



*President:* Mr. Imre HOLLAI (Hungary).

AGENDA ITEM 26

**Co-operation between the United Nations and the  
Asian-African Legal Consultative Committee**

1. The PRESIDENT: I call first on the Under-Secretary-General for Political and General Assembly Affairs, Mr. William Buffum.
2. Mr. BUFFUM (Under-Secretary-General for Political and General Assembly Affairs): Representatives may recall that the General Assembly, at its thirty-fifth session, by resolution 35/2, accorded permanent observer status to the Asian-African Legal Consultative Committee and invited it to participate in the sessions and the work of the General Assembly in the capacity of observer. In February 1981, the Consultative Committee established a Permanent Observer Mission to the United Nations. At the thirty-sixth session, the General Assembly, on the occasion of the commemoration of the Committee's twenty-fifth anniversary and in recognition of its highly commendable work in promoting interregional and international co-operation supportive of the efforts of the United Nations, further decided, by resolution 36/38, to include in the agenda of the thirty-seventh session the item entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee".
3. In the same resolution, the General Assembly requested the Secretary-General to carry out consultations with the Secretary-General of the Consultative Committee with a view to further strengthening the co-operation between the two organizations and widening its scope. It therefore gives me great pleasure, on behalf of the Secretary-General, to report on the progress made thus far in pursuance of resolution 36/38.
4. It is well known that over the last 25 years, the Legal Consultative Committee has not only acted as a major forum for Asian-African consultation and co-operation in the legal field, but has also oriented its activities to complement the work of the United Nations and the specialized agencies, and has made valuable contributions to such important United Nations conferences as those dealing with diplomatic relations, the law of treaties, State succession and the international sale of goods. Over the years, the Committee has also maintained close relations with the various bodies and organs of the United Nations and the specialized agencies—in particular, the ILC and UNCITRAL. Close collaboration with

UNCITRAL led to the Consultative Committee's establishment of regional centres at Kuala Lumpur and Cairo for the settlement of disputes in economic and commercial matters. Significantly, the Arbitration Rules of the United Nations Commission on International Trade Law<sup>1</sup> are relied upon for the settlement of such disputes.

5. During the period under review, consultations on issues of mutual interest have been conducted between the Secretary-General of the Asian-African Legal Consultative Committee and the Secretary-General of the United Nations, the Office of Legal Affairs and the secretariat of the United Nations Conference on the Law of the Sea. The Secretary-General of the Consultative Committee has expressed the hope that the Committee may contribute in a meaningful way to the work of the United Nations, more particularly in the field of law as well as in areas where economic and legal issues are closely interrelated. Consequently, various forms and means of such co-operation have been explored.

6. It is gratifying to note some of the major areas in which the Committee has offered to assist in the work of the United Nations. These include, for example, giving publicity to the work of the United Nations in the field of the progressive development of international law and regarding the implementation of the new international economic order and the United Nations Convention on the Law of the Sea; making available its good offices for the implementation of General Assembly resolutions on those matters and, as appropriate, for encouraging its member Governments to ratify or accede to United Nations treaties and conventions.

7. The Consultative Committee will also make arrangements for consultations among its member Governments before each session of the General Assembly regarding agenda items relevant to the codification and progressive development of international economic and trade law, as well as legal aspects of items relating to the subject of the new international economic order. The Committee will also co-operate with the United Nations in organizing training programmes and seminars on the above-mentioned subjects. Useful discussions have also been held on the subject of representation at meetings, the exchange of documentation and information and the co-ordination of work programmes. Clearly, a framework of co-operation is emerging from these consultations, and I am confident that a meaningful programme will work out to mutual satisfaction and benefit.

8. The PRESIDENT: In accordance with General Assembly resolution 35/2, I now call on the Secretary-General of the Asian-African Legal Consultative Committee, Mr. Sen.

9. Mr. SEN (Secretary-General of the Asian-African Legal Consultative Committee): On behalf of the Asian-African Legal Consultative Committee, I should like to offer you, Mr. President, our congratulations on your unanimous election as President of the General Assembly and to express our hope that, under your leadership, progress will be achieved on many of the vital issues which are on the agenda of the session this year. I should also like to avail myself of this opportunity to express our admiration for the leadership provided by Mr. Ismat Kittani during his term of office as President of the thirty-sixth session. We feel privileged to offer our congratulations to the Secretary-General on the timely message that he has given to the world and to assure him of our fullest co-operation in all his efforts to reorient the work of the United Nations.<sup>1</sup>

10. At the thirty-fifth session of the General Assembly, the representative of India, the host country of our organization, in introducing, at the 34th meeting, the draft resolution in which he proposed that observer status be accorded to the Asian-African Legal Consultative Committee, brought to the notice of the General Assembly the relationship that had been gradually developed over a period of 20 years between the United Nations and its various organs and agencies and the Consultative Committee. On behalf of the sponsors of the draft resolution, he expressed the hope that, with the formalization of its observer status, relations between the Committee and the United Nations would be further strengthened. During its thirty-sixth session, in resolution 36/38, the General Assembly extended its congratulations to the Committee on its twenty-fifth anniversary for its highly commendable work in promoting interregional as well as international co-operation in support of the efforts of the United Nations in this regard. In the same resolution, the General Assembly requested the Secretary-General to carry out consultations with the Secretary-General of the Committee with a view to further strengthening the co-operation between the two organizations and widening the scope of such co-operation. In pursuance of that resolution, consultations have been in progress, and it might be appropriate for me to indicate some of the broad areas in which we envisage meeting the desired objectives.

11. As I had occasion to mention in my statement to the Assembly last year [63rd meeting], the Asian-African Legal Consultative Committee, which had emerged as the only intergovernmental organization embracing the two sister continents of Asia and Africa as a tangible outcome of the historic Bandung Conference, had almost from its very inception oriented its activities in a manner which would be supportive of the work of the United Nations. To this end, the Committee has been working in close co-operation with the United Nations and its various organs and agencies since 1960. The areas of such co-operation have covered extensive fields, including law, economic relations, environment, the problem of refugees and resources of the ocean and outer space. The Committee has maintained close contacts with the Office of Legal Affairs, as also with the secretariat of the United Nations Conference on the Law of the Sea. It has also collaborated on a number of specific problems and issues with various organs and

agencies of the United Nations, including UNHCR, FAO, the International Maritime Organization and various regional economic commissions. Official relations were established between the ILC and the Committee in 1961 and with UNCITRAL in 1970. At the second session of UNCTAD, held in 1968, the Committee was admitted as a participating inter-governmental organization, and we have since then given close attention to the work of that organization.

12. It is our hope that these existing areas of co-operation will be not only maintained but further strengthened in tangible terms. Our membership has been apprised of the need for our wider involvement in activities supportive of the work of the United Nations as a consequence of the Consultative Committee's permanent observer status with the United Nations. To begin with, at the suggestion of Governments of member States, we have extended our activities to the preparation of background material and comments on the agenda items before the General Assembly that are related to the work of the Committee and to arranging for preparatory consultations among our membership with a view to assisting members in more intensive participation in the work of the General Assembly in the legal field. It is also our hope that, through the preparation of brief studies on some of the major issues before the United Nations, we may help to focus attention on areas which need consideration and thereby ensure closer attention by Governments to more important matters without their being submerged in masses of details and voluminous documentation.

13. Since 1961, the Committee has been invited to participate as an observer in the plenipotentiary conferences convened by the United Nations. We have taken advantage of such invitations, and our main role has been to assist in the process through the preparation of studies and documentation and by arranging for exchanges of views in preparation for the conferences. Such assistance proved to be particularly useful in regard to conferences on diplomatic relations, State succession and the law of treaties, but perhaps most of all on the law of the sea. Over the past decade, we have closely followed and assisted in the negotiations on this subject and have made our forum readily available for a continuing dialogue between the developing countries and the industrialized nations on a number of crucial issues. In fact, some of the major concepts, such as those of the exclusive economic zone and archipelagic States, have their origin in the deliberations within our organization. Furthermore, on several occasions when the United Nations Conference on the Law of the Sea has been faced with difficulties in proceeding with the negotiations, the Committee has proved to be an important forum which has offered opportunities for informal consultations on resolving the differences.

14. It is therefore a matter of particular satisfaction for us that the Conference succeeded this year in adopting a Convention by an overwhelming majority, thus giving to the world a new order of the oceans representing a package which has emerged out of an arduous process of negotiations spread over a number of years. We feel confident that the Convention will be signed by a large number of States during the final session of the Conference next month in Jamaica,

and that a preparatory commission to prepare for the establishment of the international sea-bed authority will be brought into being early next year. We fully share the view expressed by the Secretary-General that the law of the sea affords tangible proof of what remarkable results can be achieved in well-organized negotiations within the United Nations framework, even on the most complex issues [*see A/37/1, p. 4*]. We venture to hope that all States will find it possible to adhere to the Convention within the foreseeable future so that the Convention may become an effective instrument not only of regulatory norms but also of economic growth in a viable and practical fashion. The work of the preparatory commission in drawing up the substantive and clarificatory rules on sea-bed mining and also on transfer of technology might be a decisive process in that direction, and we therefore offer our fullest co-operation and assistance in that task. We are also planning to use our forum, at the next session of the Asian-African Legal Consultative Committee, for a dialogue on the scope and effect of the Convention and to give assistance to the Governments of our region in adopting their legislative framework for the implementation of the Convention, more particularly in regard to the resources of the exclusive economic zones.

15. Another area of the United Nations work programme in which we remain greatly interested is that of the global negotiations on international economic co-operation in the context of the Declaration on the Establishment of a New International Economic Order [*resolution 3201 (S-VI)*] and the Charter of Economic Rights and Duties of States [*resolution 3281 (XXIX)*]. We consider that in almost every field of economic co-operation, legal, economic and political considerations are so inextricably interwoven that any reasonable and effective solution to the problems can be achieved only through a judicious blending of all three elements. Whilst political will remains the paramount factor in all negotiations, economic feasibility determines the substance, and the legal framework is an essential instrument for carrying into effect the political will and determination of nations. Therefore, it seems to us that, while a dialogue at the political level for the commencement of the global negotiations is being pursued, adequate preparation for technical support is equally necessary. In this context, we have taken the initiative for the convening of an informal meeting for a general exchange of views in March this year under the chairmanship of Mr. Taieb Slim, and I am happy to report that some follow-up action is already in progress.

16. Apart from our ongoing programme of work in support of the United Nations as I have just indicated it, another area in which we might be in a position to assist is in the matter of accession to or ratification of conventions which are adopted under the auspices of the United Nations and its various agencies. It has been noted that, even though a large number of multilateral conventions have been adopted after a great deal of preparatory work and protracted debates, it is a time-consuming process before they can be brought into force through accession or ratification by the requisite number of States. This has often been frustrating, and there can be no doubt that some efforts are needed to remedy the situation. Judge

Elias, President of the International Court of Justice, during his association with the Asian-African Legal Consultative Committee as its President, suggested that our organization could usefully pursue this matter, and this is what we are seriously considering at present. To begin with, we convened a meeting of an expert group a few months ago to consider suitable action for encouraging ratification of some of the major Conventions of the International Maritime Organization and we have already achieved a certain measure of success. What seems to be important in so far as our region is concerned is that Governments need to be told in plain language of the advantages they would derive from acceding to or ratifying a convention with a certain amount of follow-up action. We are prepared to assist in this process. We shall pursue our consultations with the Secretary-General about these matters and also on those concerning the exchange of studies and documentation and assistance in training programmes. We also foresee the possibility of our being able to include in our work programme particular topics or issues of interest to the United Nations or any of its agencies upon their request, as a further step in the process of co-operation between the two organizations.

17. Finally, I should like to refer to the momentous passage in the report of the Secretary-General on the work of the Organization, in which he has called for a conscious recommitment by Governments to the Charter [*see A/37/1, p. 1*]. Any activity supportive of the United Nations must necessarily keep that in view, and we remain fully committed to assisting towards that goal.

18. Mr. SAYEED (India): We have heard with great interest the statements made by the Under-Secretary-General of the United Nations and the Secretary-General of the Asian-African Legal Consultative Committee. We are grateful for their report on the ongoing co-operative activities between the United Nations and the Consultative Committee.

19. The Asian-African Legal Consultative Committee, composed of experts from the member States, was established in 1956 with the primary objective of assisting the Asian and African countries in the field of international law. The work of the Committee in various areas of international law—the law of treaties, environment, outer space, international trade, economic relations, commercial arbitration and other areas, above all, in the law of the sea—has more than justified the expectations of its founding fathers.

20. By now, the Consultative Committee has acquired the status of a premier intergovernmental organization in the field of progressive development and codification of international law, under the dynamic leadership of its Secretary-General, Mr. Sen.

21. It is a recognition of the value and quality of the work of the Consultative Committee that its annual sessions have been attracting, besides its own member States which now number about 40 in all, an increasing number of States from all parts of the world and representatives from the United Nations and its specialized agencies and other intergovernmental bodies. Further, it has become a welcome tradition for the Secretary-General of the Committee

or his representatives to attend the meetings of the ILC and UNCITRAL and for the representatives of these bodies, in their turn, to attend the annual sessions of the Committee. On more than one occasion, even judges of the International Court of Justice have addressed the annual sessions of the Committee.

22. More important, the Consultative Committee, on the basis of systematic studies prepared by its secretariat, has been discussing, at its annual and inter-sessional expert group meetings subjects which are on the agenda of the ILC, UNCITRAL and UNCTAD and the diplomatic conferences convened under the auspices of the United Nations. This year, the secretariat of the Committee also prepared very useful background material for the assistance of its member States in their work at the thirty-seventh session of the General Assembly.

23. In the preparation of these studies by its secretariat and in its deliberations, the Consultative Committee received guidance and co-operation from the United Nations and other bodies. As a result, not only has the work of the Committee acquired contemporary value, but its recommendations reflect the common interests of the international community.

24. As the Secretary-General of the Consultative Committee noted in his statement, there could be several other new areas in which both the United Nations and the Committee could further their co-operation, especially in the domain of economic co-operation among the developing countries and in the context of the global negotiations which we all hope will be launched without further delay. It is, therefore, undoubtedly in the mutual interests of the United Nations and the Consultative Committee to widen the areas of their co-operation and deepen their interaction. We are confident that such mutually advantageous co-operation would inevitably lead to the promotion of respect for and to the effectiveness of international law. This, in turn, would contribute to the cause of world peace and order.

25. Accordingly, I have great pleasure, on behalf of the sponsors, Egypt, India, Indonesia, Iraq, Japan, Mongolia and Sri Lanka, in introducing draft resolution A/37/L.10. I commend it to the General Assembly for adoption by consensus.

26. Mr. KOROMA (Sierra Leone): Some two years ago, the Asian-African Legal Consultative Committee was formally accorded observer status in this Organization, thereby consummating a fruitful relationship that had been going on for a period of 20 years between the United Nations and the Consultative Committee. This year, the Committee enters its second quarter century after some 25 years of highly commendable contributions to the codification and progressive development of international law.

27. During many of those years, the Consultative Committee has been headed by Mr. Sen, a man of exceptional intellectual and professional talent who also combines idealism with action. My delegation would like to pay a warm tribute to him for his distinguished and productive leadership of the Committee and for the comprehensive report on the activities of the Committee that he has so ably presented.

28. The Consultative Committee spans the continents of Asia and Africa and stands as a testimony to the aspirations of the peoples of those two continents to govern their relations *inter se* and with the rest of the world on the basis of reason and to assert the concept of justice in those relations, based on international law.

29. Not long after its constitution, the Asian-African Legal Consultative Committee established official relations with the ILC and has not only complemented that organization in its efforts towards the progressive development and codification of public international law but has also entered the field of private international law, with the result that today the Committee, in its twenty-sixth year of existence, has developed a rich repertory in various fields of international law, including the law of treaties, the law of the sea, the legal aspects of the new international economic order, the environment, including the laws on international rivers, outer space, international sale of goods and international legislation on shipping.

30. In the humanitarian field, the Committee has undertaken a study on the rights of refugees and carried out a reappraisal of the principles concerning the treatment of refugees and the question of giving appropriate expression to the general principles governing their right to return, the restoration of property and compensation to Palestinian Arab refugees and other displaced persons.

31. In tandem with these, its purely legal and humanitarian legal functions, the Consultative Committee has maintained links and collaborated closely with various organs and agencies of the Organization, including UNHCR, FAO, the International Maritime Organization and various regional economic commissions, as well as UNCTAD.

32. Thus, the Consultative Committee has been not only complementary to but supportive of the work of the Organization in its efforts at encouraging the progressive development of international law and its codification, in its reaffirmation of faith in the dignity and worth of the human person and in the promotion of social progress and better standards of life in larger freedom.

33. It is therefore in the interests of the Members of the Organization that the existing areas of co-operation with the Consultative Committee be not only maintained but further strengthened in tangible terms, as the Secretary-General of the Committee has himself recommended.

34. Mr. ABDEL MEGUID (Egypt) (*interpretation from Arabic*): The existing co-operation between the Asian-African Legal Consultative Committee and the United Nations and its various bodies concerned with legal matters is indeed fruitful and constructive. We thank the Secretary-General of the Consultative Committee for his report in this respect and we hope that this co-operation will be increased and strengthened.

35. Mr. Sen, the Secretary-General of the Consultative Committee, and others who have spoken before me have given their views on the various areas this co-operation should cover and on the ways and means of strengthening and intensifying it. We hope that these valuable comments will find a response,

and we commend the efforts of Mr. Sen in this respect.

36. The secretariat of the Consultative Committee has done preparatory work on numerous legal issues that are being dealt with by the United Nations at the present session. That preparatory work has helped us to reach a more objective understanding of those issues and has helped to crystallize the positions of member States in the Committee so that they might find common ground and co-ordinate their efforts. All this will undoubtedly lead to a more positive understanding of the international situation.

37. It gives me great pleasure to express again our appreciation for the efforts of the United Nations Secretariat and that of the Asian-African Legal Consultative Committee. I am hopeful that draft resolution A/37/L.10, which my delegation has co-sponsored, will receive the support of the General Assembly.

38. The PRESIDENT: I should like to announce that, in addition to the original sponsors, the following countries have become sponsors of the draft resolution: Bangladesh, Cyprus, Nigeria, Pakistan, the Philippines and the United Republic of Tanzania [see A/37/L.10/Add.1].

39. As representatives will recall, the representative of India, speaking on behalf of the sponsors of this draft resolution, asked that the Assembly adopt the draft resolution by consensus. Can I assume that the General Assembly wishes to adopt the draft resolution contained in document A/37/L.10 and Add.1 by consensus?

*The draft resolution was adopted (resolution 37/8).*

#### AGENDA ITEM 24

**Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security: report of the Secretary-General**

40. The PRESIDENT: I should like to propose that the list of speakers be closed at 5 p.m. today.

*It was so decided.*

41. Mr. AL-ZAHAWI (Iraq): The international community has already strongly and unanimously condemned the Israeli armed attack on the Iraqi nuclear installations as an unprecedented act of aggression with far-reaching adverse consequences for the established international system. However, as the Secretary-General rightly pointed out in his report on the work of the Organization, the adoption of a resolution does not absolve the Members of the United Nations from further responsibility for the subject in question [see A/37/1, p. 3].

42. As for the agenda item before us, it is incumbent upon the Assembly to look into the implications and consequences of this act of aggression, which not only was an attack against the very principle of international security, but also established a precedent which brought the world closer to the brink of a nuclear holocaust.

43. What is equally ominous is the fact that the Zionist aggressor has adopted as a basic doctrine of its policy its declared threats to repeat such attacks on Iraq's or any other country's reactors if those are construed by the Zionists as posing a future menace to their entity. It is incumbent upon the Assembly to consider ways and means to avert such threats and to prevent the aggressor from repeating its act of aggression.

44. There is near-unanimous agreement that the Israeli act of aggression has gravely affected the functions of the IAEA, the Treaty on the Non-Proliferation of Nuclear Weapons, the development of nuclear energy for peaceful purposes, the security of peaceful nuclear facilities, the sovereign rights of States to scientific and technological progress, the inalienable human rights to social and economic development, the foundations of the disarmament process and, above all, the sovereign viability of nations and the principle of international security.

45. The consequences of the Israeli act of aggression are far-reaching and wide-ranging; they comprise political, economic, technical, social and legal aspects which call for comprehensive study by qualified experts from each field. Then, too, there is unanimous recognition of the necessity to ensure against the repetition of such an attack on nuclear facilities by Israel or any other State. The international community should be called upon to adopt whatever legal measures are necessary at the international level to prohibit attacks against nuclear facilities.

46. These wider aspects of the Israeli attack should in no way divert the attention of the United Nations and the international community at large from the specific consequences of Israel's act of aggression in the region and from the Zionist aims and policies which motivated that attack. Nor should we forget for an instant that Israel itself is a *de facto* nuclear Power which has persistently refused to place its nuclear facilities under international safeguards.

47. There are numerous independent reports which validate Israel's stockpile of atomic weapons. For the present, I shall limit myself to references to only two such reports. A United States Central Intelligence Agency memorandum entitled "Prospects for Further Proliferation of Nuclear Weapons", dated 4 September 1974 and released on 26 January 1978, concluded that Israel had produced atomic weapons. The conclusion was based—in the words of the memorandum—on "Israeli acquisition of large quantities of uranium, partly by clandestine means; the ambiguous nature of Israeli efforts in the field of uranium enrichment; and Israel's large investment in a costly missile system designed to accommodate nuclear warheads."

48. Further evidence was disclosed in a book published in London earlier this year, entitled *Two Minutes Over Baghdad*. The authors of the book state that during the 1973 war there were indications that Dayan gave an order secretly to put in combat readiness, for the first time, Israeli-made Jericho SS missiles, carrying nuclear warheads, as well as Kfir and Phantom bomber fighters equipped with nuclear devices, and that, altogether, 13 Israeli-made nuclear weapons were put on alert.

49. The three authors of the book are well-known establishment figures in Israel, with excellent connections in the military and Government. One of them, Amos Perlmutter, worked at the secret Israeli nuclear centre in Dimona for four years; he certainly is in a position to know what was going on in Dimona and he states that "Israel's reactor went hot somewhere around 1968". He further states that the strategic hawks who sought nuclear monopoly and superiority had triumphed and that they believed that Israeli superiority would lead to a solution of the Arab-Israeli conflict on Israel's terms.

50. These disclosures indicate that the Zionist leaders are ready to use their atomic weapons not just as a last resort where their survival is threatened by a nuclear attack, as some of them had alleged, but rather when their hold on the Palestinian and other Arab territories they have occupied by force is threatened—as was the case in 1973. In other words, the real motive behind Israel's acquisition of nuclear weapons was not self-defence, for survival; it was to impose a solution of the Arab-Israeli conflict on Israel's terms.

51. In addition to depriving the Arabs of their lands and national rights, the Zionists also seek to deprive them of any scientific and technological progress which would lead to their social and economic development and thus raise the standards and the dignity of the Arab people. President Saddam Hussein was the first to announce the fact that this was the real motive behind the Zionist attack on the Iraqi installations.

52. It is interesting to note that an American professor of physics and former director of the Energy and Environmental Policy Center at Harvard University, Mr. Richard Wilson, undertook a personal investigation of the Israeli allegations concerning the Iraqi nuclear programme. He published his conclusions in the *Christian Science Monitor* of 24 June 1981, three paragraphs of which are quoted here:

"For over a year Israeli newspapers have declared that Iraq was preparing to make a nuclear bomb with French and Italian help. I have asked leading Israeli scientists, including Prof. Yuuvval Neeman, former scientific director of the Israeli Atomic Energy Commission,"—who is considered to be the foremost Israeli scientist—"if they had any tangible evidence of this. Neither the scientists nor the newspapers nor the Government have produced any.

"Iraq has signed this Treaty [on non-proliferation]. I know of no tangible indications that Iraq is not following its dictates. I have discussed this with prominent French scientists and diplomats, the United States State Department, and the IAEA, and they gave me no such indications either.

"The most likely purpose, therefore, of the Osirak reactor bombed by the Israelis was to enable Iraq to become the foremost research centre of the Arab world, an Arab MIT (Massachusetts Institute of Technology), and to help make Baghdad the scientific and cultural centre that it was centuries ago."

53. In summing up the debate held in the Security Council on the Israeli attack, the representative of

Mexico, President of the Council during the month of June 1981, pointed out<sup>2</sup> that "the destruction of the nuclear plant, whose purposes were peaceful, reveals an intention to affirm the strategic and technological superiority of one State over others." He also pointed out the fact that Israel's attack was not an isolated act but rather the climax of escalating violations of international law, which included the annexation of territory by conquest, persistence in an illegal occupation and frequent acts of aggression and harassment against neighbouring States.

54. Unfortunately, within a year that harassment grew into the horrendous invasion of Lebanon and the devastation of its capital, creating a shock from which the world has not yet fully recovered. There is even greater danger lurking in the fact that Israel's strategic ambitions are by no means limited to its neighbouring States. *The Guardian* of 1 September 1982, in an article entitled "Israel's expanding horizon", reported that, at a briefing for Israeli correspondents, Ariel Sharon spoke grandly of Israel's strategic interests, wielding a pointer over a large map of the world. "He waved that pointer as far west as Zaire", said a journalist who was present, "and as far east as India. When he started tapping Chad with it, somebody, as a kind of joke, asked whether Israel had the capacity to intervene in that country. The answer was yes."

55. Further details of Sharon's strategic policies were published in the 11 to 24 October issue of *Afrique-Asie*. At a working session in December 1981 at the Tel Aviv Institute of Strategic Studies, Sharon's topic was the security of Israel and he gave the following precise description of Israel's sphere of strategic interests. I quote the magazine's verbatim French translation of Sharon's words:

"These interests are not limited to the Arab countries of the Middle East, the Mediterranean or the Red Sea. For reasons of security, in the 1980s they must extend to countries such as Turkey, Iran, Pakistan, to regions such as the Persian Gulf and Africa, particularly the north and central African countries."\*

56. Significant in this context is Israel's military and nuclear collaboration with South Africa. Information concerning this collaboration has been reproduced in the reports of the Special Committee against *Apartheid*, such as the report of 17 September 1981.<sup>3</sup>

57. The authors of the book *Two Minutes Over Baghdad*, to which I referred earlier, also state that there are signs that Israel and South Africa are developing a neutron bomb, a cruise missile with a range of 1,500 miles and various nuclear delivery systems for a tactical and strategic arsenal.

58. The terrorist Zionist entity has thus arrogated to itself the role of the nuclear super-Power over the territories extending from the Atlantic to the borders of China. What is even more dangerous is that this outlaw among nations is being aided and abetted by a super-Power which claims to be the leading defender of freedom, human rights, justice and democracy. This super-Power has seen fit to apply sanctions against a certain country for reasons that purely

\* Quoted in French by the speaker.

concern that country's internal affairs. As if that were not enough, sanctions were applied to a third party which is an ally of that country. That, too, was considered not to be going far enough, and pressure was brought to bear on the allies of the super-Power to impose their own sanctions, not only against the country in question, but also against its friend and ally.

59. Meanwhile, the same super-Power's protégé, Israel, which has over the past 34 years flagrantly and persistently violated all the rules of international law and basic human rights and reneged on its international commitments, continues to escalate its aggression with impunity. The super-Power further indicates its readiness to wreck vital international organizations for the sake of protecting the presence of its monstrous protégé's delegations in those organizations, which the protégé itself is destroying by its incessant attacks against them and all that they stand for. Was there ever a more blatant example of hypocrisy and double standards on the part of a great Power which also proclaims itself to be an arbiter of the standards of international morality?

60. The position of the United States concerning the Security Council resolution on the Israeli attack on the Iraqi nuclear centre could be considered as a perfect case study of what the Secretary-General meant by the tendency "for Governments to act as though the passage of a resolution absolved them from further responsibility for the subject in question." He stressed that "resolutions, particularly those unanimously adopted by the Security Council, should serve as a springboard for governmental support and determination and should motivate their policies outside the United Nations" [see A/37/1, p. 3].

61. Security Council resolution 487 (1981) on the military attack by Israel was adopted unanimously. Israel totally rejected the provisions of the resolution. When the item before us was included in the agenda of the thirty-sixth session of the Assembly, the United States alone stood with Israel in opposing its consideration. During the discussion of the item at that session, the representative of the United States stated [54th meeting], that since the Council had arrived at the satisfactory conclusion of a unanimous vote, her Government believed that no useful purpose would be served by continuing the debate in the Assembly. The matter had already been dealt with in a constructive fashion in the Council, she said, and all members of the Security Council supported that procedure on this subject. In her Government's view, action by the General Assembly on this topic does not contribute to the cause of peace in the Middle East.

62. Meanwhile, Israel still adamantly refuses to place its nuclear facilities under IAEA safeguards and refuses to entertain any consideration of appropriate redress for the damage its aggression has caused. Above all, its threat to repeat such attacks still stands.

63. Soon after the attack on the Iraqi centre, the Zionists bombed civilian areas in Beirut, killing 385 and wounding more than 600. Instead of honestly pursuing the investigation of whether Israel had violated the United States arms supply agreements by its attacks on Baghdad and Beirut, the United

States, on 30 November 1981, signed with Ariel Sharon—may it be noted—an agreement of strategic co-operation providing Israel with infinite new possibilities.

64. Last February, not content with all that the United States was doing for Israel, Begin addressed himself directly to his friend President Reagan. He wrote:

"In September of last year you told me, Mr. President, on your own initiative, that you would fulfil the commitments of the United States with regard to the security of Israel, namely, the preservation of the 'qualitative edge' of Israel's defensive strength vis-à-vis its enemies".

This letter was reproduced in the *International Herald Tribune* of 16 February 1982.

65. President Reagan, according to the *International Herald Tribune* of the following day, "determined to see that Israel's qualitative technological edge is maintained".

66. This determination to ensure Israel's qualitative technological edge explains the silence of the United States towards Israel's clandestine nuclear activities.

67. As for Israel's "defensive strength", that strength was put on full display, for the whole world to see how effective it was, in Israel's so-called defensive attack on the nuclear reactor and in Israel's "defensive" invasion of Lebanon.

68. In spite of all this, the representative of the United States is deeply concerned that action by the General Assembly on this item concerning the Israeli attack does not contribute to the cause of peace in the Middle East.

69. Mr. KIRCA (Turkey): Israel's military attack in June 1981 on the nuclear installations of Iraq is an issue that, despite the passage of time, has maintained its significance and all its relevance. We speak today to emphasize once again the principles that in our view were involved in the destruction of Iraqi nuclear facilities by Israel more than a year ago.

70. In reiteration of our position, which we have had the occasion before to present in detail both in the Security Council<sup>4</sup> and in the Assembly at the last session [53rd meeting], I should like to recall the main elements of the Government of Turkey's response to Israel's unprovoked military attack on Iraq's nuclear research centre.

71. Turkey condemned Israel's attack unconditionally and characterized it as completely unjustified and as contrary to and a serious violation of the Charter of the United Nations and of international law. Turkey perceived Israel's use of force as constituting a grave danger to security in the already turbulent region, and as yet another act of aggression by Israel, further impairing the fragile prospects for peace in the Middle East. Turkey rejected the validity of all arguments presented by Israel purporting to explain and justify its military attack on the Iraqi nuclear centre. We found Israel's claim to have acted in self-defence under Article 51 of the Charter especially unacceptable. Turkey demanded that Israel make prompt and adequate reparations to Iraq for the damage it had caused as a result of its military attack.

Furthermore, Turkey emphatically declared that no nation, including Israel, had the right to interfere with the right of other States to use nuclear energy for peaceful purposes.

72. The position of the Government of Turkey remains unchanged. We expressed our support for Security Council resolution 487 (1981), which was unanimously adopted, and we voted in favour of General Assembly resolution 36/27. We strongly condemn Israel's continued failure to comply with these resolutions and deplore its refusal to do so.

73. Developments in the region since the events of June 1981 have unfortunately confirmed our worst fears. Israel has persisted in its lawlessness, and not only has continued its policies of illegal settlements in and the annexation of Arab and Palestinian territories under its occupation, but has further intensified its oppression and subjugation of the Arab Palestinian people. And as if all these actions were not enough, Israel has also invaded Lebanon and caused untold suffering to the Lebanese people and the Arab Palestinians.

74. The Government of Turkey is always careful to judge each issue on its own merits and tries to avoid sweeping and empty generalizations about international problems. We make an effort to be positive, helpful and constructive when we make our views known about questions facing the community of nations. Even as we criticize and condemn, we leave open windows of opportunity for conciliation. That is why we have always called on Israel to abandon the path of aggression in favour of negotiation and peace and have urged Israel to comply with the resolutions of the United Nations. We have asked Israel to put an end to its policies of expansion and annexation and of illegal settlements in respect to the occupied territories, and challenged it to demonstrate its readiness for peace and security with its neighbours. We have especially demanded that Israel recognize and restore the inalienable rights of the Arab Palestinian people. All our appeals have so far gone unheeded.

75. We should like again to alert Israel to the fact that its presumably increased sense of security after the destruction of the Iraqi nuclear installation and following the invasion of Lebanon—just to count two links in a long chain of acts of aggression committed by it in the name of security or self-defence—is deceptive and, at best, ephemeral. Real and lasting security for Israel can come only with a just, durable and comprehensive settlement in the Middle East.

76. In the present context, we should like to reaffirm the right of all States to use nuclear energy for peaceful purposes under appropriate international safeguards and in accordance with the principles of the Treaty on the Non-Proliferation of Nuclear Weapons [*resolution 2373 (XXII), annex*]. We note that Iraq adheres to that Treaty and submits all its activities in the field of nuclear energy to IAEA safeguards.

77. The fraternal people of Iraq have been victimized, and we support their cause and their right to use nuclear energy for peaceful purposes. We know that the industrious people of Iraq will not be deterred in their determination to put nuclear energy to peaceful use in the development of their country.

78. As a party to the Treaty on the Non-Proliferation of Nuclear Weapons, Turkey is of the view that the best way to ensure the peaceful use of nuclear energy is by adhering to the régime of the Treaty, in particular by upholding the safeguards system of IAEA. We ask Israel to accede to the Treaty and permit the application of IAEA safeguards to its nuclear activities or face the consequences of its continued failure to do so.

79. Mr. LÓPEZ DEL AMO (Cuba) (*interpretation from Spanish*): When on 7 June last year the Zionist authorities ordered the bombing of the Iraqi nuclear installations, the international community expressed its strongest condemnation of such an act of State terrorism.

80. Resolution 36/27 on the subject was adopted by the General Assembly with only two votes against, those of Israel and the United States—that is, the aggressor and its main supporter. That behaviour is typical of the position of the United States in all votes in the Security Council and at regular or special sessions of the General Assembly whenever consideration has been given to the question of Israeli aggression against its Arab neighbours and the exercise by the Palestinian people of its inalienable rights.

81. The international community knows that the Iraqi nuclear installations were built within the IAEA safeguards system, to which Iraq is a party, and that IAEA had declared that those safeguards applied satisfactorily to the Osirak installations. Therefore, it is not surprising that the General Conference of IAEA decided, in a resolution adopted on 26 September 1981,<sup>5</sup> that Israel's aggression was an attack on the Agency itself and on its safeguards system, or that it decided to suspend the supply of any assistance to Israel. It is also not surprising that this year the General Conference decided not to recognize the credentials of the Israeli delegation and to exclude it from the work of the Conference.

82. In order to try to justify the unjustifiable, the Zionist authorities proclaimed the "doctrine of preventive attack", and its North American allies defended that villainous act of piracy as Israel's "right" and an "act of self-defence". In keeping with that Fascist logic, it is also Israel's "right" to annex the city of Jerusalem and the Syrian Golan Heights, to invade Lebanon and to maintain there its army of occupation, to permit the massacre of defenceless old people, women and children in the Sabra and Shatila refugee camps and to deprive the Palestinian people by force of its legitimate, inalienable right to live in its own homeland.

83. This pernicious ideology, which is contrary to the most elementary rules of law, is defended only by the other strategic ally of the United States, the *apartheid* régime, which, using the same "arguments" as its Zionist partners, illegally occupies Namibia and part of the territory of the People's Republic of Angola and practises a systematic policy of aggression against its neighbours, the front-line States.

84. When the international community asked that the sanctions provided for in the Charter of the United Nations be imposed against the obstinate Zionist aggressors, the leaders of the United States opposed that, threatened the world with reprisals and encour-

aged the aggressors, providing them with the most advanced means to continue to use terror as a substitute for the reason and justice that they lack.

85. The Washington-Pretoria-Tel Aviv triangle wants a world formed in the image and likeness of its own spurious interests. To that end, it repeatedly violates the universally accepted tenets of international coexistence and seeks to impose by force what law does not permit.

86. One week after the Zionist attack on the Iraqi nuclear installations, a plenary meeting of the Movement of Non-Aligned Countries held in New York considered that Israel's aggression was "an act of State terrorism" and "a new manifestation of its expansionist policies which have constantly endangered international peace and security" and "re-affirmed the inalienable right of non-aligned countries to develop nuclear energy for peaceful purposes in conformity with their priorities, interests and needs".<sup>6</sup>

87. In addition, the plenary meeting stated that it was Israel's obligation to pay Iraq due compensation for the damage caused, and called upon the Security Council to take effective measures against Israel in accordance with Chapter VII of the Charter. It also called upon all States, and especially the United States, to refrain from giving Israel any assistance, whether military, political or economic, that might encourage it to pursue its aggressive policies against the Arab countries and the Palestinian people. Some months later, the General Assembly adopted a similar resolution [resolution 36/27].

88. The failure of certain States, particularly the United States, to heed those recommendations led to the continuance of Israel's acts of aggression, the most recent tragic expression of which was its invasion of Lebanon.

89. In condemning such acts, my delegation reiterates its most resolute rejection of the inadmissible "doctrine of preventive attack", repeats that it is the right of the developing countries to use nuclear energy for peaceful purposes and renews the appeal to the international community contained in the draft resolution which will be submitted to the Assembly for consideration.

90. Mr. PETROVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): The General Assembly is once again considering the question of Israel's armed aggression against the Iraqi nuclear installations and its serious impact on the international system governing the use of nuclear energy for peaceful purposes, the non-proliferation of nuclear weapons and international peace and security.

91. Israel's villainous air raid on the Iraqi nuclear research centre was a blatant violation of international law and a further blow to efforts to establish peace in the Middle East. The Soviet Union joined other countries in vehemently condemning Israel's criminal action against Iraq, which the Security Council unanimously regarded as an unparalleled act of aggression, in clear violation of the Charter and the norms of international law. The Security Council called upon Israel to refrain in the future from any such acts or threats thereof.

92. The Israeli aggression against Iraq was also condemned by the Board of Governors<sup>7</sup> and the General Conference of IAEA.<sup>5</sup> The question of suspending Israel's rights and privileges in IAEA, in view of its attack on the Iraqi nuclear research centre and its refusal to comply with the Security Council demand that its own nuclear installations be placed under Agency safeguards, figured prominently in the recently completed twenty-sixth regular session of the General Conference of IAEA.

93. Particular political significance is attached to the discussion at the thirty-sixth session of the General Assembly of Israel's aggression against the Iraqi nuclear research centre. The Assembly adopted by an overwhelming majority resolution 36/27, which contained a solemn warning to Israel to cease its threats and the commission of such armed attacks against nuclear facilities and also made a direct appeal to all States to cease forthwith any provision to Israel of arms and related material of all types which would enable it to commit acts of aggression against other States. Furthermore, the General Assembly demanded that Israel pay adequate compensation for the material damage caused and the loss of life. It requested the Security Council to institute effective enforcement action to prevent Israel from further endangering international peace and security through its acts of aggression and continued policies of expansion, occupation and annexation.

94. Quite clearly, that General Assembly resolution has remained merely a scrap of paper. Israel continues to persist in its policy of State terrorism towards the Arab countries. Recent events have clearly indicated that Israel does not intend to refrain from its criminal practice of striking blows against Arab States and populated areas. In thus flouting the rules of international law, Israel has embarked on a policy of genocide against the Palestinian people. In carrying out a large-scale act of aggression in Lebanon, those in the ruling circles of Israel have set themselves the task of physically annihilating the Palestinians, including women and children.

95. The culminating act of the Israeli military's crimes on Lebanese soil was its staging of the hideous massacre of unarmed inhabitants of the Palestinian refugee camps in Beirut. The aggressive nature of Israel's actions against neighbouring Arab States is increasing from day to day and taking on more and more dangerous dimensions.

96. On the subject of Israeli acts of aggression, we cannot remain silent about the part played by those who back Israel. Those in the ruling circles of Israel could not have conducted themselves with such effrontery had they not been assured of the full and whole-hearted support offered by Washington. The General Assembly quite properly expressed its profound concern over the misuse by Israel, in committing its acts of aggression against Arab countries, of aircraft and weapons supplied by the United States.

97. Both the Israeli bombing of the Iraqi research centre and Israel's acts of genocide in Lebanon are part and parcel of the so-called strategic alliance with the United States, which arms and finances Israel and encourages it to pursue its criminal anti-Arab policies. In intervening in the affairs of other States,

the United States at the same times does everything it can to protect the Israeli aggressor. It is typical that, as we can see from the statement just made by the representative of Iraq, the United States is applying sanctions where there is absolutely no reason to do so. It is reluctant to impose appropriate sanctions upon the aggressor, but on the other hand, it uses sanctions to intervene in the internal affairs of other States.

98. Israel's insolent raid on the Iraqi nuclear research centre could have extremely serious consequences regarding the utilization of nuclear energy for peaceful purposes, the non-proliferation of nuclear weapons and international peace and security. The Israeli raid on the Iraqi research centre, which is under IAEA safeguards, was clearly an attempt to jeopardize the Treaty on the Non-Proliferation of Nuclear Weapons, to which Iraq is a party and to which Israel obstinately refuses to accede.

99. Israel's assertions to the effect that IAEA controls are not sufficiently effective or reliable are simply a stratagem of the Israeli military and have been roundly rejected by world public opinion. The statements made by a number of countries in the United Nations and IAEA have clearly indicated that the piratical action of Tel Aviv was aimed at undermining the effectiveness of international control.

100. The Soviet delegation would like to emphasize once again that the Treaty on the Non-Proliferation of Nuclear Weapons, which is the foundation of the international non-proliferation régime, has proved its viability and its effectiveness. It helps to maintain stability in contemporary international relations, and it provides a basis for the development of broad international co-operation in the peaceful use of nuclear energy. We should also emphasize that a sound system of non-proliferation guarantees is indispensable to the future successful development of this co-operation.

101. We believe that Israel's aggression against the Iraqi nuclear centre has brought into sharp relief the danger inherent in Israel's refusal to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons. Israel's nuclear ambitions have for more than a year now been on the agenda of the United Nations. They were categorically condemned by the General Assembly, which declared it imperative that Israel place all its nuclear installations under IAEA safeguards and requested the Security Council to take effective steps to ensure implementation of the resolutions relating to Israel's nuclear armaments.

102. Israel's stubborn refusal to comply with those United Nations resolutions eloquently demonstrates that its real purpose is to establish its own nuclear superiority in the Middle East region.

103. The Soviet delegation has carefully scrutinized the report of the Secretary-General in document A/37/365 and Add.1, presented pursuant to resolution 36/27. We are gratified to note that, as they have informed the Secretary-General, many countries are acting fully in accordance with the provisions of that resolution, including the appeal it contains to all States to "cease forthwith any provision to Israel of arms and related material of all types which enable it to commit acts of aggression against other States."

104. As far as the Soviet Union is concerned, as early as 1967 my country broke off diplomatic, trade, cultural and other relations with Israel and put a stop to all co-operation with it. The Soviet Union does not supply Israel with any weapons or military material, nor does it give it any military or other type of assistance. However, in the report we see no reply from those who for some time now have been supplying the aggressor on a large scale and also giving it political cover.

105. Israel's position, as described in the report, showing Israel's contemptuous disregard for the demands of the General Assembly, is a challenge to the entire international community. This certainly shows that Israel, with the overt connivance of its patron, is persisting in carrying out its aggressive policies and that it has not relinquished the threat to repeat its attacks on such installations, like the attack which was condemned by the General Assembly, whenever it sees fit.

106. The Soviet Union considers that the General Assembly should take forthright measures to curb Israel's nuclear ambitions and to ensure the implementation of its own decisions aimed at restricting Israel's opportunities to pursue a policy of aggression and blackmail against the Arab countries and at strengthening peace and security in that region.

*The meeting rose at 12.20 p.m.*

#### NOTES

<sup>1</sup> United Nations publication, Sales No. E.77.V.6.

<sup>2</sup> See *Official Records of the Security Council, Thirty-sixth Year, 2288th meeting.*

<sup>3</sup> *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 22A.*

<sup>4</sup> See *Official Records of the Security Council, Thirty-sixth Year, 2286th meeting.*

<sup>5</sup> See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Twenty-fifth Regular Session, GC(XXV)/RES/381.*

<sup>6</sup> See *Official Records of the Security Council, Thirty-sixth Year, Supplement for April, May and June 1981, document S/14544, annex.*

<sup>7</sup> See GC(XXV)/643.