Israel's reply, dated 29 December 1981. Among other things, the reply admits that: “The Golan Heights Law—5742/1981 was enacted almost 15 years after the six-day war of June 1967” [*ibid.*, *par.* 3]. This is true—the law was enacted 15 years after the occupation. The question is whether the occupation of the Syrian Golan Heights in 1967 was accidental. Or was it the implementation of the Zionist plan and the concretization of the Zionist aggressive expansionist dreams?

27. In 1968 Arnold Toynbee wrote:

“There is widespread ignorance of the fact in the Western world and, above all, in the United States, the Western country which has had, and is still having, the greatest say in deciding Palestine's fate.”

My delegation believes that recalling the facts might help.

28. The Zionist Organization's memorandum to the Supreme Council at the Paris Peace Conference—document 18—was submitted on 3 February 1919. The boundaries of the territory demanded for the Zionist State were as follows:

"Starting on the north at a point on the Mediterranean Sea in the vicinity of Sidon and following the watersheds of the foothills of the Lebanon as far as Jisr El-Kara'on, then to El-Bire, following the dividing line between the two basins of the Wadi El-Korn and the Wadi El-Tiem, then in a southerly direction following the dividing line between the eastern and western slopes of the Hermon, to the vicinity west of Beit Jenn, then eastward following the northern watersheds of the Nahr Mughaniye, close to and west of the Hejaz railway.

"In the east, a line close to and west of the Hejaz railway terminating in the Gulf of Aqaba.

"In the south, a frontier to be agreed upon with the Egyptian Government. [It has been indicated that the southern border would extend from El-Arish in northern Sinai to Aqaba in the south.]

"In the west, the Mediterranean Sea."

This area, the Zionist memorandum stated,

"shall be placed under such political, administrative and economic conditions as will ensure the establishment therein of the Jewish national home and ultimately render possible the creation of an autonomous Jewish commonwealth."

29. I have here a copy of that map of 1919 which was the Zionist proposal for a Zionist State. I hope that somehow the Security Council will be able to have it as one of its documents. We shall try to find a way to have it distributed.

30. The boundaries shown on this map are actually less than those demanded as the boundaries of the "State for the Jews" as indicated in *Der Judenstaat* of 1896. Herzl then defined the boundaries as follows:

"The northern frontier is to be the mountains facing Cappadocia [in Turkey]; the southern, the Suez Canal. Our slogan shall be "The Palestine of David and Solomon'."

31. On another occasion, the area was described as: "from the Brook"—presumably meaning the Nile—"to the Euphrates".

32. On 29 October 1899, David Trietsch wrote to Theodor Herzl:

"I would suggest to you to come round in time to the 'Greater Palestine' programme before it is too late. . . . The Basle Programme must contain the

words 'Great Palestine' or 'Palestine and its neighbouring lands'—otherwise it's nonsense. You do not get the 10 million Jews into a land of 25,000 kilometres."

33. However, the extent of the area demanded by the Zionist delegation at the Paris Peace Conference was less than the Herzl plan. It comprises, in current terms, as indicated on the map, the whole of mandated Palestine; southern Lebanon, including the towns of Tyre and Sidon, the headwaters of the River Jordan on Mount Hermon and the southern portion of the Litani River; in Syria, the Golan Heights—and this is the theme and the subject of our discussion today—including the town of Kuneitra, the River Yarmuk and El-Himmeh Hot Springs; in Jordan, the whole of the Jordan Valley, the Dead Sea, and the eastern highlands up to the outskirts of Amman, running southwards along the Hejaz railway to the Gulf of Aqaba, leaving Jordan with no access to the sea; and in Egypt, from El-Arish on the Mediterranean in a straight southerly direction to the Gulf of Aqaba.

34. Thus, what the Council is dealing with is only one aspect, a derivative of the Zionist designs and plans. My delegation would have wished the Council to address the core of the conflict, namely, the question of Palestine, the future of the Palestinian people and territory, the case for peace: a comprehensive and just peace. But I must repeat: what the Council is addressing is the fate of the occupied Syrian Golan Heights, and precisely the fate of the Charter of the United Nations and its provisions.

35. The annexation of the occupied Syrian Golan Heights came as no surprise to us in the PLO. The Zionist designs are being realized, albeit systematically and slowly. First, there was a national home for the Jews in Palestine, which became a Jewish State in Palestine—a Jewish State in all of Palestine—and now the process has started for the Zionist State as submitted to the Paris Peace Conference in 1919.

36. The annexation of the Golan Heights, again, was no surprise: it figured clearly in paragraph 11 of the coalition platform—the coalition of the present Government in Tel Aviv. What was left for the Israeli Cabinet—or, rather, for the so-called democratically elected Prime Minister—was to decide on the timing for the grab.

37. Naturally, the Israeli Cabinet was aware that there would be international opposition. Begin is reported to have said that the United States would be compelled—and I stress the word "compelled"—to criticize the Golan laws in international forums but that Israel would be prepared for such an eventuality. Begin said that Israel had an account to settle with the United States over other matters and that that was one way of asserting Israel's independent political position. That is an odd way of settling accounts. Strange as it might seem, Begin and the entire Knesset

shied away from admitting that the annexation was in conformity with a plan designed in 1919 and a point in the platform of the coalition in Tel-Aviv.

38. Sometimes an action calls for humour and I wish here to applaud the cartoonist Bill Schorr for his cartoon reproduced in *Newsweek*, the issue of 4 January, which is captioned:

“This land is my land—their land is my land;
“From the River Jordan to the Heights of Golan;
“From the Sea of Galilee to the camps for refugees;
“This land was annexed by little me.”

Well, the crooner here is Begin. Little—yes, he is, if it were not for the billions of taxpayers' blank cheques in dollars donated by the United States of America to the Zionist armed forces to realize their expansionist dreams and aims.

39. How did the Government of the United States react to the annexation? Of course, not by immediate action, concrete action in accordance with the provisions of the Charter but, on the contrary, by delaying tactics: “Oh give that little me, that little boy, a chance; he is just out of hospital, possibly a nervous wreck and the Knesset will surely reconsider”. And Begin was just as sure that in time the world would forget. What is, in our opinion, very serious is the following statement of a State Department spokesman on 18 December 1981:

“We have stated that we do not recognize Israel's action, which we consider to be without international legal effect. In our view, their action is inconsistent with both the letter and the spirit of United Nations Security Council resolutions 242 (1967) and 338 (1973). We continue to believe that the final status of the Golan Heights can be determined only through negotiations between Syria and Israel, based on those two Security Council resolutions, 242 (1967) and 338 (1973).”

40. That statement was made subsequent to the unanimous adoption of resolution 497 (1981), in paragraph 3 of which the Council determined

“that all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ continue to apply to the Syrian territory occupied by Israel since June 1967”.

The resolution unanimously affirms the sovereignty of Syria over that territory. Yet the State Department spokesman maliciously attempted to change the status into “disputed territory” instead of “occupied territory” and thus prepare for a final status, through what are called “negotiations”, that will convert the Golan Heights into “Israeli territory”.

41. So Begin was right: the United States Government, after settling outstanding debts, will pay the

dividends. The spokesman of course added some sugar-coating to the pill by referring to postponing “discussions intended to implement the Memorandum of Understanding”, a memorandum on joint aggression and a memorandum which, we recall, was condemned by the international community. The postponement is, in fact, an excessive price for the sovereignty of Syria over its territory under occupation. The spokesman of the State Department prescribed negotiations between the victim and the aggressor at an unthinkable price.

42. The United States keeps talking about negotiations. Yet the Government of the United States is determined not to talk to or deal in any way with the principal party to the conflict in order to achieve peace. The United States Government is even opposed to hearing or listening to the PLO, the representative of the Palestinian people—the principal party. Is it lack of consistency or is it malice, or a determination to undercut and undermine all genuine endeavours to achieve peace?

43. Negotiations between Syria and Israel—negotiations on what? Israel occupies Syrian territory. Thus the first step should be termination of the Israeli occupation of sovereign Syrian territory. The sovereignty of States over their territory is not a bargaining chip. We can still recall the negotiations between Israel and another aggrieved State in the Middle East. The negotiations resulted in an arrangement. The same Begin declared, “the arrangement is based entirely on security for Israel”. The arrangement was not meant to achieve peace or to resolve the conflict or to restore the inalienable rights of the Palestinian people and bring to an end the miserable conditions of dispersion and statelessness. No, the arrangement was meant only to achieve security for Israel.

44. The occupation and annexation of the Syrian Golan Heights was determined more than 60 years ago, together with the seizure of other territory, as shown in the 1919 map. And there is absolutely no reason to believe that the Zionist movement has changed its designs and plans. It is a matter of time. The seizure of territory demands the evacuation of others: the indigenous population.

45. Again, let me recall some facts. The spiritual leader of the Zionist revisionist group, the group currently under the leadership of Begin, was a certain Jabotinsky and as far back as 1916 he “saw in the evacuation of the Arabs from Palestine the basic prerequisite for the implementation of zionism”. He proposed to implement zionism through the “iron wall of a Jewish armed force”. Thus the genesis of the conflict is not aggression in the classical sense but through a process of elimination of the indigenous population, a process bordering on genocide. A member of the same clan of Zionist revisionists, a certain United States citizen by the name of Meir Kahane, was more

explicit. He wrote: "They must go. How long can Israel survive its malignant and growing Arab population?"

46. One wonders: is it just the Zionist revisionists or all Zionists who preach the elimination of the Arabs? One Mr. Weitz of the colonization department of the Jewish Agency said in 1940, just at the time of the outbreak of the Hitlerite expansionist campaign, that "all Arabs should be transferred to the neighbouring countries. Not one village, not one tribe should be left"—an act of genocide.

47. Begin and his gang may suggest, for the purpose of the election campaign in Israel, integration and coexistence with the Palestinian Arabs. But his opponent, the "moderate" Peres, is enraged and loses control and tells the truth, namely, that "this is not our Zionist project. This is suggesting a binational State."

48. I am recalling all this to pinpoint the genesis of aggression in our area, and since the Syrian Golan Heights are an integral part of the Zionist territorial design, this should help some people to determine where and when aggression started and where it will lead to.

49. In a few words, the Zionist aggression will continue if it remains unchecked. The entire area indicated on the map will be seized and annexed, resulting in more bloodshed and more wars. For our part, we the Palestinian people, under the leadership of our sole and legitimate representative, the PLO, will not be accommodating. We will not be willing and acquiescing victims of a new racist genocide—a holocaust, if you will—perpetrated by the Zionists. We will not; instead, we will pursue our struggle by all means to survive and to regain our land and restore our rights. This we vow to go on doing unless and until the Security Council exercises the powers vested in it by the Charter and steps in to prevent a holocaust and an apocalypse and also to guarantee our survival and our rights.

50. In his report, the Secretary-General reproduced Israel's reply, in which, *inter alia*, Israel stated:

"The Government of Israel could not wait endlessly for Syria to begin to show political will to make peace and agree on secure boundaries. Israel cannot be expected to maintain indefinitely a military administration merely to accommodate Syria's interest in persistent conflict." [*ibid.*]

Well, that is fine. No one is asking Israel to maintain a military administration. On the contrary, the international community has been demanding from Israel full and unconditional withdrawal from these territories—and good riddance. There is a basic prerequisite for peace: just like love, it cannot be imposed; otherwise it would be rape, and rape is a crime.

51. To address the question of secure boundaries, no State can feel more secure by seizing the territory of

its neighbours. Israel will not be secure for as long as it pursues its policy of expansionism, for as long as it maintains its occupation of the territories it occupied by force and, definitely, for as long as it rejects and fails to comply with the will of the international community. The will of the international community has been precisely defined: total and unconditional withdrawal of Israel from all Palestinian and Arab territories occupied since 1967, including Jerusalem; and the attainment and free exercise by the Palestinian people of their inalienable rights in Palestine, including their right to return to their homes and property, their right to self-determination and their right to establish their own independent sovereign State.

52. Israel definitely and bluntly told the Council that it did not accept the Council's decision in resolution 497 (1981). Article 25 of the Charter reads as follows: "The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter." Those who do not carry out the decisions of the Council have no place among the Members of the United Nations—and out they go.

53. Those who join the United Nations enter into a contract—a binding contract—to the effect that they are bound by the provisions of the Charter. And if they say openly that they are not bound by those provisions, then there is no room for them here.

54. The Council cannot and should not content itself with only determining that Israel violated the principles of the Charter and the provisions of convention; the Council is called upon to take action—concrete action. The Charter does provide for such action. The application of the provisions in Articles 39 and 41 could help to maintain the credibility and the usefulness of the United Nations and, in so doing, the Council would be carrying out its responsibility to maintain international peace and security.

55. Before concluding, I wish merely to inform the Council that those who came to Palestine as aliens and who are now the rulers are apparently not aware that there used to be such a thing as Palestinian citizenship. I have here with me my so-called British passport—"Palestine". It says explicitly that I am a Palestinian citizen. I should like those who say that Palestine and Jordan are one and the same to know that for us Palestinians to go to Amman, we needed a visa for Transjordan. True, it cost us only a shilling, but we still needed a visa to go to Amman. So Palestine and Transjordan, which became the Hashemite Kingdom of Jordan, are two distinct entities, despite the fact that temporarily we had some sort of agreement after the Israeli aggression. I merely wanted those aliens who came to my country and took my home to know that we Palestinians did exist before they came.

56. The PRESIDENT (*interpretation from Russian*): The next speaker is the representative of Algeria.

I invite him to take a place at the Council table and to make his statement.

57. Mr. BEDJAOUI (Algeria) (*interpretation from French*): Mr. President, I should like first of all to express heartfelt congratulations on your assumption of the presidency of the Council for this month. I am all the more pleased to do so since you represent a country with which my own maintains relations of friendship and fruitful co-operation for the benefit of our peoples. Your vast knowledge of international affairs and your great experience guarantee that the Council will receive intelligent guidance in its consideration of the grave question before it today. I wish you full success in the exercise of your functions.

58. I should like also to pay a tribute—a very special tribute—to your predecessor, the representative of Uganda, Mr. Olara Otunnu, for the remarkable qualities he demonstrated in guiding the work of the Council last month, and to express my Government's gratitude to him. His competence, his skill and his dynamism have earned that worthy son of Africa the admiration and respect of all.

59. Lastly, I should like most warmly to welcome Mr. Javier Pérez de Cuéllar, who, in his new and lofty task as Secretary-General, will be placing at the service of the United Nations the probity, dedication and effectiveness so characteristic of him. Henceforth, as the first servant of peace, understanding, development and co-operation among nations, Mr. Pérez de Cuéllar can be assured of our support in the discharge of his weighty international responsibilities. His personal success will truly be that of the entire international community as well, and this makes our best wishes to him all the more heartfelt.

60. The meetings now being held by the Council—the very first of a year which we hope will be beneficial to international peace and security—remind us that under the skies of a Middle East afflicted by Zionist adventurism, uncertainty still reigns and intolerable violations of the very foundations of the United Nations are committed.

61. The situation created by the decision to annex the occupied Syrian Golan Heights is assuredly among those which bear witness to an unacceptable flouting of ethics and law and involve a serious threat to the security of the peoples of the region.

62. But this new misdeed is certainly not an isolated fact. For three decades now the policy of aggression to meet expansionist greed has doomed the entire region to instability and insecurity. This policy, built on the denial of the right of the Palestinian people to a freely decided national existence, leads, through concentric thrusts extending ever farther, to the occupation of territories by force and their illegal annexation. It continues through constant defiance of the international community and, first and foremost,

of the Organization, the authority of which it undermines.

63. This situation is well known to the Council. On many occasions the Council has been called upon to consider renewed outbreaks of aggressive force by the Zionist entity.

64. The decision to annex the Golan thus constitutes one more link in a chain of other equally serious initiatives of the same nature which the United Nations has solemnly declared invalid and unlawful.

65. We need not look back far in time. Let us merely look back to 1980, when the Zionist leaders implemented their policy of annexing occupied Arab territories through the promulgation of a text annexing the Holy City of Al-Quds.

66. By its brutality, by its wilful disdain for the condemnation of the international community, the decision to annex the Golan has appeared as a re-emergence yet again of everything the peoples of the United Nations have fought against by promoting, through the purposes and principles of the Charter, international relations based on law and justice. In fact, the very serious nature of this additional act of "legislative pricacy" which the decision to annex the Golan Heights constitutes prompted unfailing condemnation at the universal level.

67. The internationally illegal act which the Council is called upon today to condemn is crystal clear. A territory occupied by force, through aggression, is subjected to an annexationist measure. No Zionist reasonings can change that grave fact.

68. The condemnable act is among those whose radical illegality has been established by general international law, the Charter of the United Nations and previous Security Council decisions.

69. Such an act constitutes in fact a clear-cut violation of the purposes and principles of the Charter. The attack on the sovereignty and integrity of a Member State of the United Nations by such a measure is the very negation of international law, the parent and source of laws and obligations freely contracted. From this higher norm come universally accepted principles such as the inadmissibility of the acquisition of territory by force and its corollary, the principle of non-recognition of situations, particularly territorial gains, obtained by force.

70. Contrary as it is to general international law and the Charter, the act of annexing the Golan is at the same time, a violation of inviolable norms concerning the protection of civilian persons in time of armed conflict. Humanitarian law quite rightly concerns itself with the physical and moral integrity of a population temporarily under foreign domination and also the status of individuals, and recalls that it is normal for

the national legislation of a State whose territory is occupied to apply. What then can be said of the plight of Syrian citizens of the Golan when the only alternative they are left with is the choice between being uprooted and taking citizenship of the occupier?

71. The Council itself has analysed this situation since a considerable number of resolutions adopted unanimously concerning all the occupied territories reiterate, with remarkable consistency, a doctrine whose legal correctness and political coherence are unassailable. Let us mention among others—at random, I was going to say—resolution 465 (1980) in which the Council

“Determines that all measures taken . . . to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity”.

72. It is directly from this doctrine of the Council that we arrive at the position expressed by the latter in its resolution 497 (1981). Thus, the Council, reflecting the unanimity of the international community on the unlawfulness of the annexation measure, declared that act null and void and demanded that it should be rescinded forthwith. By that resolution, the Council made a demand and set a deadline. The unanimity with which that text was adopted and its imperative tone testify to a sense of resolve and determination to act. That deadline is now up. One question, and only one, arises in all simplicity: has resolution 497 (1981) been applied? Unfortunately, the answer is clearly and unequivocally: No.

73. That answer can be found first of all in the Zionist measures to implement the annexation decision which are being applied in contradiction of the demands of the Council. It can be found also in the loud statements of the Zionist leaders repeated in this very Council chamber the day before yesterday [2322nd meeting], when the extravagant thesis was put forward to justify annexation, founded, ironically enough, on texts based on the principle of the inadmissibility of the acquisition of territory by force. To justify annexation, texts are unwisely invoked that formally prohibit that very annexation.

74. That negative answer can be found also in the report of the Secretary-General [S/14821, para. 3] which clearly sets forth the fallacious position of the Zionist entity, which has placed before the Council its dissident concept of “peace capitulation”, a separate, piecemeal peace which buries the Palestinian problem, the core of the entire Middle East question. In this way the Zionist entity is attempting to push Syria to a choice between capitulation and the loss of part of its national territory. It is thus engaged in double blackmail: territorial blackmail of Syria and moral blackmail of the Security Council itself. In so doing, it is

rejecting resolution 497 (1981) and defying its author. This is a disdainful and outrageous response.

75. The Council must take note of this open rebellion against its authority. The situation is clear. Preceding annexations and the impenitent adventurism that underlay them clearly place the annexation measure regarding the Golan in its proper context, pointing out exactly this new defiance of the Council.

76. Unless the Council draws the necessary conclusions from the obstinacy of the Zionist entity in defying the United Nations, and unless it brings all its influence to bear to impose justice and the restoration of law, its reactions will have no dissuasive influence, now or in the future. We could then expect further annexation measures by the Zionists. They are easy to foresee.

77. Gloved condemnations carefully limited in scope, verbal condemnations never accompanied by dissuasive measures of any effectiveness, platonic appeals for co-operation addressed to leaders held in the sway of power—none can ever restrain designs that are admittedly hegemonic.

78. This is a serious moment indeed, for what would be the significance of a two-week deadline, a deadline solemnly set here, if today's meeting were to conclude without the adoption of richly deserved sanctions concerning such a clearly internationally illegal act and such open rebellion against international lawfulness? In its Chapter VII, the Charter of the United Nations contains provisions aimed at bringing about respect for law. The Council does not have the right to fail to use them. At stake is its credibility as well as peace in the region, perhaps even in the world at large.

79. For the peoples of the United Nations, who are looking to the Security Council, this meeting is a true test of exceptional significance.

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

81. Mr. KRISHNAN (India): The new year has begun with a number of changes.

82. First, the presidency of the Council has passed from an outstanding son of Africa to the representative of the USSR, a diplomat of high distinction, proven skill and wisdom. India and the Soviet Union enjoy close and cordial relations and it is therefore a matter of particular satisfaction to us that you, Sir, should be guiding the Council during the first month of the year.

83. Secondly, we have Mr. Javier Pérez de Cuéllar as the new Secretary-General. In unanimously electing

him, the world body has recognized his eminent personal qualities and abilities, the role played by Peru in world affairs and the aspirations of the non-aligned world. As my Minister for Foreign Affairs said in his message of congratulations to the new Secretary-General, we had watched with hope and admiration Mr. Pérez de Cuéllar's courageous and tireless efforts, as a distinguished representative of the Secretary-General, to bring about peace and stability in different troubled regions of the world. We are confident that he will bring the same dedication and skill to bear upon his new responsibilities. While wishing him success and greater achievements, I pledge the full co-operation of the Government and delegation of India. I should also like to take this opportunity to pay a tribute to his predecessor, Mr. Kurt Waldheim, for his devoted services over a whole decade to the Organization and to the cause of world peace and progress.

84. Thirdly, although the Council lost some of its valuable members at the end of 1981, it has been enriched by the addition of Guyana, Jordan, Poland, Togo and Zaire, countries with which India maintains close and friendly relations.

85. We are gratified to note that the Council has lost no time in the new year in meeting to consider the situation in the occupied Arab territories soon after the expiration of the date set by the Council for Israel to rescind its annexationist measures in the Syrian Golan Heights. The Council would have been spared the necessity of doing so if Israel had complied with the call made to it. But this was not to be; and it is a sad commentary on our times that this has not come as a surprise to any of us.

86. My delegation is grateful to have this opportunity of again addressing the Council on the question of the annexation of the Golan Heights by Israel. Barely three weeks ago [2317th meeting], I had the privilege of speaking to the Council to express India's full support for and solidarity with Syria and to underscore our concern over the deteriorating situation in West Asia. The universal indignation at Israel's most regrettable and inadmissible action in respect of the Golan Heights was fully demonstrated during the debate on the subject both in the General Assembly and in the Security Council. The unanimous adoption of resolution 497 (1981) rekindled the world's faith in the objectivity of the Council and its potential ability to safeguard international peace and security. The resolution categorically declared that Israel should rescind forthwith its annexationist measures in the Golan Heights, that the imposition of Israeli laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect, and that in the event of non-compliance by Israel the Council would urgently meet to consider taking appropriate measures in accordance with the Charter of the United Nations. It demonstrated that Israel stood alone—absolutely

alone and condemned—in its expansionist and annexationist policies. The world must have seen in that resolution a new ray of hope, a new reason for optimism.

87. The Council is now facing a greater challenge. Its resolution 497 (1981) remains not only unimplemented, but rejected and repudiated by Israel. The content and tone of Israel's statements since the adoption of the resolution show beyond any shadow of a doubt that Israel has no intention of honouring its obligations under the Charter. The arguments advanced by Israel in justification of the occupation and annexation of the Golan Heights carry no conviction because the history of Israel's policy of confrontation with its Arab neighbours, occupation by force of Arab territories and gradual annexation of foreign land is only too well known. The armistice régime between Syria and Israel was violated on several occasions by Israel, and the Council has rebuked it time and again for committing breaches of the peace in the region. Israel itself has acknowledged the status of the Golan Heights as an occupied territory, and its current efforts directed at a so-called normalization of the situation in the area have no justification whatsoever.

88. Israel has sought to argue, as it did last month before the Council, that the benefits of civilian laws and administration could not be delayed indefinitely for the inhabitants of the Golan Heights since its search for a peaceful settlement had met with no response. This is indeed a strange and perverse logic. Surely Israel does not believe—and does not expect the world to believe—that by consolidating its authority over the occupied territory it has brought peace to the Golan Heights or has enhanced the prospects of a settlement, even by its own lights. The people of the Golan Heights are entitled to Syrian laws and administration and can know no peace until that territory is returned to Syria. If Israel is indeed sincere in its solicitude for the welfare of the people of the Golan Heights, there is nothing to prevent it from joining in the search for a comprehensive, just and durable peace as defined and determined by the United Nations.

89. Discussion has taken place in the Council in the past few days on the definition of aggression and the reasons for the present state of affairs in West Asia. The responsibility for the prevailing tension and conflict in the area lies squarely with Israel. The fundamental fact to be noted is that Israel has deprived the Palestinian people of their fundamental rights and is in forceful military occupation of sizeable portions of Arab lands, including Jerusalem, taken during the 1967 war, which it unleashed on its neighbours of its own accord. Since then, Israel has defied every United Nations resolution, including those of the Council, which has demanded the vacating of Arab territories and the exercise by the Palestinian people of their inalienable right to establish a State in their own

homeland. Far from moving towards eventual withdrawal from the territories occupied by force and the establishment of peace with its neighbours, Israel has been engaged in the systematic depletion of the natural resources of the areas inhabited by the Arab population and in the establishment of Israeli settlements as a prelude to outright annexation. The action taken in respect of the Golan Heights is therefore simply a step taken by Israel in its ambitious programme of expansion. It is undoubtedly yet another act of aggression worthy of universal condemnation. It is by no means an action taken in self-defence, nor can it be justified as an invitation to negotiations.

90. The course of action before the Council in these circumstances is clear. Now is the time to consider the "appropriate measures" contemplated last month in the event of non-compliance by Israel with resolution 497 (1981). The explicit provisions for punitive action contained in the Charter must be invoked without delay or hesitation. The expectations raised by the adoption of resolution 497 (1981) have been so great that if the Council fails to take action at this juncture, it will be dealing a mortal blow to its own credibility. The principled position that Israel's traditional friends have taken in criticizing the latest act of aggression by Israel has earned them praise and admiration. The suspension by the United States of the strategic co-operation agreement—an agreement which could not but encourage Israeli intransigence—has been welcomed as a step in the right direction. We do hope that, acting in the same spirit of rectitude, the members of the Council will once again be unanimous in their decision to take appropriate measures under Chapter VII of the Charter to compel Israel to comply with resolution 497 (1981).

91. The Government of India has continued to watch the situation in West Asia closely in the last few weeks. Speaking to a group of Arab envoys who called on her last month to apprise her of the present situation there, the Prime Minister of India, Mrs. Indira Gandhi, assured them of India's continued and firm support of the Arab cause. India's Minister for Foreign Affairs said in the Indian Parliament on 17 December 1981 that Israel's annexationist policy with regard to the Syrian Golan Heights was "highly provocative and aggressive, being a policy of conquest and confrontation which will further aggravate the already tense and indeed volatile situation in West Asia". Indian leaders have been in touch with the leadership of Syria on that question recently. A few days ago, a parliamentary delegation led by the Honourable Speaker of the Indian Parliament was in Damascus, where our solidarity with the Government and people of Syria was reaffirmed. India and the other non-aligned countries have again called for sanctions against Israel. India stands ready to extend its full support to the measures that the United Nations must now take.

92. The PRESIDENT (*interpretation from Russian*): The next speaker is the representative of the Sudan.

I invite him to take a place at the Council table and to make his statement.

93. Mr. ABDALLA (Sudan): Mr. President, I should like to thank you and the members of the Council for giving my delegation the opportunity to participate in the deliberations on this important question. I should also like to congratulate you on your assumption of the presidency of the Council for this month. My congratulations go also to your predecessor, Mr. Otunnu, the representative of Uganda. As fellow Africans and friendly neighbours, we are particularly proud and gratified by the skilful and able manner in which he presided over the work of the Council at a time when significant and delicate issues were dealt with.

94. We take this opportunity to congratulate the new members of the Council and also to welcome the new Secretary-General, Mr. Javier Pérez de Cuéllar, and wish him every success in his onerous task. We wish the outgoing Secretary-General, Mr. Kurt Waldheim, all success in his future endeavours.

95. Our deep concern over the issue now before the Council was expressed in a statement issued by the Ministry of Foreign Affairs on 14 December 1981, in which the Government of the Democratic Republic of the Sudan stated its strong condemnation and categorical rejection of the Israeli illegal decision to annex the Syrian Golan Heights and called upon the Council to address itself to this serious act of aggression, which threatens international peace and security. We are gratified that the Council acted promptly by unanimously adopting resolution 497 (1981), in which it reiterated the principle of the inadmissibility of acquisition of territory by force. The Council declared that the Israeli decision to impose Israeli laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect. The Council appropriately demanded that Israel should rescind that illegal decision forthwith. Immediately following the adoption of the resolution [2319th meeting], the representative of Israel informed this body of his Government's non-acceptance of and non-compliance with that resolution. Now the Council is meeting in accordance with paragraph 4 of that resolution.

96. The non-compliance of Israel with resolution 497 (1981) is a surprise to no one. Numerous resolutions have been adopted by the Council and by the General Assembly and have been consistently and defiantly rejected and disregarded by Israel. All these resolutions are still unimplemented and will remain so as long as the Council does not exercise its defined role in the maintenance of peace and the suppression of aggression.

97. In his note of 29 December 1981 addressed to the Secretary-General [S/14821, para. 3], the representative of Israel, in an attempt to justify his Government's decision to annex the Syrian Golan Heights

and its non-compliance with resolution 497 (1981), stated:

"In the view of the Government of Israel, recent Syrian acts and declarations have made it urgently necessary to bring to an end the anomalous situation regarding the Golan Heights. The Government of Israel could not wait endlessly for Syria to begin to show political will to make peace and agree on secure boundaries".

98. What kind of logic is it that makes annexation of another sovereign State's territory a correction of an anomalous situation? How can annexation be a way of normalizing a situation in an occupied territory? What kind of peace could a victim of aggression agree to talk about when he is gradually being devoured by the aggressor?

99. The only peace Israel is ready for is apparently peace on Israeli terms. This can never be the just, comprehensive and lasting peace that the Council and the General Assembly are calling for. Israel cannot talk of peace while every day it is planting serious obstacles to peace. For the last 15 years, the General Assembly, the Council and the international community have intensified efforts to achieve a lasting peace in the Middle East. These efforts have consistently been frustrated by Israeli attitudes and policies. The Israeli illegal decision to annex the occupied Syrian Golan Heights is yet another serious impediment to the search for peace in the region. It is time that the Council realized that Israel must be held responsible for undermining international efforts to establish a just, comprehensive and lasting peace. We therefore maintain that unless the Council pronounces itself clearly and firmly on the issue before it, Israel will be encouraged to create by its irresponsible policies more obstacles on the road to peace. We fear that it will not be long before the Council convenes to consider the annexation by Israel of the West Bank and Gaza. The Council has to realize that expansion, and not peace, is the ultimate objective and the main motive of Israel.

100. The apprehensions we have expressed are reinforced when we look at the records of the Council and when we review its many resolutions in which it has denounced and condemned Israel and called upon it to respect the Charter of the United Nations and to abide by its resolutions and decisions. One indeed wonders why stronger and more effective action was not taken earlier against Israel. The kind of serious violations of the Charter and international law that have been perpetrated by Israel are unparalleled in recent history. These violations include acts of aggression against Arab countries, occupation of Arab territories, bombardment of civilian centres, violation of the airspace of two Arab countries to bomb an Iraqi nuclear research centre, planting of illegal settlements on occupied territories—the list is indeed endless. Above all, Israel persists in denying the

Palestinian people their inalienable rights: the right to self-determination, the right to return to their homes and the right to establish their independent State. The list of Israeli lawless acts is now crowned by the annexation of the occupied Syrian Golan Heights, and this, for sure, is not the last Israeli crime in the area.

101. It should therefore be understandable why we are deeply alarmed and concerned at the failure of the Council to act in the effective and urgent fashion that would put an end to the unparalleled and lawless Israeli conduct. We are alarmed not only because the Golan Heights is Arab territory, or because of the principles involved, but also because of the serious implications any inaction on the part of the Council will have on the conduct of international relations.

102. If this latest Israeli violation of the Charter goes unpunished, a dangerous precedent will be set, and many small and weak countries will justifiably feel insecure in a lawless international system characterized by the frequency of aggression, occupation and annexation of territory. Moreover, inaction will affect the credibility and standing of the Charter of the United Nations, and will certainly jeopardize the effectiveness of General Assembly resolution 3314 (XXIX) of the Definition of Aggression, a resolution that was painstakingly negotiated. For those reasons, we strongly urge that the members of the Council bear these serious implications in mind when considering what action the Council should take.

103. My delegation holds the belief that one of the fundamental purposes of the United Nations is to maintain international peace and security and to take effective and collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace. The Council, in accordance with Article 39 of the Charter, is to determine the existence of any threat to the peace, breach of the peace or act of aggression and is entitled to make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

104. It has been clearly elucidated by those who have spoken before me that the Israeli act of annexation of the Syrian Golan Heights is a clear act of aggression under the provisions of Article 39 of the Charter, as well as General Assembly resolution 3314 (XXIX). The Security Council is therefore called upon strongly to condemn Israel for its failure to implement its resolution 497 (1981) and General Assembly resolution 36/226 B of 1981. It is also incumbent upon the Council to determine that Israeli measures in the occupied Syrian Golan Heights constitute an act of aggression under the provisions of Article 39 of the Charter and General Assembly resolution 3314 (XXIX). The Council should thereafter take the appropriate measures under Chapter VII of the Charter to oblige Israel to restore all occupied Syrian territories to the full sovereignty of the Syrian Arab Republic.

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

106. Mr. KOMATINA (Yugoslavia): I should like to congratulate you, Sir, on your assumption of the post of President of the Council for the month of January. My pleasure in doing so is all the greater since Yugoslavia and the Union of Soviet Socialist Republics develop relations of close co-operation. Your proven and confirmed diplomatic skill and political experience are a guarantee that this body will successfully consider this very important and acute issue on its agenda.

107. At the same time, I should like to pay a tribute to your predecessor, Mr. Olara Otunnu of Uganda, for the highly successful manner in which he conducted the work of the Council last month.

108. I should also like to congratulate Mr. Javier Pérez de Cuéllar on his election to and assumption of the high post of Secretary-General. My pleasure is all the greater since he is a citizen of non-aligned Peru, a country with which Yugoslavia maintains relations of traditional friendship and co-operation. His diplomatic experience and political statesmanship are ample guarantees of his successful performance of this highly important duty. The Yugoslav delegation will render all possible assistance to the Secretary-General, making its contribution to the work and activities of the United Nations.

109. May I also take this opportunity to pay a tribute, Mr. Secretary-General, to your predecessor, Mr. Kurt Waldheim, for his outstanding contribution to the strengthening of the role of the United Nations.

110. I should like also to congratulate the new members—Guyana, Jordan, Poland, Togo and Zaire—on their election to the Council and to wish them full success.

111. My delegation participated in the previous series of meetings of the Council devoted to the issue now before the Council. In its statement of 17 December 1981 [2318th meeting], it described the decision of the Israeli Government to annex the Golan Heights as an extremely dangerous act; a one-sided change of status of that part of the occupied Arab territory, which not only is contrary to international law and to numerous United Nations decisions, but also threatens to lead us irrevocably away from the road to a peaceful solution of the Middle East crisis on a just and lasting basis.

112. The representative of the Federal Secretariat for Foreign Affairs of Yugoslavia, in a statement of 17 December 1981, energetically condemned this decision as "an act of overt aggression against the Syrian Arab Republic", and as "a flagrant violation

of the basic principles of the Charter of the United Nations and provisions of international law, which gravely endangers peace and security in the region and in the world as a whole". The representative of the Federal Secretariat expressed the deep concern of the Yugoslav Government and underlined that "the international community must undertake energetic measures in order to prevent aggressive Israeli actions". In that connection, the indispensability of undertaking measures necessary to protect the sovereign rights of Syria and other Arab States in the occupied territories was expressed.

113. On this occasion, I am speaking in order to underline once again that by annexing the Golan Heights Israel committed a grave and dangerous act which will have unforeseeable negative consequences on the situation in the Middle East and on wider international relations as well. What is at stake here is the perpetuation of the policy of expansion and the annexation of foreign territory by force, of which it is difficult—if not impossible—to find an example in contemporary history. By this act of the gravest violation of the territorial integrity of a sovereign country, the basic principles of modern international relations and international norms—the essence of which is the very respect for the sovereignty and territorial integrity of States—were trampled underfoot.

114. In addition, it is a serious blow to all constructive efforts for the peaceful solution of the Middle East crisis, which can be based only on the withdrawal of Israel from all Arab territories occupied in the 1967 war, including the Golan Heights and Jerusalem, as well as the realization of the national right of the Palestinian people to the establishment of an independent State, with the PLO participating on an equal footing in the process leading to peace.

115. We consider it indispensable to point out once again on this occasion the role of the Security Council, that is, of the United Nations as a whole, in maintaining peace and in protecting the independence, security and territorial integrity of all countries, above all small and weak ones.

116. I should like to stress particularly that for us the right of all countries to independence, security, territorial integrity and sovereignty and to free national and social development is an inalienable right and an indivisible principle of international relations. That means that a violation of that right, wherever it occurs and whoever commits it, is the concern of all countries and peoples as well as of the world community as a whole. That is an unchangeable principle of the policy of non-alignment and of the Charter of the United Nations, to which Yugoslavia consistently adheres.

117. We therefore expect that the Council will react in accordance with the gravity of the situation and that it will undertake energetic action leading to the annul-

ment of the Israeli decision concerning the annexation, thus securing the sovereign rights of Syria on the Golan Heights, by using all the measures at its disposal on the basis of the Charter, including certainly the provisions under Chapter VII. The violation of the sovereignty and territorial integrity of one country by aggression, occupation and then annexation cannot but be described as a threat to peace. It is even more of a threat given Israel's disregarding of the last, unanimously adopted, decision of the Council on the annulment of the annexation.

118. If the Council does not find the right response to the situation created, we shall all feel endangered, since the premise of stable international relations, on which everybody's security is based, will be jeopardized. For that reason the Council should avoid, by not giving an appropriate answer, doing anything which would even temporarily and indirectly legitimize the practice of *faits accomplis* created by force.

119. This is a case not only of solidarity with Syria but of the need for solidarity in the defence of general as well as of individual interests, expressed first of all in the maintenance of peace and security. That can be achieved only through guaranteeing the independence, sovereignty and territorial integrity of all countries, irrespective of their dimensions, social system or geographical position. That is why Israeli aggression must be prevented—and that is possible only by the prompt and energetic action of the Security Council.

120. Yugoslavia has always advocated urgent United Nations action in arresting the policy of force and opposing intervention, expansion and aggression and it will support every measure undertaken to that end.

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

122. Mr. MUNTASSER (Libyan Arab Jamahiriya): First of all, Sir, I should like to congratulate you on your assumption of the presidency of the Council for the current month. Your skilled guidance and outstanding qualities are a guarantee that the Council will take a stand commensurate with the importance of the matter under consideration. I wish also to commend the honourable position your country has maintained in supporting the Arab cause.

123. I should also like to pay a special tribute to your predecessor, Mr. Otunnu of Uganda, for the remarkable way in which he directed the work of the Council during the month of December. As an African, I am very proud of him.

124. It also gives me great pleasure to welcome, in the name of my delegation, the new Secretary-General, Mr. Pérez de Cuéllar, whose administrative and political abilities are well known, and to wish him all success in his noble task.

125. As was expected, and in accordance with Israel's constant habit, Israel has not abided by the resolutions of the United Nations. It has disdained for a long period of time hundreds of United Nations resolutions, particularly those of the Security Council, the latest of which is resolution 497 (1981).

126. Israel would not have dared to do so had it not been for its certainty and for the assurances given to it that the Council would not be capable of deterring it or of imposing sanctions upon it. It remains totally certain that Israel would not have dared to carry out this aggression, to turn its back on the international community and the United Nations and to ignore the resolutions of the General Assembly and the Security Council had it not been for the total support of and the alliance extended to it by the United States of America.

127. The annexation of the Golan Heights might have come as a surprise to some people but the truth is that it came as no surprise to those who know the true nature of Israel and its aggressive, expansionist intentions. It is an entity established on aggression: the expulsion of the indigenous inhabitants and the occupation of their land. Its pronouncements of peace mean nothing but its own peace and the capitulation of others. Its pronouncements about secure borders mean striking at all positions that can stand up to, resist and confront the Israeli acts of aggression, whose aim is to eliminate any possibility of resistance or even of construction and development in the Arab countries, so that those countries may remain at the mercy of the entity created by the colonialist Powers and adopted by the United States as a tool and extension of its aggression against the Arab nation. The material, military, political and economic support which makes of Israel an American State, with priority over everything, even over the United States itself, makes the United States a partner of Israel in any act of aggression it commits, despite any air of innocence and surprise that the United States may assume.

128. Unless that entity is faced with a firm and strong position world-wide, it will lead to a breakdown in the concepts on which international peace and security are based. Unless the world, having today seen this clear evidence of Israel's intentions and aims, stands firm and united against it, that entity will become a destructive danger to human civilization in that part of the world.

129. The response of the representative of Israel, contained in the report of the Secretary-General [S/14821, para. 3], is full of distortions and is simply an insult to the intelligence of the members of the international community. He tries to explain and justify the annexation of the Golan Heights by providing a pretext that reveals the Israeli mentality, which seeks the imposition of surrender and domination. He says, "Syria has repeatedly rejected Israeli offers to negotiate peace" [*ibid.*]. With that as its justification,

Israel therefore annexed the Golan Heights in retaliation for Syria's refusal to surrender. That is Israeli logic.

130. In another part of his note, the representative of Israel speaks about aggression. Naturally, I do not imagine that he is dealing with the concept of aggression as defined in General Assembly resolution 3314 (XXIX). There must be another concept of aggression in the view of the Israeli representative.

131. The Israeli representative's answer to the Secretary-General's note reveals that Israel refuses to comply with Council resolution 497 (1981). Under paragraph 4 of that resolution, the Council resolved that in the event of non-compliance by Israel the Council would meet to consider taking appropriate measures in accordance with the Charter of the United Nations.

132. There is no alternative before the Council to meet this challenge on the part of Israel but the application of Chapter VII of the Charter, particularly Article 41, because Israel has refused to comply with the Council's resolution 497 (1981). The measures taken by Israel in the Syrian Arab Golan region constitute an act of aggression according to Article 39 of the Charter and General Assembly resolution 3314 (XXIX) concerning the definition of aggression.

133. On the basis of the preceding facts, my country's delegation calls upon the Council to fulfil the obligations entrusted to it by the Charter and to adopt a resolution to punish Israel for its non-compliance with and refusal to implement resolutions of the United Nations, particularly Security Council resolution 497 (1981).

134. Above all, all Member States should be committed to the implementation of the resolution in accordance with Article 25 of the Charter. Reference to this should be contained in the Council's resolution.

135. We hope that the Council will play the proper role entrusted to it by the Charter and, in accordance with Article 24, shoulder its primary responsibility of maintaining international peace and security.

136. Unless the Council can deter Israeli aggression and violation of the Charter, international peace and security will be in grave danger, particularly in the Middle East region.

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

138. Mr. MAHMOOD (Pakistan): Sir, I should like to congratulate you on your assumption of the important office of the presidency of the Council for the month of January. We are sure that, with your great

experience and outstanding diplomatic skill, you will be able to guide the Council's proceedings this month with success. I should also like to express our sincere appreciation to your predecessor, Mr. Olara Otunnu of Uganda, who guided the work of the Council last month with great distinction.

139. May I also take this opportunity to extend our warm welcome to the new Secretary-General, Mr. Javier Pérez de Cuéllar. We have great admiration for his eminent qualities as a diplomat, his vast experience in international affairs and his dedication to the noble objectives of the United Nations. We are convinced that under his leadership the United Nations will continue to make advances in carrying out its responsibilities as the primary world organization for peace.

140. I should like to avail myself of this opportunity to express once again our feelings of deep respect and appreciation to the outgoing Secretary-General, Mr. Kurt Waldheim, for his outstanding contribution to the cause of international peace during his eventful tenure as head of the Organization, spanning a decade.

141. On behalf of the Pakistan delegation, I wish to extend our warm congratulations to Guyana, Jordan, Poland, Togo and Zaire on their election to this esteemed Council and also express our appreciation to the outgoing members, the German Democratic Republic, Mexico, Niger, the Philippines and Tunisia, for their valuable contribution to the fulfilment of the important tasks before the Council.

142. Monday, 14 December 1981, marked another grave step in the Israeli expansionist policies in the Middle East, as on that day Israel decided to impose its laws, jurisdiction and administration in the occupied Arab territory of the Golan Heights. The international community was once again outraged at this illegal Israeli action and condemned it in the strongest terms. The position of Pakistan in this regard was expressed in an official statement by the Minister for Foreign Affairs of Pakistan on 15 December, in which he strongly condemned the Israeli move of annexing the occupied Golan Heights and stated that this was yet another example of Israeli expansionist policies and Israel's total disregard of international law and contempt for world opinion. We also had the opportunity to reiterate our position in the Council debate on 17 December [2318th meeting].

143. The Council, which was immediately seized of the matter, unanimously adopted resolution 497 (1981), which declared the Israeli decision in respect of the Golan Heights as "null and void and without international legal effect". The Council further demanded that Israel should "rescind forthwith its decision".

144. As was expected, Israel, persisting in its lawlessness and defiance of international public opinion,

once again refused with impunity to implement a Council resolution. Instead, it has advanced untenable arguments to justify its illegal annexation of the Golan Heights, which is in clear violation of the Charter of the United Nations, the principles of international law, in particular those contained in the fourth Geneva Convention of 1949,¹ and the several resolutions of the Security Council, particularly resolutions 242 (1967) and 338 (1973), which affirm the inadmissibility of acquisition of territory by force. Nothing can alter the fact that the Golan Heights are under illegal Israeli occupation and it is imperative that this occupied territory be restored to Syria.

145. The Israeli action is the latest of a series of illegal measures taken by Israel to strengthen its stranglehold over the Arab and Palestinian territories occupied since 1967, including the Holy City of Jerusalem. It is relentlessly pursuing its expansionist design for a "Greater Israel", despite repeated Council resolutions which have determined that measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian Arab territories occupied since 1967, including Jerusalem, have no legal validity.

146. Indeed, over the years Israel has been emboldened in its aggression and intransigence. It has arrogated to itself the right to act unilaterally and at will regardless of any principles of international law or consideration of peace. Its unprovoked attack on the peaceful nuclear reactor near Baghdad, its brutal military raids against Lebanon and the reign of terror let loose against the Palestinian and Arab inhabitants of the occupied territories are glaring evidence of its increasing rapacity and expansionism.

147. The international community cannot acquiesce in the lawless behaviour of Israel. The latest Israeli action to annex the Golan Heights, unless it is reversed, is fraught with grave implications for international peace and security and for world order based on the Charter of the United Nations. It constitutes a most serious challenge to the prospects of peace and stability in the Middle East.

148. At this stage, when Israel has contemptuously defied the Council's demands to rescind its illegal annexation, the Council is faced with the heavy responsibility for the maintenance of peace, which is gravely threatened by the criminal Israeli actions. The fact of Israel's non-compliance with Council resolution 497 (1981) is clearly established and the Council is now required to adopt appropriate measures under the Charter. A repetition of condemnation of the aggressor will not suffice. What is required of the Council is meaningful and determined action to ensure compliance by Israel with its decisions. This calls for nothing less than the application of mandatory sanctions under Chapter VII of the Charter to compel Israel to put an end to its policies of relentless aggres-

sion and expansion. Furthermore, the moral support so often extended to the people and Governments victim of Israeli expansionist policies needs to be reinforced by effective measures for the realization of their just cause. The Council cannot do less if it is to demonstrate its determination not to accept the right of conquest in international relations.

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

150. Mr. KRAVETS (Ukrainian Soviet Socialist Republic) (*interpretation from Russian*): Mr President, the delegation of the Ukrainian Soviet Socialist Republic is extremely grateful to you and to the members of the Council for the opportunity afforded us to take part in the work of the Council on such an important and acute problem as the situation in the occupied Arab territories.

151. I should first of all like to congratulate you—the representative of the Union of Soviet Socialist Republics, a country whose tireless efforts in the cause of peace and international security have won the most widespread understanding and support—on your assumption of the presidency of the Council. We are convinced that under your skilful leadership the Council will successfully conclude its work on the tasks facing it.

152. We should like to express our deep admiration at the great mastery and competence with which your predecessor, the representative of Uganda, Mr. Otunnu, conducted the proceedings of the Council.

153. We should also like to express our warm congratulations to Mr. Pérez de Cuéllar on his appointment to the post of Secretary-General.

154. On 17 December, that is, three weeks ago, the Council vigorously condemned yet one more outrageous act of aggression by Israel and unanimously adopted a resolution [*resolution 497 (1981)*] stipulating 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 demanding that Israel, the occupying Power, should rescind forthwith its decision. On the same day, the General Assembly adopted a resolution [*resolution 36/226 B*], against which only Israel and the United States voted, categorically condemning the stubborn pursuance by Israel of the policy of annexation and demanding that it rescind forthwith its decision regarding the Golan Heights, describing it as a flagrant violation of all relevant principles of international law. The General Assembly, on behalf of the Members of the United Nations, requested the Security Council, in case Israel failed to comply with that resolution, to apply against it the provisions of Chapter VII of the Charter of the United Nations.

155. Today the world community expects from the Council decisive action and concrete measures so as to call the unbridled aggressor to account. It may well be asked: how long is Israel going to defy the will of the international community so arrogantly and refuse to comply with the demands unanimously approved by the Security Council in its resolution addressed directly to it? It is as if the solemn undertaking assumed by Israel when it became a Member of the United Nations to comply with the provisions of the Charter of the United Nations is for Israel nothing but an empty and meaningless utterance. There has been an endless number of provocative aggressive acts by Israel; many hundreds of millions of members of the various religious faiths have for centuries considered Jerusalem to be their Holy City, but by hundreds of votes the Knesset declared that holy place the single, indivisible capital of Israel. Iraq, in its attempt to develop its economy, was trying to build a scientific atomic research centre, but the bosses in Tel Aviv did not find that to their taste and they destroyed it barbarously. The Israeli political and military brass, without giving it a second thought, gave the order for the destructive bombing of the capital of Lebanon, dealing death to hundreds of peaceful citizens, including women and children. This was followed by one more naked act of banditry, the annexation of the Golan Heights. The leaders of Israel do not even attempt to conceal their annexationist plans with regard to the West Bank of the River Jordan and the Gaza Strip, which have been occupied since 1967.

156. How long is all this going to go on? How much longer is the patience of the international community going to be tried in this way? There is no doubt that the policy of brigandage pursued by Israel and its aggressive raids against the Arab peoples have been made possible because it receives comprehensive support and indeed the blessing of its powerful strategic ally, the United States of America—and all this is carried out within the framework of separate deals and agreements. United States imperialism has chosen Israel as its main instrument for the implementation of its plans for establishing political, economic and military domination in the Middle East and has declared that region a sphere of its vital interests.

157. But no one is taken in by the attempts of the leaders of the United States verbally to dissociate

themselves from the extreme conduct of their friend and ally. The "punitive measures" taken against Israel by the United States represent, rather—as is shown by the facts—measures which serve to encourage it to engage in further acts of aggression and arbitrariness with regard to the Arab peoples. The *Christian Science Monitor*, commenting on the forthcoming trip of the United States Secretary of State, Mr. Haig, to Israel and Egypt, wrote on 6 January this year that:*

"The United States is intensifying its efforts to repair damaged relations with Israel . . . At stake for the Israelis, among other things, could be a \$300 million increase in the loans for fiscal year 1983 now under consideration within the Administration."

That is what the punishment of Israel, American style, actually amounts to.

158. The Ukrainian people, like all Soviet peoples, vigorously condemn the expansionist and aggressive policy of Israel and the United States policy of connivance with the aggressor. Our sympathy and support are whole-heartedly on the side of Syria and the just cause of the other Arab peoples, including the people of Palestine.

159. On the basis of this position of principle, we unreservedly support the provisions of Council resolution 497 (1981). In our opinion, since Israel has cynically repudiated this resolution, the next step can only be the adoption of binding sanctions against Israel in accordance with Chapter VII of the Charter of the United Nations.

160. We trust that this time the Council will carry out its mandate in accordance with the Charter.

The meeting rose at 6.15 p.m.

NOTE

¹ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

* Quoted in English by the speaker.

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