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SEVENTEEN HUNDRED AND SIXTY-FOURTH MEETING

Held in New York on Thursday, 28 February 1974, at 4 p.m.

President: Mr. Louis de GUIRINGAUD (France).

Present: The representatives of the following States: Australia, Austria, Byelorussian Soviet Socialist Republic, China, Costa Rica, France, Indonesia, Iraq, Kenya, Mauritania, Peru, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon and United States of America.

Provisional agenda (S/Agenda/1764)

1. Adoption of the agenda
2. Complaint by Iraq concerning incidents on its frontier with Iran:

Letter dated 12 February 1974 from the Deputy Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/11216)

The meeting was called to order at 4.35 p.m.

Adoption of the agenda

The agenda was adopted.

Complaint by Iraq concerning incidents on its frontier with Iran

Letter dated 12 February 1974 from the Deputy Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/11216)

1. The PRESIDENT (*interpretation from French*): In accordance with the decision taken by the Council at its 1762nd meeting, and with the consent of the Council, I propose to invite the representative of Iran to take a place at the Council table in order to participate in the Council's debate without the right to vote.

At the invitation of the President, Mr. F. Hoveyda (Iran) took a place at the Council table.

2. The PRESIDENT (*interpretation from French*): In accordance with the previous decisions also taken by the Council at its 1762nd and 1763rd meetings, I propose, in accordance with Article 31 of the Charter, to invite the representatives of Democratic Yemen, the Libyan Arab Republic and the United Arab Emirates to participate, without the right to vote, in the Council's debate. Given the

limited number of places available at the Council table, and in conformity with the usual practice, I shall invite those representatives to take the places reserved for them at the side of the Council chamber, on the understanding that they will be invited to take a place at the Council table when it is their turn to speak.

At the invitation of the President, Mr. A. S. Ashtal (Democratic Yemen), Mr. S. D. A. Swedan (Libyan Arab Republic) and Mr. A. Humaidan (United Arab Emirates) took places at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): Following consultations I have held with all the members of the Council, as President of the Council I am authorized to make the following statement.

"1. Following the complaint presented on 12 February 1974 by the representative of Iraq, the Security Council met on 15 and 20 February. The President of the Security Council has had consultations with all the members of the Council and with the Permanent Representative of Iran. As a result, the President has found that there exists within the Council a consensus in the following terms.

"2. The Security Council, having heard the statements of the representatives of Iraq and Iran regarding the events referred to in the complaint by Iraq, believes that it is important to deal with a situation which could endanger peace and stability in the region. It deplores all the loss of human life; it appeals to the parties to refrain from all military action and from any move which might aggravate the situation. The Council reaffirms the fundamental principles set out in the Charter regarding respect for the territorial sovereignty of States and the peaceful settlement of disputes and the duty of all States to fulfil their obligations under international law, as well as the principles referred to in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

"3. From the information available to the Council, it appears that the cause of the event lies, *inter alia*, in the fact that the legal basis for the delimitation of the boundary between the parties is contested.

"4. The Council has noted the recent exchange of ambassadors between the two States and hopes that this could constitute a channel through which problems affecting relations between the parties might be resolved.

"5. As additional information is required, the Security Council requests the Secretary-General:

"—to appoint as soon as possible a special representative to conduct an investigation of the events that have given rise to the complaint by Iraq; and

"—to report within three months.

"6. The above-mentioned consensus was reached by members of the Council with the exception of China, which dissociates itself from it; the Chinese delegation made the following statement:

"The Chinese delegation hopes that Iran and Iraq will arrive at a fair and reasonable settlement of their boundary dispute through negotiations in accordance with the five principles of peaceful coexistence. Therefore, the Chinese delegation does not favour United Nations involvement in any form in a boundary dispute. In view of this position, the Chinese delegation dissociates itself from the above consensus of the Security Council."

4. If I hear no objection, I shall take it that the Council adopts that text as the consensus of the Security Council.

It was so decided.

5. Mr. HUANG Hua (China) (*translation from Chinese*): The boundary question between Iran and Iraq is a legacy of history.

6. The Chinese Government has always stood for the settlement of such questions through friendly consultations on an equal footing between the two parties in dispute. Both Iran and Iraq and developing countries confronted with the common struggle to safeguard national independence, protect national resources, develop the national economies and oppose imperialism and hegemonism.

7. We sincerely hope that Iran and Iraq will arrive at a fair and reasonable settlement of their boundary dispute through negotiations in accordance with the five principles of peaceful coexistence. Therefore, we do not favour United Nations involvement in any form in the boundary dispute between the two countries, and we state that we dissociate ourselves from the consensus.

8. Mr. PEREZ DE CUELLAR (Peru) (*interpretation from Spanish*): The delegation of Peru has followed with great interest the course of the Security Council debate on the complaint of Iraq of 12 February. We have also taken part in the consultations among members to achieve a consensus on the matter in the Security Council. We are extremely gratified at the spirit of understanding shown by the parties concerned, with both of which my country enjoys cordial relations; that spirit of understanding made it easier to arrive at the consensus just read out by the President.

9. However, I should like to state that my delegation understands that the mandate of the special representative to be nominated by the Secretary-General is wholly contained and defined exclusively in paragraph 5 of that

consensus. That is, he is to "conduct an investigation of the events that have given rise to the complaint by Iraq".

10. Furthermore, my delegation wishes to express its hope that the report of the special representative will contribute to the achievement of the goals of the Security Council.

11. Mr. EL-SHIBIB (Iraq): Mr. President, when the Council held its first meeting on this question, on 15 February [1762nd meeting], I had the pleasure to express to you our confidence that the proceedings of the Council would be successfully concluded under the presidency of so skilful and experienced a diplomat as you. During the past two weeks while our complaint has been before the Council, my delegation has become even more aware, if that were possible, of how vital that skill was to the successful conclusions of our deliberations. Please accept the sincere appreciation of my country and my delegation for your patience and for your untiring efforts to see this matter to a conclusion.

12. I should like to express my gratitude to the other members of the Council also for their understanding and co-operation and for their willingness to take up our complaint promptly, as well as for having recognized this as a situation needing action by the Council and for accordingly taking appropriate action.

13. My delegation very much regrets that the consensus has not been unanimous. We have taken note of the statement made by the representative of the People's Republic of China and recognize that that position is based upon a fundamental principle of Chinese foreign policy. We have also taken note of the statement made by the representative of Peru, and understand his position.

14. Finally, my delegation wishes to take this opportunity to express its willingness to extend all co-operation to the representative of the Secretary-General and to see that no effort is spared to put the facts before him.

15. The PRESIDENT (*interpretation from French*): I thank the representative of Iraq for the kind words he was good enough to address to me, and I am sure that my colleagues on the Council are grateful for the thanks he expressed to them for the work they have done in the course of these last two weeks in an endeavour to reach a settlement of the question before the Council.

16. I call on the representative of Iran.

17. Mr. HOVEYDA (Iran) (*interpretation from French*): I have asked for the floor to express the gratitude of my delegation to you, Mr. President, and to the other members of the Council for the patience you have demonstrated and for all your efforts to enable the Council to achieve a consensus.

18. My delegation has taken note with interest of the statement of the representative of China, as well as that of the representative of Peru.

19. I can assure the Council that my Government will co-operate with the representative of the Secretary-General

and will make available to him all the necessary information and facilities.

20. The PRESIDENT (*interpretation from French*): I thank the representative of Iran for his kind words to the entire Council.

21. I am convinced that the consensus we have just adopted will promote a settlement of the problem which was submitted to us.

The meeting rose at 4.55 p.m.

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