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2399th MEETING

Held in New York on Monday, 4 October 1982, at 4 p.m.

President: Mr. Hazem NUSEIBEH (Jordan).

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/2399)

1. Adoption of the agenda
2. The situation between Iran and Iraq:
Letter dated 1 October 1982 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/15443)

The meeting was called to order at 5.40 p.m.

Expression of welcome to the Minister for Foreign Affairs of Panama

1. The PRESIDENT: I should like to acknowledge the presence at the Council table of the Minister for Foreign Affairs of Panama, Mr. Juan José Amado, to whom, on behalf of the Council, I extend a warm welcome.

Expression of thanks to the retiring President

2. The PRESIDENT: I should like to pay a tribute, on behalf of the Council, to Mr. Masahiro Nisibori, representative of Japan, President of the Council for the month of September, for the great diplomatic skill with which he guided the Council's work last month—and, I would add, for his superb patience. I am sure I speak for all of us in expressing to him deep appreciation.

Adoption of the agenda

The agenda was adopted.

The situation between Iran and Iraq:

Letter dated 1 October 1982 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/15443)

3. The PRESIDENT: I should like to inform members of the Council that I have received letters from

the representatives of Iraq and Morocco in which they request to be invited to participate in the discussion of the item on the Council's 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. Hammadi (Iraq) took a place at the Council table; Mr. Boucetta (Morocco) took the place reserved for him at the side of the Council chamber.

4. The PRESIDENT: The Council is meeting today in response to the letter dated 1 October 1982 from the representative of Iraq addressed to the President of the Council [S/15443].

5. Members of the Council have before them document S/15293, which contains the report of the Secretary-General submitted in pursuance of paragraph 3 of Security Council resolution 514 (1982).

6. The first speaker is the Minister for Foreign Affairs of Iraq, Mr. Saadoon Hammadi. I welcome him and invite him to make his statement.

7. Mr. HAMMADI (Iraq): Mr. President, I should like to extend to you and to the members of the Council my profound gratitude for having acted promptly on Iraq's request to convene this urgent meeting of the Council. The swift manner with which the Council acceded to our request is a positive indication of its high sense of responsibility and dedication to its important tasks.

8. Today more than ever, peace and security in our sensitive region are in grave danger. The Iranian aggression against my country has been going on for a little over two years. But we are not the only target: the whole Arabian peninsula is, and particularly the Arab Gulf region. Should the Council fail to deal with the situation swiftly and effectively, the consequences for international peace and security would be far reaching.

9. When the Council took up this question in the autumn of 1980, I exposed in detail [2250th meeting] the facts of the Iranian aggression launched against Iraq on 4 September of that year. At that time, I emphasized at the outset that the problem was neither new nor simple and that it was necessary for us to take

a hard look at the problem in its proper perspective if a viable solution were to be found. I pointed out that, on the basis of our experience throughout a considerable period of history, we have become convinced that the successive régimes in Iran, regardless of their form or colour, have considered Iraq and the Arab Gulf region as their sphere of influence and domination. Expansionism was a central objective, for the achievement of which policies were conceived, depending on the circumstances. A detailed historical account is not called for. It is sufficient to say that the Iranian vision of power and domination has not changed. During the régime of the Shah, their banner was "the policeman of the region". Now, under Khomeini, it is "the export of the revolution".

10. Be that as it may, we in Iraq, especially since our independence, have always striven to coexist with Iran, regardless of the tremendous injuries inflicted upon us. We are neighbours and we have shared cultural, religious and humanitarian ties with the Iranian peoples. This goes as well for the present régime—which we welcomed, despite its allegations to the contrary.

11. Our persistent efforts to establish normal and co-operative relations with it were unfortunately met with a negative response. A few months after he had assumed power in Iran, Khomeini started the export of his so-called Islamic revolution to Iraq and the Arab Gulf region. Acts of Iranian hostility ranged from fanatic and sectarian propaganda to fomenting civilian strife through subversion, sabotage and terrorism, from violations of international obligations binding upon Iran in almost all spheres of bilateral relations to the use of armed force across frontier lines, which culminated in the imposition of total war. The factual details of all these acts have already, as I have said, been placed on the records of the Council and, I should add, those of numerous other forums. It is highly significant to recall now, however, the fact that Iraq has never ceased to pursue peace in the form of a just and honourable settlement.

12. When I last spoke in the Council on 12 July 1982 [2383rd meeting], after the unanimous adoption of resolution 514 (1982), I explained to the Council in detail our initiatives for peace from 28 September 1980 [see S/14203] to 30 June 1982, on which date we completed the withdrawal of our forces from Iranian territories to the international frontiers.¹ Our position, which is to seek a peaceful, just and honourable settlement of the conflict with Iran, has not changed. The members of the Council are aware of the fact that we have accepted the Council's resolutions 479 (1980) and 514 (1982) and that we are ready to cease firing and immediately end all military operations. We have withdrawn our forces from Iran. We have agreed to negotiate with Iran directly on all the issues pertaining to the conflict. We have also accepted arbitration by the Council, the Movement of Non-Aligned Countries or the Organization of the Islamic Conference [see

S/15196, annex]. It will also be recalled that I expressed before the Council the sincere hope that the Iranians would soon respond favourably to the call of reason and put an end to their policy of prolonging the war. I also pledged our full co-operation with the Council in order to achieve a just and honourable settlement. Despite all this, the attitude of the Iranian Government was negative.

13. We learn from the report of the Secretary-General [S/15293] that resolution 514 (1982) was transmitted to the Iranian Government immediately after its adoption. From that report and the reply of the Iranian Government [S/15292, annex], we find that Iran took no wiser course than to insult the Council, telling it what its responsibilities were and dissociating itself from any action taken by the Council. This was done under the pretext that the Council has so far given its disguised support to the country that Iran alleges is the aggressor. Thus the Iranian Government stands on an equal footing with the Zionist entity in rejecting co-operation with the Council and refusing to abide by its resolutions. The Iranian Government should be made aware that misquoting the Charter of the United Nations, as it did in connection with Article 24, offers it no refuge when it violates the Charter. In that article, Member States conferred on the Council primary responsibility for the maintenance of international peace and security and agreed that in carrying out its duties the Council acts on their behalf. In the discharge of these duties the Council shall act in accordance with the purposes and principles of the United Nations, through the specific powers granted to it in the manner laid down in Chapters VI, VII, VIII and XII of the Charter. Resolutions 479 (1980) and 514 (1982) fall squarely within this framework, and the Iranian rejection of their terms is a grave violation of the Charter. Moreover, the Iranian Government should also be reminded of the explicit agreement of Member States in Article 25 "to accept and carry out" the decisions of the Council in accordance with the Charter. Its rejection of the Council's resolutions, therefore, is another grave violation of the Charter for which it is accountable.

14. I should like also to refer to another significant fact regarding the position of the Iranian Government. That Government announced, as soon as Iraq commenced the withdrawal of its forces from Iranian territories, that our undertaking was a lie and part of an imperialist plot.

15. It is well known to the Council that on the day following the adoption of resolution 514 (1982), the Iranian forces launched a large-scale armed attack against Iraqi territory in the area east of Basra. Between that date and 29 July, four similar attacks were carried out in the same area and with the same intensity. The details relating to these armed attacks have already been reported to the Council [S/15387]. The armed attack which took place early last Friday came in the Sumar sector near the Iraqi town of Mendeli.

It was followed by three more. All those armed attacks were mounted in a desperate attempt to cross the international frontier, invade Iraq and set up a new régime in the country. All those attempts failed miserably, and the same fate awaits all those that may follow, for our people will continue to defend every inch of their homeland.

16. It is important to remember in this connection that the Iranian Government continues to allege that our forces still occupy parts of Iran's territory. In so doing, it attempts to put forward a pretext for continuing the fighting.

17. I should like to reaffirm strongly before the Council that our forces have withdrawn completely to the international frontiers. Iraq is so sure of the legality of its position that, as I have indicated, it is ready to accept the arbitration of the Council. Would the Iranian régime accept the same?

18. It is not difficult to comprehend the internal reasons which prompt the Iranian régime to continue the war against my country. The crux of the matter is Khomeini's schemes to export his so-called Islamic revolution, for as far back as 21 March 1980 he declared, in a statement delivered by his son on his behalf:

"We must do our utmost to export our revolution to the other parts of the world and renounce the concept of keeping the revolution within our boundaries."

19. But what is the Islamic revolution? In answering this question I do not mean to interfere in Iranian internal affairs. What the Iranians set up in their own country is their own affair. But when they seek to impose the same on us we are undoubtedly entitled to express our opinion.

20. To comprehend the meaning of this so-called Islamic revolution, the best source to go to is Khomeini himself. In his book *Wilayat-ul-Faqih*, which contains a set of lectures he delivered to students of religion at Al-Najaf, in Iraq, in 1969-1970, Khomeini argues for the need for Islamic unity, a concept which he relates to the very nature which the political organization of the Islamic State should take. According to Khomeini's conception, colonialism is responsible for the division of the Islamic world into countries, into nations, hence nationalism is a by-product of colonialism. All the Islamic States are perceived as lacking in independence, since the very phenomenon of multistatehood in Islam is colonial. As for the Governments, they are agents of colonialism, since they incarnate the notion of division, and, accordingly, all Islamic Governments should be brought down in order to achieve the formation of one Islamic State governed by the Islamic Government. The Islamic Government works under the authority of the *faqih* or Jurist. All owe to the Jurist the duty of obedience, for he receives his authority from God, not from a

temporal being such as the people. The rule of the Jurist is divine, and the role of the clergy under him is to run the administration of affairs of society in accordance with his instructions.

21. That is the ideological background against which Khomeini set up his Islamic Republic when he gained power in Iran 10 years later. The Constitution of the Islamic Republic of Iran states in article 5 that the authority and the leadership of the nation shall be vested in a jurist. As to who this person is, article 107 of the Constitution states that when all the conditions laid down in article 5 which are known and accepted by the majority of the people are fulfilled, as they now are in the person of the Great Ayatollah Imam Khomeini, the source of tradition and the leader of the revolution, authority and all responsibilities shall be vested in this leader.

22. The Islamic Republic of Iran is considered by Khomeini as the point of departure for the achievement of Islamic unity and, accordingly, it is in divine duty bound to expand its authority over other Islamic nations in order to constitute the Islamic State. The Islamic Republic is conceived as the founding base of the Islamic revolution and so occupies the position of leadership. What emanates from it should be obeyed by all other Islamic States. Now, what is left of the principles of sovereignty, independence, territorial integrity and non-interference in internal affairs in that framework of thought? Khomeini's ideology obviously seeks to nullify all those basic principles of the Charter and of international law and behaviour.

23. Furthermore, according to Mr. Bani Sadr, who until last year was the President of Iran and its chief negotiator in the peace talks then undertaken, the *coup* that deposed him was a manoeuvre by the mullahs to prevent peace at a time when Iraq was prepared to withdraw its troops. He said that the prospect of a well-organized Iranian military force returning from the borders to the cities was too threatening for the régime, and he claimed that Ayatollah Khomeini had launched his attacks against Iraq last July to, among other things, "finish off the army". Mr. Bani Sadr made those comments in an interview published in the *International Herald Tribune* of 4 August 1982.

24. The so-called Iranian Islamic revolution has created its own vocabulary of violence. It has popularized terms designed to make murder a religious duty and consequently opened the door for official terrorism internally as well as abroad. Prejudice and sectarianism have been fanned with great zeal, and as a result, ethnic and religious minorities have suffered their share of violence and discrimination. The blood-letting has known no limits as to sex or age. All this is being perpetrated in the name of Islam. There is no greater sacrilege against our compassionate and merciful religion.

25. It is quite clear that the Iranian régime is continuing the war against Iraq without any justification.

Iran stands alone in this policy, drawing sympathy and pleasure from none except Israel, for reasons that are well known. It is evident that there is an international consensus to end this war, whether in the United Nations, amongst the non-aligned countries or in the Organization of the Islamic Conference. Iraq is part of that consensus. Deep alarm and concern are felt by the overwhelming majority of the members of the international community. In the Arab world, deep pain is felt at the continuation of the war. The Iranian régime should fully understand the implications of confronting the Arab countries with its policies of aggression and territorial expansion, now more than ever before. During the Twelfth Arab Summit Conference, held at Fez, Morocco, from 6 to 9 September 1981, the Arab countries affirmed their desire to live in peace and good-neighbourliness with their neighbours. But, at the same time, they declared their obligation to defend all the Arab territories, considering any aggression on any Arab country as aggression against the Arab countries as a whole [see S/15510, annex].

26. This is the fourth time that I have spoken before the Council on the armed conflict between Iran and my country. A senseless and tragic war was forced upon us. We had no choice but to respond by defending our legitimate rights, without neglecting the pursuit of peace.

27. On this occasion, I should like to close on a note of thanks to the Council for the understanding it has shown regarding our grievances in this case. Similarly, we appreciate and are grateful for the manner with which the Secretary-General has performed his tasks in the interests of peace. To everyone here, we reiterate our pledge of co-operation to achieve a just and honourable settlement.

28. We fully understand the adverse implications for international peace and security which would result from the continuation of this conflict. The problem the Council has to face does not lie with us. In order to prevent further deterioration of peace and security in our sensitive region, we feel that it will be imperative for the Council to take effective measures against the party that rejects peace. We pray that this will not be necessary.

29. The PRESIDENT: The next speaker is the Minister of State in charge of Foreign Affairs of Morocco, Mr. Mohamed Boucetta. I welcome him and invite him to take a place at the Council table and to make his statement.

30. Mr. BOUCETTA (Morocco) (*interpretation from French*): First, Mr. President, I should like to convey to you and the other members of the Council my gratitude for the opportunity to speak here today, both on behalf of my country, the Kingdom of Morocco, and on behalf of my brothers the heads of Arab delegations, on a matter which is of particular impor-

ance both to our countries and to the entire international community, since it jeopardizes international peace and security.

31. It would be remiss of me to neglect this opportunity to welcome you personally, Sir, to the presidency of the Council at a time when it is considering so important a matter, because it is for us at once a source of satisfaction and a guarantee of success that our discussions will be directed by a person of your adroitness, diplomatic experience and authority, who at the same time comes from a brother country with which we have extremely close and healthy relations.

32. In the two years that this serious conflict between Iraq and Iran has lasted, the international community in general and the Arab and Moslem countries, those in the region in particular, have been following its development with deep sorrow and justified concern.

33. Indeed, the lethal skirmishes and destructive confrontations have continued to alarm us, particularly since we fail to see either the need for them or that they are inevitable in the settlement of the dispute between those two neighbouring Moslem countries, for in our opinion the dispute is wholly within the purview of classic diplomacy if both countries show equal good-will and a sincere desire for peace and pursue it with the same diligence.

34. Yet what do we find today? Bitter battles, ever larger numbers of victims, ever greater destruction, despite the fact that the Council, which has been seized of this crisis several times, had clearly realized both the futility and the potential danger the prolongation of such confrontations bears for the entire region and had reminded both parties of the need to respect the principles of the Charter of the United Nations in such circumstances, while advocating an appropriate process for the immediate and peaceful settlement of the dispute underlying the conflict.

35. Thus, on 28 September 1980, the Council unanimously adopted resolution 479 (1980), the purpose of which was precisely to prevent the conflict from spreading and worsening, which unfortunately it did do as the months passed.

36. During the month of July 1982, at a time when conditions seemed to augur well for a swift settlement of the conflict on the basis of the principles of the United Nations, the Council held a very serious meeting [2383rd meeting] which fully reflected the concern of all States Members of the Organization, and adopted resolution 514 (1982), in which the Council calls upon both parties, in pressing terms, to observe an immediate cease-fire; to withdraw all forces to internationally recognized boundaries, and to cooperate within the framework of the intensive measures being undertaken through the Secretary-General.

37. That resolution, which was unanimously adopted, was welcomed by Iraq, which thus gave laudable evidence of good-will. As the Secretary-General stated in his report to the Council dated 15 July [S/15293], the Foreign Minister of Iraq had informed him that the Government of Iraq was prepared to co-operate with him in the implementation of resolution 514 (1982).

38. Unfortunately, in that same report the Secretary-General was unable to mention any such encouraging attitude on the part of the other party to the conflict, to our earnest and sincere regret.

39. In this connection, I should like to pay a tribute to the other very praiseworthy attempts at mediation that have been made—those of the Secretary-General through his representative, Mr. Palme, those of the Non-Aligned Movement, and, in particular, those undertaken by the Peace Committee of the Islamic Conference. This last, which was a very high-level body presided over by a respected African Head of State, President Ahmed Sékou Touré, paid visits to the leaders of the two countries to urge the need for an immediate peaceful settlement based on both the decisions of the Islamic Conference, founded on the principles and precepts of peace and brotherhood inherent in the Islamic faith that closely unites the two peoples, and the purposes and principles of the Charter of the United Nations, which we all loyally support.

40. After having paid a further tribute to the members of the Islamic Peace Committee for their devotion to the cause of peace, I should like to reaffirm the urgent desire of our community to see both parties respond equally and with the same peaceful determination and the same good faith to the generous offers of peace and reconciliation that have been extended to them by various international bodies and, in particular, by the Council.

41. In this context, the unilateral Iraqi cease-fire declaration [see S/15196, annex] is a responsible act of courage and an invaluable contribution to the international efforts to foster peace.

42. During the Twelfth Arab Summit Meeting, held recently at Fez, the Arab heads of State expressed their appreciation of the unilateral Iraqi declaration of the withdrawal of its forces to the internationally recognized boundaries. They also emphasized the need for both parties to abide by Security Council resolutions 479 (1980) and 514 (1982) and to co-operate in their implementation in a co-ordinated fashion [see S/15510, annex]. This is what I have come here today to confirm and to emphasize.

43. In once again welcoming with great satisfaction the laudable readiness that Iraq has continued to evince, both unilaterally and in co-operation with international mediation missions, to initiate a peace

process based on the Charter and the resolutions of the Council, we must say that we believe that the Council should clearly remind the other party, Iran, of all the obligations incumbent upon it because of its membership in the Organization—namely, its duty to respect our common law, the Charter, and to co-operate loyally and closely with the Council in restoring a just and lasting peace to the region, in accordance with international law as it relates to good-neighbourliness.

44. The decisions of the international community cannot remain a dead letter indefinitely, nor can they be ignored and flouted.

45. I should like to express once again to the Council my country's great appreciation, as well as that of the Arab countries which have instructed me to speak on their behalf, of the Council's continuing efforts in favour of peace. I should also like to welcome all the positive actions that have been or may be undertaken by either of the antagonist countries to expedite a peaceful solution to a dispute the prolongation of which, apart from endangering international peace and security throughout the Middle East region, is unjustly and pointlessly hindering the development efforts of two peoples to which we are linked by age-old bonds of brotherhood.

46. In conclusion, I should like to assure the members of the Council and the Secretary-General of our complete availability, both as Member States and as Arab, Islamic or non-aligned organizations, to continue the efforts for peace which we have already undertaken, to co-ordinate our action with yours and to give you the necessary support in any action you decide to take in order to promote peace and concord in the region, in accordance with the principles of the Charter of the United Nations and the commitments which we have undertaken pursuant to it.

47. The PRESIDENT: Members of the Council have before them document S/15446, which contains the text of a draft resolution prepared in the course of the Council's consultations. It is my understanding that the Council is ready to proceed to the vote on that draft resolution.

48. If I hear no objection, I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

The draft resolution was adopted unanimously (resolution 522 (1982)).

49. The PRESIDENT: The Secretary-General wishes to make a statement, and I now call on him.

50. The SECRETARY-GENERAL: I have taken note of the resolution just adopted. With reference to its paragraph 4, I should like to state for the information of the Council that the effective deployment

of United Nations observers is naturally contingent on the concurrence and co-operation of the parties concerned and on the existence of a cease-fire.

51. The dispatch of unarmed United Nations observers without the above-mentioned prerequisites being met would not be consistent with normal and well-tried United Nations peace-keeping practices.

52. Should both parties convey to me their concurrence and co-operation, arrangements could of course be made for United Nations observers to be in the area in some 48 hours. I shall, naturally, be in

touch with the parties concerned and shall keep the Council currently informed.

53. It goes without saying that I shall continue to make every effort to find a peaceful solution to this conflict.

The meeting rose at 6.30 p.m.

NOTE

¹ See A/37/323.

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