

UNITED NATIONS



SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-SEVENTH YEAR

2330th MEETING: 28 JANUARY 1982

NEW YORK

CONTENTS

	<i>Page</i>
Provisional agenda (S/Agenda/2330)	1
Statement by the President	1
Adoption of the agenda	1
The situation in the occupied Arab territories:	
(a) Resolution 497 (1981);	
(b) Report of the Secretary-General (S/14821)	1

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.

2330th MEETING

Held in New York on Thursday, 28 January 1982, at 11 a.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/2330)

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 11.45 a.m.

Statement by the President

1. The PRESIDENT (*interpretation from Russian*): I should like, at the very outset of this meeting, to extend, on behalf of the members of the Council, a very warm welcome to the new representative of France, Mr. Luc de la Barre de Nanteuil. We look forward to working closely with him and assure him of our full co-operation.

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)

2. The PRESIDENT (*interpretation from Russian*): In accordance with decisions taken at previous meetings [2322nd to 2325th and 2327th and 2328th 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, Bulgaria, Burundi, Cuba, Czechoslovakia, Democratic Yemen, the German Democratic Republic, Greece, Grenada, Hungary, India, Indonesia, Iraq, Kuwait, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Mauritania, Mongolia, Morocco, Nicaragua, Oman, Pakistan, Portugal, Qatar, Saudi Arabia, Senegal, Sri Lanka, the Sudan, the Ukrainian

Soviet Socialist Republic, the United Arab Emirates, Viet Nam, 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. Tsvetkov (Bulgaria), Mr. Bwakira (Burundi), Mr. López Del Amo (Cuba), Mr. Suja (Czechoslovakia), Mr. Ashtal (Democratic Yemen), Mr. Florin (German Democratic Republic), Mr. Ghikas (Greece), Mr. Taylor (Grenada), Mr. Rácz (Hungary), Mr. Krishnan (India), Mr. Djatal (Indonesia), Mr. Al-Ali (Iraq), Mr. Abulhassan (Kuwait), Mr. Kittikhoun (Lao People's Democratic Republic), Mr. Muntasser (Libyan Arab Jamahiriya), Mr. Ould Sid'Ahmed (Mauritania), Mr. Dashtseren (Mongolia), Mr. Mrani Zentar (Morocco), Mr. Bendaña Rodríguez (Nicaragua), Mr. Sulaiman (Oman), Mr. Naik (Pakistan), Mr. Medina (Portugal), Mr. Jamal (Qatar), Mr. Allagany (Saudi Arabia), Mr. Sarré (Senegal), Mr. Fonseka (Sri Lanka), Mr. Abdalla (Sudan), Mr. Kravets (Ukrainian Soviet Socialist Republic), Mr. Al-Qasimi (United Arab Emirates), Mr. Ha Van Lau (Viet Nam), 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.

3. The PRESIDENT (*interpretation from Russian*): Members of the Council have before them document S/14848, which contains the text of a draft resolution sponsored by Jordan.

4. I should like to draw the attention of members of the Council to document S/14849, which contains the text of a note verbale dated 25 January from the Mission of Cuba to the President of the Council.

5. Mr. NUSEIBEH (Jordan): It gives me great pleasure at the outset to extend a sincere welcome to the new representative of a permanent member of the Council, a distinguished diplomat and statesman, Mr. Luc de la Barre de Nanteuil of France, a country with which Jordan is proud traditionally to have very warm relations. The Council will benefit greatly from his wisdom and from France's rational, objective and knowledgeable appraisals of world issues.

6. On 20 January 1982 [2329th meeting], the Council convened to continue its deliberations on the item on its agenda entitled "The situation in the occupied Arab territories: (a) Resolution 497 (1981); (b) Report of the Secretary-General (S/14821)". At the same meeting, the Council voted on the draft resolution submitted under this agenda [S/14832/Rev.1]. Regrettably and in consequence of a negative vote by one permanent member, the United States of America, there occurred a lack of unanimity among the Council's permanent members which prevented the Council from exercising its primary responsibility for the maintenance of international peace and security. Hence, draft resolution S/14848 of 26 January has been presented by Jordan to the Council. The operative paragraph of that draft resolution reads:

"Decides to call an emergency special session of the General Assembly to examine the question contained in document S/Agenda/2329/Rev.1".

7. The draft resolution is as self-explanatory as it is impelling in our common efforts towards the preservation of international peace and security. It is likewise of universal concern since it impinges on the security and sovereign independence of every Member State of the United Nations. The outright annexation by the reckless Israeli occupying authorities of an integral part of the Syrian Arab Republic, a sovereign independent State, tears to shreds the basic tenets of the Charter of the United Nations in which mankind has placed so many of its hopes and aspirations for survival, collective security and a rational international order based on the innermost core of the Charter. Because of Israel's adamant and publicly declared refusal to heed Council resolution 497 (1981), unanimously adopted on 17 December 1981, which demanded that Israel, the occupying Power, rescind forthwith its decision, Member States find themselves compelled to consider the item which affects them all and to decide what appropriate measures to take to restore and maintain international peace and security.

8. Mr. President, since the item has been discussed at length over the past month and a half, I request that the draft resolution before us today, contained in document S/14848 of 26 January 1982, be put to the vote.

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

10. Mr. BLUM (Israel): Mr. President, at the outset I should like to associate myself with your words of welcome to the new representative of France, Mr. Luc de la Barre de Nanteuil.

11. I should like also, on behalf of the Government of Israel, to express our very best wishes to the Governments of Italy and the United States, as well as to the family of General James Dozier, on the rescue of

General Dozier. This marks an important development in the struggle of the forces of law and decency against international terrorism. The people of Israel, who, together with the Jewish people around the world, have been singled out as one of the major targets of international terrorism, are gratified that the determination to stand up to this scourge of our time has been so dramatically rewarded.

12. Council has before it the Jordanian draft resolution, contained in document S/14848, which requests the convening by the Council of an emergency special session of the General Assembly.

13. As members of the Council will recall, at its 105th meeting, on 18 December 1981, the thirty-sixth session of the General Assembly was suspended and is due to resume at a date or dates to be announced. The thirty-sixth session is thus still in progress and has not been concluded. What is more, its agenda includes the matter under discussion here and it has already adopted a resolution [*resolution 36/226 B*], which was mentioned in the preamble of the Jordanian draft resolution [S/14832], that failed to be adopted in the Council last week. Incidentally, that General Assembly resolution too was adopted in violation of the Charter of the United Nations, more specifically of Article 12, paragraph 1, thereof, as I had already occasion to point out at the 103rd meeting of the General Assembly on 17 December 1981.¹

14. In these circumstances, the question arises as to whether there is any need and whether it would be proper for an emergency special session to be convened simultaneously with the existing regular session. In addressing himself to this question of principle, the President of the General Assembly at the time of the first emergency special session pointed out that the overlapping of an emergency special session with a regular session

"would be contrary to the provisions for the convening of emergency special sessions, which are held solely because the General Assembly is not in regular session. Those who drew up the provisions for emergency meetings certainly did not intend that such meetings should be held when the General Assembly was in regular session and hence fully capable of dealing with the items before it."²

15. The legal opinion of the Secretariat of the United Nations of 25 August 1967, published in the United Nations *Juridical Yearbook* for 1967,³ also relied on the view that

"holding simultaneous sessions would be contrary to the basic purpose of emergency special sessions, as a device for speedily convening the Assembly when it is not already in session."

16. It is thus evident that there is no basis now for convening an emergency special session even if one

were to assume that an emergency situation does exist. The rules of procedure of the General Assembly certainly would not prevent any further discussion of that item by the regular session of the General Assembly if so decided by the required majority.

17. We know that the enemies of Israel, in indulging their obsession with my country, ride roughshod over the Charter, the rules of procedure and the elementary norms of parliamentary and diplomatic propriety. Given the arithmetical situation in the Organization, there is very little to stop them from this.

18. It is also evident that the Soviet bloc and its satellites and adjuncts again find it convenient to exploit the Arab fixation with Israel in order to deflect attention from the real threats to international peace and security around the world and in particular from the steadily deteriorating situation in Poland which, in the real world, has been the major source of international concern in recent weeks. In their desire to divert attention from Poland and other trouble spots around the world where Soviet involvement, direct and indirect, is so obvious, these countries have abused the Council by staging a procession of speakers on the Golan issue in recent weeks. They are now determined to abuse in a similar fashion the General Assembly by manipulating the device of emergency special sessions in order to create an artificial atmosphere of false emergency. Little does it matter to them that the device of emergency special sessions is rooted in General Assembly resolution 377 A (V), which was violently denounced and rejected by the Soviet Union and its supporters at the time of its adoption.

19. The sponsors of the draft resolution which is before the Council do not take the trouble to maintain even a semblance of propriety. In requesting an emergency special session they could have been expected to behave as if they believed that an emergency situation existed. One would have expected them to submit their request immediately after the Jordanian draft resolution failed of adoption in the Council last week. Instead, it took them a whole week and more for "consultations" on a variety of questions related to their phoney emergency including the question as to the exact timing at which their contrived emergency would become so urgent as to require this extraordinary abuse of the United Nations procedure.

20. It is futile to expect the Arab enemies of Israel to be swayed by any of these arguments. It is equally futile to expect the Soviet Union and its supporters in the Council to be influenced by considerations of legality and propriety. But it should not be too much to expect fair-minded States represented on the Council to withhold their support for such a cynical abuse and perversion of the emergency mechanism provided for under rule 8 of the rules of procedure of the General Assembly.

21. The PRESIDENT (*interpretation from Russian*): It is my understanding that the Council is now

ready to proceed to vote on the draft resolution which is before it. Unless I hear any objection, I shall now put it to the vote. There being no objection, it is so decided.

22. I now put to the vote the draft resolution contained in document S/14848.

A vote was taken by show of hands.

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

Against: None.

Abstaining: United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 13 votes to none, with 2 abstentions [resolution 500 (1982)].

23. The PRESIDENT (*interpretation from Russian*): I shall now call on those members of the Council who wish to make statements after the vote.

24. Mr. LICHENSTEIN (United States of America): First, I should like to associate myself with the remarks already made and with the warm welcome extended to the new representative of the Government of France to the United Nations and in the Council. My country looks to France and all its representatives as exemplars of the rule of reason in human affairs.

25. I should also like to thank the representative of Israel for having commented on the near-miraculous rescue of General Dozier. We look to him, his Government and the people of Israel as exemplars of the principle of not merely enduring in the face of terrorism in all its forms but, indeed, of prevailing. I thank him on behalf of the Dozier family and the people of the United States.

26. The United States could not support the resolution which is before us. Certainly the members of the Council deserve to know and, we hope, to understand the grounds for our abstention.

27. My Government has made clear its view of the action by Israel that was the effective cause of the Council's concern with the Golan issue in the first instance. Resolution 497 (1981) stands as the United Nations consensus position on this issue. In December and again in January there has been ample opportunity for debate and discussion and deliberation in United Nations forums. No practical purpose and, more important, no productive purpose can possibly be served by yet another debate in an emergency special session of the General Assembly.

28. We fear that such a debate will almost certainly be an exercise in futility. We fear it will issue in more and more inflammatory invective. We fear the cause of

peace will in no way be advanced. Worse, the prospects for peace in the Middle East—fragile at best—will, in our judgement, be diminished. A third round of debates will make the process of unconditional negotiation between the parties to conflict in the region less, rather than more, likely and recourse to the framework of resolutions 242 (1967) and 338 (1973) more, rather than less, difficult.

29. We fear that, instead of serving as an instrument of conflict resolution, the uniquely valuable forum of the United Nations will once again be made an instrument of conflict extension and conflict exacerbation.

30. My Government is gripped neither by a hopeless idealism nor by the absence of all hope. The problems of conflict in the Middle East are immensely difficult and, it sometimes seems, unyielding. Yet the process of good-faith negotiation and of reconciliation has begun. It has worked and it still is working.

31. We ask whether the vote being recorded today will in fact advance the purposes of the United Nations and the Charter. Is it our purpose in this body to contribute affirmatively to the containment and resolution of conflict, or to extend and deepen and exacerbate conflict? Are we to engage in hate-filled polemics or in the long, arduous search for peace?

32. Sir Anthony PARSONS (United Kingdom): First, I should like, on my own behalf and on behalf of my whole delegation, to express a very, very warm welcome to our new colleague from France. Our two delegations have worked extremely closely together during my time here and that of my old friend and colleague, Jacques Leprette, and I am fully convinced that this co-operation will continue under his most distinguished successor.

33. My delegation abstained in the vote on the draft resolution just adopted. I could rehearse legal arguments about the appropriateness or otherwise of holding emergency special sessions or special sessions while the regular session of the General Assembly is still in being, but I shall not. My delegation is concerned more with substance than with procedure. We are not convinced that to proceed immediately to a further discussion of the issue in the General Assembly will help to achieve the objective, which we share, of getting Israel to rescind its decision and to refrain from any similar action in the future. We fully agree on the seriousness of the matter. We have made plain both our deep concern at and strong condemnation of the Israeli decision. But, as I explained to the Council on 20 January [2329th meeting], we continue to believe that it can deal most effectively with the problem by seeking to build on its earlier unanimity as expressed in resolution 497 (1981). We should, therefore, prefer to see the Council make a further effort to reach agreement on a resolution which it could adopt. My Government remains willing to work

constructively with other members of the Council for such an outcome.

34. Mr. de la BARRE de NANTEUIL (France) (*interpretation from French*): Mr. President, I should like first to thank you for the words of welcome that you have extended to me on your behalf and on behalf of the Council. I am naturally deeply grateful and I am well aware of how important it is to represent one's country in the Council. Since a number of speakers have expressed words of welcome to me and, through me, words of friendship for my country, I should like to thank each of them briefly.

35. The representative of Jordan spoke about the friendly and warm relations of his country with mine. I should like to use the same terms in thanking him. The representative of Israel expressed kind words to me and, through me, to my Government and, on behalf of my Government, I should like to thank him also. The representative of the United States even extended his praise to the policies of the French Government and to the entire French diplomatic corps, if I understood him correctly, and the representative of the United Kingdom praised my predecessor who, at the same time, is my successor. I should like to thank each member for having used such kind words.

36. I should like to turn now to the explanation of our position. France holds the United Nations and its principal organs, in particular the Security Council and the General Assembly, in great respect, as we have indicated on many occasions. We consider that the decision taken by Israel to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is a particularly serious matter which deserves to be placed before the appropriate bodies of the Organization. It seems proper to us that the interested parties should be allowed to put their positions forward in those various bodies. In voting for the procedural decision set forth in the draft resolution prepared by the non-aligned members of the Security Council, we wish to express clearly our agreement to the holding of a far-ranging debate in the General Assembly on the question of the Golan. The French Government is prepared to reiterate its position in the course of that debate. In so doing, it will adhere to the principle which it consistently maintains in all forums, irrespective of the parties involved.

37. The French Government is prepared to join in appropriate measures designed to express the fact that the aforesaid Israeli law is null and void and to draw all the consequences in the relations of Member States with Israel as regards the occupied Syrian Golan. But it cannot support provisions which contravene the rules of competence which apply to the Security Council and the General Assembly as set forth in the Charter of the United Nations.

38. The French Government will oppose, in particular, any draft resolution of the General Assembly

involving sanctions. It reserves the right to evaluate the drafts which will be examined by the Assembly in emergency special session, in the light of those principles.

39. The PRESIDENT (*interpretation from Russian*): I call on the representative of Poland, who has asked to speak in exercise of the right of reply.

40. Mr. WYZNER (Poland): Mr. President, I should like first to associate myself with your warm welcome to our new colleague, the representative of France, Mr. Luc de la Barre de Nanteuil. We hope to cooperate closely with him in the months to come.

41. The representative of Israel has once again engaged in his well-known diversionary tactics, mentioning in that context the name of my country. While firmly rejecting his totally unfounded utterances, I shall not dwell further on that matter, which was clearly intended by the representative of Israel to divert the attention of the Council from the serious and important question which is on its agenda.

42. The PRESIDENT (*interpretation from Russian*): The representative of Israel has asked to speak. I call on him.

43. Mr. BLUM (Israel): The circumstances that impelled the representative of Poland to make his statement are well understood by all of us and therefore need no reply on my part.

44. The PRESIDENT (*interpretation from Russian*): There are no more speakers on my list. Accordingly, the Security Council has concluded the present stage of consideration of the item on the agenda.

The meeting rose at 12.20 p.m.

NOTES

¹ *Official Records of the General Assembly, Thirty-sixth Session, Plenary Meetings*, 103rd meeting, para. 327.

² *Ibid.*, *First Emergency Special Session, Plenary Meetings and Annexes*, 572nd meeting, para. 28.

³ United Nations publication, Sales No. E.69.V.2, p. 324, para. 18.

كيفية الحصول على منشورات الأمم المتحدة

يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم. استلم عنها من المكتبة التي تتعامل معها أو اكتب إلى : الأمم المتحدة، قسم البيع في نيويورك أو في جنيف.

如何购取联合国出版物

联合国出版物在全世界各地的书店和经销处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.
