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2326th MEETING

Held in New York on Tuesday, 12 January 1982, at 10.30 a.m.

President: Mr. Oleg A. TROYANOVSKY
(Union of Soviet Socialist Republics).

Present: The representatives of the following States: China, France, Guyana, Ireland, Japan, Jordan, Panama, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

Provisional agenda (S/Agenda/2326)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:
 - (a) Resolution 497 (1981);
 - (b) Report of the Secretary-General (S/14821)

The meeting was called to order at 11.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the occupied Arab territories:

- (a) Resolution 497 (1981);
- (b) Report of the Secretary-General (S/14821)

1. The PRESIDENT (*interpretation from Russian*): In accordance with decisions taken at previous meetings [2322nd to 2325th meetings], I invite the representatives of Israel and of the Syrian Arab Republic to take places at the Council table; I invite the representatives of Afghanistan, Algeria, Bangladesh, Bulgaria, Cuba, Democratic Yemen, the German Democratic Republic, Greece, Hungary, India, Iraq, Kuwait, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Mongolia, Morocco, Nicaragua, Pakistan, Portugal, Qatar, Saudi Arabia, Senegal, Sri Lanka, the Sudan, the Ukrainian Soviet Socialist Republic, Viet Nam, Yemen and Yugoslavia to take the places reserved for them at the side of the Council chamber; I invite the representative of the Palestine Liberation Organization to take the place reserved for him at the side of the Council chamber.

At the invitation of the President, Mr. Blum (Israel) and Mr. El-Fattal (Syrian Arab Republic) took places at the Council table; Mr. Zarif (Afghanistan), Mr. Bedjaoui (Algeria), Mr. Kaiser (Bangladesh), Mr. Tsvetkov (Bulgaria), Mr. Roa Kourí (Cuba), Mr. Ashtal (Demo-

cratic Yemen), Mr. Florin (German Democratic Republic), Mr. Ghikas (Greece), Mr. Rácz (Hungary), Mr. Krishnan (India), Mr. Al-Ali (Iraq), Mr. Abulhassan (Kuwait), Mr. Kittikhoun (Lao People's Democratic Republic), Mr. Muntasser (Libyan Arab Jamahiriya), Mr. Dashtseren (Mongolia), Mr. Mrani Zentar (Morocco), Mr. Bendaña Rodríguez (Nicaragua), Mr. Mahmood (Pakistan), Mr. Medina (Portugal), Mr. Jamal (Qatar), Mr. Allagany (Saudi Arabia), Mr. Sarré (Senegal), Mr. De Silva (Sri Lanka), Mr. Abdalla (Sudan), Mr. Kravets (Ukrainian Soviet Socialist Republic), Mr. Ha Van Lau (Viet Nam), Mr. Mubarez (Yemen) and Mr. Komatina (Yugoslavia) took the places reserved for them at the side of the Council chamber; Mr. Terzi (Palestine Liberation Organization) took the place reserved for him at the side of the Council chamber.

2. Mr. SINCLAIR (Guyana): It is with particular pleasure, Sir, that my delegation sees the presidency of the Council in this month of January fall to the representative of a country with which Guyana maintains relations of such cordiality and friendship as those we maintain with the Soviet Union. The mature wisdom which has characterized your service as representative of the Soviet Union has earned you the respect and admiration of your colleagues in the United Nations. That wisdom combines with your well-known skill and integrity to inspire my delegation with confidence in the success which will attend your presidency in this month of January.

3. You, Mr. President, have assumed a mantle borne with singular honour and distinction in the month of December by Mr. Olara Otunnu of Uganda, to whom my delegation would like to pay a well-deserved tribute for the efficiency and mature judgement, the integrity, the openness and the brilliance with which he superintended the affairs of the Council at a moment of delicacy and of challenge.

4. For the new Secretary-General, Mr. Javier Pérez de Cuéllar, my delegation reserves the warmest and sincerest felicitations. As a Latin American country, Guyana shares the pride and pleasure which the Government and the people of Peru must feel at this distinction. We recall the privilege that was ours to have worked very closely here in New York with him, and that the seat on the Security Council which Guyana occupied in 1975 was the one made vacant upon the expiry of the term of Peru under his worthy leadership. We are confident that with his sobriety, his rich

experience and his consummate diplomatic skills placed at the service of the Organization, and with his unassailable credentials as a true servant of peace, the United Nations is assured of the orientation and inspiration so necessary for the fulfilment of its historic vocation of saving succeeding generations from the scourge of war and promoting social progress and better standards of life in larger freedom. My delegation pledges to him its unswerving and steadfast support and co-operation.

5. I wish also to pay a tribute to the former Secretary-General, Mr. Kurt Waldheim, who, in an era of great turmoil and challenge, served untiringly, devotedly and well. My delegation extends to him its sincere gratitude and its warmest wishes for success in his new career.

6. I should also like to thank you, Mr. President, and all the delegations which have so graciously extended words of welcome to Guyana on our membership of the Council. Guyana occupies its seat on the Council in replacement of Mexico, a sister Latin American country with which we share a joint commitment to the causes of international peace and security, and I must here and now express my delegation's genuine appreciation to Mr. Porfirio Muñoz Ledo for the forthright and outstanding manner in which he discharged the responsibilities of membership of the Council. Guyana succeeds Mexico with a clear Latin American vision and with a deep consciousness of the responsibilities of membership in relation to the region, and of Latin America's transcendental interests. Ours is a willingness and a preparedness to fulfil these responsibilities with serenity, with objectivity and to the best of our ability.

7. On 17 December last [2319th meeting], the Council declared null and void and without international legal effect the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights. The Council decided in resolution 497 (1981) to provide Israel the opportunity and the time to rescind the patently illegal decision in respect of the occupied Golan Heights.

8. My delegation has given the most careful study to document S/14821 of 31 December 1981 containing the report of the Secretary-General on the implementation of resolution 497 (1981). The response by the representative of Israel as contained in paragraph 3 of that document represents, in my delegation's view, nothing more than a restatement of the position which the Israelis have been seeking to have the international community accept in respect of its annexation of territory belonging to its neighbour, Syria. In this attempt Israel, while claiming to be the offended party, has also set itself up as judge and jury and has proceeded to mete out the sentence in complete disregard of Council resolutions, which impose clear obligations on that State in respect of the occupied territories.

9. In brief, the Council demanded in resolution 497 (1981) that Israel rescind its decisions to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights. The Israelis have not merely ignored this demand; they have responded by seeking to show why they believe that their decision was a correct one. The Council has now reconvened in pursuance of that same resolution to consider what appropriate—and I stress appropriate—measures should be taken in the face of that non-compliance.

10. When in its collective wisdom the Council decided in December last to reconvene in the event of Israel's non-compliance with its decision, it was in recognition of the grave consequences for international peace and security which could result if attitudes and actions such as those displayed and carried out by Israel recently were allowed to go unchecked or were to appear to be condoned.

11. Israel's annexation of the occupied Syrian Golan Heights took place against the backdrop of an international situation marked by grave uncertainty, with a potential for explosive conflict. Deep suspicions becloud the international political atmosphere; there is a marked heightening of tension in inter-State relations. The language of reasoned discourse is giving way to postures of belligerence. In a world already overshadowed by the existence and proliferation of weapons of mass destruction, there is a growing tendency on the part of some States to advocate the efficacy of military solutions to problems. Likewise, some States are becoming increasingly covetous of the territories of their neighbours, displaying disturbing desires to violate legally established frontiers.

12. In the Middle East region itself the peace process remains seriously impeded. Peace and security are being further imperilled by attempts to superimpose on the regional impulses for change the dynamics of conflict deriving from the pursuit of interests external to the region. Against this background, Israel's provocative action leads to the heightening of tension in the Middle East region and adds a new dimension of complication to the already complex Middle East situation.

13. When the delegation of the Syrian Arab Republic requested the convening of the Council [S/14791] to consider Israel's annexation of part of its territory, it was reflecting the faith of many a small State Member of the Organization that the Council can be of assistance to States threatened with, or victims of, aggression, and the faith that the Council has a right—indeed an obligation—in keeping with its primary responsibility under the Charter of the United Nations to play a positive role in defusing or resolving situations which threaten to endanger international peace and security. Members of the Council, individually as well as collectively, must recognize a duty to sustain that faith in the effectiveness of the Council. My delegation, for its part, is prepared to lend its support to any action directed to that end.

14. Israel has once again given confirmation of its unmistakable expansionist ambitions. In 1980 it was Jerusalem; in 1981, the Golan Heights. Is it far-fetched to imagine that failure by the Council to act decisively at this time will result in further annexationist measures by Israel in 1982? This land-grabbing, whether by Israel or any other State, must not be allowed to become accepted practice and the Council must take an unequivocal and uncompromising position against this disturbing trend. To turn a Nelson's eye to this overt act of annexation would be to render the Council effete and moribund. The maintenance of peace and security in our time demands vigorous and effective intervention by the Council.

15. The territories of Israel's neighbours must no longer be perceived by the Israeli rulers as so many pieces of no man's land to be violated at will in the name of a security which their own actions make more elusive.

16. What is more frightening in the pattern of Israeli behaviour towards its neighbours is the manner in which that State has set itself above all law, all canons, all accepted international practice, unilaterally arrogating unto itself the right to fix what it regards as secure frontiers even at the price of the usurpation of the territory of its neighbours. To concede any such unilateral right is to underwrite anarchy in international relations. The Council does not exist to preside over anarchy but to ensure order. What characterizes Israel's behaviour in respect of Lebanon, Iraq and now Syria is the brazen lawlessness of its actions. The Council must act to reassert the primacy of the rule of law in international relations.

17. The concern which my delegation feels over Israel's defiant disregard for the United Nations can hardly be overstated. It is that kind of attitude that does the greatest violence to the very principle of international organization and to the fundamental purposes of the Charter. The Council cannot appear to be endorsing Israel's continued mocking of the Organization. Israel, itself a creature of the United Nations, evidently regards the Organization as nothing but a necessary nuisance and the Organization's decisions against it as mere ritualistic slaps on the wrist, with which it can easily live. The members of the Council must surely see it as their obligation to act to disabuse Israel of any such illusion.

18. The Government of Guyana has consistently and emphatically maintained the principle of respect for territorial integrity, the inadmissibility of the acquisition of territory by force, the peaceful settlement of disputes between States on the basis of the Charter of the United Nations and mutual respect for sovereignty and the political independence of States. We have consistently advocated that a secure and lasting peace in the Middle East can be found only within a framework which calls for, among other things, Israel's withdrawal from all territories oc-

cupied since 5 June 1967, including the Syrian Golan Heights, as called for in Council resolution 242 (1967). Guyana therefore welcomed the unanimous decision by the Council last December [*resolution 497 (1981)*] that Israel's action was null and void and without international legal effect and its demand that Israel should rescind the decision with respect to the Golan Heights. Now that Israel has responded in the way it has, my delegation expects that the Council, without prevarication and with all deliberate speed, will proceed to firm, credible action consistent with the determination so clearly present in its decision of 17 December last.

19. There is no doubt that the Council is now faced with an act of overt aggression, as defined in General Assembly resolution 3314 (XXIX), one which is in clear violation of Security Council resolutions 242 (1967) and 338 (1973) and also of the Charter of the United Nations. The Charter makes specific provision for dealing with cases of aggression. It is the opinion of my delegation that the Council should not, nor can it afford to, equivocate before this brazen act of lawlessness. In my delegation's view aggression must be punished and in a manner that sends a clear signal to other would-be aggressors and land-grabbers that the Council takes a serious view of its responsibility for the maintenance of law and order. The Council must not appear to be condoning aggression either actively or by default.

20. My delegation is not impressed by the position advanced by Israel—as set out in paragraph 3 of document S/14821—to the effect that it is willing to negotiate unconditionally with Syria for a lasting peace. Israel's annexation of the Golan Heights came 14 years after the adoption of Council resolution 242 (1967), which provided the framework for a peaceful settlement in the Middle East. Instead of withdrawing from the Golan Heights, as required by that resolution, Israel has now annexed that territory. What Israel is therefore doing in effect is unilaterally seeking to alter the accepted basis for a Middle East settlement, which the Council must not permit. In a system based on the rule of law, the occupier must not be allowed to dictate to the international community his own terms for relinquishing that occupation.

21. At any rate, we should not view Israel's response to the Secretary-General in isolation. We must consider it in the context of other statements by Prime Minister Begin in relation to the annexation of the occupied Syrian Golan Heights. For example, the Israeli Prime Minister has stated that there is no one in the entire world who can influence the Knesset to repeal the law in question and that there is no Power on earth that will bring about its repeal. The Israeli response to the Secretary-General is therefore nothing but an attempt to place an acceptable face on what is a naked act of aggression and defiance.

22. My delegation is gratified indeed at the universal condemnation which Israel's annexation of the Golan

Heights has provoked. We have taken careful note of the many statements issued by individual Governments, including the 10 members of the European Community, and we ourselves have joined with other non-aligned States in expressing our condemnation of this action by the Israelis. We believe that on the basis of those expressions there exists a broad base of support for firm and appropriate action by the Council. In the view of the Guyana delegation, that action can and should include the imposition of a régime of sanctions against the Israeli aggressor, in accordance with Article 41 of the Charter.

23. Such a decision will do much more than impose sanctions against Israel. It will represent the triumph of principled international relations and the rule of law. It will signify the resolute determination of the international community to discourage the use of force in international relations. It will underscore the principle of territorial inviolability, while reaffirming the Council's primary responsibility for international peace and security. It will help considerably to restore, in the public eye, the image of the Organization and of the Council as political instruments relevant to the needs of our time.

24. Finally, my delegation would like to reiterate Guyana's full support for the Government of the Syrian Arab Republic in its effort to bring an end to the illegal occupation of its territory and to recover its territorial integrity and ensure fullest respect for its independence and sovereignty.

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

26. Mr. TSVETKOV (Bulgaria) (*interpretation from French*): Comrade President, I should like first to thank you and all the members of the Council for having granted me this opportunity to express my Government's position on the question on the agenda.

27. I hasten to convey to you, Comrade President, my entire satisfaction at seeing you preside over the Council's proceedings during the month of January. My satisfaction is all the greater since you represent the great country with which Bulgaria enjoys the closest fraternal relations. The fact that your country is most faithfully practising a policy of peace and progress, as well as your unanimously recognized political wisdom and diplomatic skill, will surely contribute to ensuring the Council's discharge of its onerous task.

28. I wish also to pay a tribute to Mr. Otunnu of Uganda for the outstanding way in which he presided over the Council's proceedings during the month of December.

29. Similarly, I should like to express warmest congratulations to the Secretary-General, Mr. Pérez de

Cuéllar, and most cordially wish him success in his activities, which are fraught with responsibility. I am pleased to assure him of my Government's full support as he discharges his duties.

30. The Council is meeting for the second time in a period of one month on the same subject: the decision adopted by the Knesset to extend Israeli laws, jurisdiction and administration over the region of the Golan Heights. As is known, that decision has aroused deep indignation throughout the world, including within Bulgarian public opinion. In this connection, the Bulgarian Telegraphic Agency published the following statement:

"In practice, this act constitutes an annexation of territory plundered as a result of aggression against the Syrian Arab Republic, and is another demonstration of the expansionist political line of Israeli leading circles. This decision can only be described as a flagrant violation of the Charter of the United Nations and United Nations decisions concerning the question of the Middle East, as well as a violation of international law and an insolent provocation of Arab peoples and the international community."

31. I take this occasion to express once again the active solidarity of my country with the just cause of the Arab peoples and, in particular, our solidarity with the Syrian Arab Republic, which was reaffirmed during President Assad's visit to Bulgaria last year.

32. The principle of the inadmissibility of acquisition of territory by force is the corner-stone of international legal order. Israel's violation of this principle, in fact, constitutes an additional brutal infraction of the most fundamental norms governing relations among States. The obvious illegality of this act means that the decision taken by Israel does not and cannot have any legal effect, a view explicitly expressed by the Council in its resolution 497 (1981).

33. However, the Israeli authorities' decision was not only juridically arbitrary; it was also a premeditated political provocation designed to heighten tension in the Middle East, with all the attendant dangerous consequences to world peace and security. This open defiance of the international community is all the more insolent in view of the fact that the annexation decision was taken just as the question of the Middle East was being discussed in the General Assembly. As might have been expected, Israel has disdainfully flouted resolution 497 (1981), which was unanimously adopted. That is a breach of the Security Council's authority.

34. Israel's persistent refusal to abide by Council resolution 497 (1981) obviously stems from its policy of *fait accompli*. The logical question which arises is: What will be the next occupied territories over which Israel will attempt to perpetuate its domination?

35. In this case, the Israeli authorities' arrogance is the direct result of the Camp David policy. Unfortunately, events have confirmed the judgement repeatedly expressed by the overwhelming majority of the international community, that separate deals merely camouflage the perpetuation of Israeli occupation of Arab territories. We must note once again that the Camp David accords in no way whatsoever contribute to settling the Middle East conflict; quite the contrary, they pose additional obstacles to such a settlement.

36. It was quite obvious that the decision of the Knesset stemmed from United States systematic, massive support for Israel. Obviously, Washington is counting on Israeli expansionism in its plans to establish its supremacy in the Middle East. It therefore comes as no surprise that reactions in certain United States circles were inspired not so much by concern over the new aggravation of the situation in the region as by irritation over the fact that Israel had not consulted its protectors in advance. Apparently, the Israeli Government did not feel any need for such consultation, in view of the fact that for a long time it had been given a free hand to take action of that sort.

37. The latest events have proved once again that Israel's blustering about seeking peace and negotiations is devoid of any political and moral value.

38. In such circumstances, we consider that the Council should again condemn the acts of the aggressor. Israel should be compelled to abide by Council resolutions and to renounce attempts to annex the occupied Arab territories. Complete withdrawal of Israeli troops from all the occupied Arab territories and the restoration of the inalienable rights of the Arab people of Palestine: these are the indispensable conditions for the settlement of the Middle East problem.

39. In the opinion of my delegation, the Council, confronted by Israel's refusal to respect the decision adopted by the Council on 17 December 1981, should discharge its duty to safeguard international peace and security by imposing upon Israel mandatory sanctions under Chapter VII of the Charter of the United Nations.

40. In conclusion, I should like to express my delegation's hope that the Council, fully aware of the responsibility incumbent upon it, will adopt a decision obliging Israel to abide by the will of the international community, expressed in countless resolutions of the very Council, so that peace and stability may reign in that region of the world.

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

42. Mr. DASHTSEREN (Mongolia) (*interpretation from Russian*): Comrade President, the delegation of

the Mongolian People's Republic wishes to express its appreciation to you and to the members of the Council for giving us this opportunity to speak on this item.

43. We are glad to see that the Council is beginning its work this new year under the presidency of the representative of the Soviet Union, a country with which Mongolia has long-standing, very friendly and close relations. I am confident that your recognized ability, wisdom and vast experience will promote successful work in the Council.

44. Our delegation would also like to pay due tribute to your predecessor, Mr. Otunnu of Uganda, for his very able guidance of the work of the Council last month.

45. We also take this opportunity to welcome most sincerely Mr. Javier Pérez de Cuéllar, who has been elected to the post of Secretary-General. We wish him every success in his work in this important post.

46. The Council has once again been obliged to take up a problem that has arisen as a result of illegal actions by the Israeli authorities. For over 14 years, Israel's criminal activities in the occupied Arab territories and actions against the Arab people of Palestine and sovereign States in the Middle East have been and remain a constant threat to international peace and the security of peoples and a source of serious concern to the world community.

47. The policy of "creeping" annexation carried out by the Tel Aviv ruling circles in the occupied territories and the gangster-like raids carried out by Israeli troops against neighbouring Arab countries have been frequently discussed in the United Nations and strongly condemned by the overwhelming majority of Member States, and each time the world community has called on Israel to withdraw its troops from the occupied territories and transfer those territories to the legal authorities.

48. Just last year the Council devoted more than one third of its meetings to matters related to acts of aggression committed by Israel in the Middle East region.

49. Nevertheless, the Zionist régime of Israel, in violation of the fundamental principles of the Charter of the United Nations, the demands contained in numerous resolutions and generally recognized norms of international law, not only has stubbornly continued its occupation but is also undertaking action in the occupied territories designed to perpetuate its domination there.

50. This was the goal of the recent decision taken by the Knesset to extend Israeli jurisdiction to the Golan Heights seized from the Syrian Arab Republic in 1967. Last year, as is known, the Zionists declared Jerusalem the "eternal and unified capital" of Israel.

51. And so there can be no doubt about Tel Aviv's intention to annex other territories occupied by it since 1967. That is, indeed, the direction in which things are moving.

52. According to *The Christian Science Monitor* of 4 January this year, in those territories 89 Israeli settlements have been established and another 48 are planned. The occupiers are resorting to such barbarous methods as wiping out farm lands, closing off water sources so as to force the indigenous inhabitants to leave their homes and seizing and expropriating their land by force. According to press reports, the Israeli authorities are envisaging an increase in the number of settlers over the next four years so that they will amount to 120,000 people.

53. This illegal occupation of other peoples' territories can now be said to be moving on to the next stage—annexation. And here there is a surprising consistency in the policy of the aggressors, who are confident that they will go completely unpunished. I think everybody understands what has led to this feeling that they will go unpunished and who it is that guarantees this. Comprehensive economic, military and political assistance and support from the United States of America have served and now serve as a guarantee that Israel will go unpunished, and that is tantamount to encouraging such actions.

54. For its part, Israel eagerly plays the role assigned to it by its defender—namely, policeman in the Middle East. With the conclusion between Washington and Tel Aviv of the agreement on so-called strategic co-operation—envisaging the deployment of American heavy weaponry on Israel's territory, the establishment of strong points for the rapid deployment force, the participation of Israeli military units in that force—the alliance between imperialism and zionism has now attained its apogee.

55. The aggressive intention of this anti-Arab agreement is perfectly clear and its consequences can be extremely dangerous to the security of States in the Near and Middle East. Nobody can therefore be misled by the "concern" and even "condemnation" expressed by the United States over Israel's actions in the Golan Heights.

56. The position of the Mongolian People's Republic on the Middle East problem is well known. We have strongly condemned and now strongly condemn the aggressive actions of Tel Aviv against peace-loving Arab countries and consistently support the just struggle of the Arab peoples.

57. The statement of 18 December 1981 of the representative of the Mongolian Ministry of Foreign Affairs reads as follows, *inter alia*:

"The Government of the Mongolian People's Republic and the entire Mongolian people reaffirm

their militant solidarity with the Syrian people in its struggle to defend the sovereignty and territorial integrity of its country against the attacks of imperialism and zionism, and for the establishment of lasting peace in the Middle East" [see S/14825, *annex*].

58. The Mongolian People's Republic has constantly and strictly abided by the view that the only correct path to a lasting peace in the Middle East involves a comprehensive settlement of the Middle East problem, and the determining condition for that is the immediate and unconditional withdrawal of all Israeli troops from the occupied Arab territories. The whole course of events in the region bears witness to the correctness of that position.

59. The Israeli authorities' complete disregard for Council resolution 497 (1981), demanding that Israel rescind its decision to extend its jurisdiction to the Golan Heights, is a serious test for this prestigious body. The Mongolian delegation hopes that States members of the Council—and primarily the permanent members, who bear a special responsibility for the maintenance of international peace and security—will demonstrate political will and common sense and that the Council will this time take the appropriate decision.

60. In our view, that decision should be to apply mandatory sanctions against the aggressor, in accordance with Chapter VII of the Charter. In this connection I should like to express the hope that the permanent member that literally just a couple of days ago hurried to take a decision to apply sanctions against another country for an action it had not taken and stubbornly demanded that its allies also do so will this time join the other members of the Council in the adoption of mandatory sanctions against the aggressor.

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

62. Mr. MEDINA (Portugal) (*interpretation from French*): Mr. President, at the outset I should like to congratulate you on your accession to the presidency of the Council, within which your eminent qualifications and competence have won you unanimous respect, which increases the awareness of the importance of the role in this body given to your country by the Charter of the United Nations. I should also like to pay a particular tribute to Mr. Olara Otunnu for the outstanding way in which he presided over the work of the Council during the month of December, when he so brilliantly dealt with matters of paramount importance whose fortunate outcome will surely influence the future of the Organization.

63. My mention of those events quite naturally leads me to avail myself of this opportunity to con-

gratulate Mr. Javier Pérez de Cuéllar, the Secretary-General. His dedication and experience in international problems, so amply demonstrated when, as representative of the Secretary-General, he made admirable efforts to stabilize so many troubled regions, guarantee his success in the duties incumbent upon him. Succeeding the outstanding diplomat Mr. Kurt Waldheim, to whom we should like to express our respect for the manner in which he discharged his important duties and lofty tasks, he will certainly enhance the prestige of the United Nations. At the outset my delegation would like to assure him of its dedicated co-operation.

64. At this time I should also like to congratulate the representatives of Guyana, Jordan, Poland, Togo and Zaire on their joining the Council, which will benefit from their contributions as it did from the contributions made by the representatives of the German Democratic Republic, Mexico, Niger, the Philippines and Tunisia when they were members. Their merits were widely recognized.

65. In the course of the work of the General Assembly, my delegation had an opportunity to emphasize the strong desire of the Portuguese Government for a negotiated, comprehensive and peaceful solution to the conflict in the Middle East. It pointed out that evacuation of territories occupied since 1967 and integral respect for internationally recognized borders, including the borders of the State of Israel, underlie any just and lasting peace and constitute an essential prerequisite for the maintenance of security in all the States of the region.

66. My delegation also drew attention to the existence of an international consensus which, in calling for a peaceful solution, implied condemnation of any unilateral act that might impede or indeed prevent concord and, in particular, postulated the condemnation of any unilateral decision susceptible of modifying the juridical status of the territories involved that would be adopted in violation of the principles of *jus gentium* and running counter to Council resolutions 242 (1967) and 338 (1973).

67. The existence of such a consensus was demonstrated once again when, on 17 December last, Council resolution 497 (1981) was unanimously adopted. The significance of that decision cannot be minimized in view of its contents and in particular because it revealed a concurrence of views that reflected the feelings of the international community expressed within the Organization in several resolutions adopted in the course of the last 30 years.

68. It therefore seems undeniable that such precision in defining principles and such scrupulousness in making judgements would impart particular meaning to the current situation. The injunction that the Council unanimously addressed to the occupying Power to rescind the decision to extend to the Golan territory

laws and regulations in effect in Israel—a decision which runs counter to international law—is within the context of such an evolution. Portugal, which is linked with the States principally involved in this conflict through a wide-ranging network of relations based on historical and cultural ties, is following this disquieting situation with apprehension.

69. My Government considers that it is the duty of all the members of the international community to bend all efforts to implement, by ensuring scrupulous respect for the rules of *jus gentium* and the decisions of the Council, principles on which there is today an obvious consensus.

70. My delegation therefore appeals to the Council to ensure that favourable conditions are established for the observance of the principles agreed on by the international community, which should form the basis for a just, lasting and peaceful solution of the Arab-Israeli conflict. And, in this context, my delegation attaches particular importance to ensuring that any decision adopted by this organ would enlarge its undeniable scope with increased moral authority, which would result if it were adopted unanimously as in the case of the Council's most recent resolution on this problem, the implications of which are a matter of predominant concern to the international community.

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

72. Mr. ZARIF (Afghanistan): Permit me to extend to you, Mr. President, the greetings of the delegation of the Democratic Republic of Afghanistan as you preside over the proceedings of the Council during the month of January and to wish you every success in fulfilling your responsible duties. You represent a nation which in the entire course of its revolutionary era has proved to be the greatest and most reliable friend of all peoples in their struggle against colonialism, imperialism, alien domination and foreign occupation, and for independence, national sovereignty and territorial integrity. The history of co-operative and fraternal relations between our two countries provides us with the most brilliant example of the principled foreign policy of your great country. Your outstanding qualities and broad experience will no doubt serve as a very positive factor in ensuring the fruitful conduct of this vitally important debate.

73. I should like also to pay a warm tribute to your distinguished predecessor Mr. Olara Otunnu of Uganda, who very ably and wisely guided the Council's work last month, a turbulent one.

74. May I also seize this opportunity to congratulate most sincerely Mr. Javier Pérez de Cuéllar on his election to the high post of Secretary-General. His

wide experience, high competence and vast knowledge of the Organization's work which are so evident in his person give us every confidence that we can hope for a more efficient system and an enhanced role for the United Nations in solving problems facing the international community.

75. Our felicitations also go to the newly elected members of the Council, to whom we wish every success.

76. The Council is meeting for the second time in less than a month to consider one of the gravest and most blatant manifestations of acts of aggression committed by the Israeli Zionists, an act that sparked the strong and vigorous condemnation of the vast majority of nations.

77. The Government of the Democratic Republic of Afghanistan strongly believes that the action taken by Israel on 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights constitutes an unequivocal act of aggression under the provisions of Article 39 of the Charter of the United Nations as well as General Assembly resolution 3314 (XXIX). It further believes that the Knesset resolution and the proclamation of the Israeli Prime Minister are in complete defiance of the Charter and international law, and thus are null and void.

78. It must be categorically stated that, were it not for the overt and covert encouragement and support of the United States, the Israeli authorities could not continue with their gross violations of the Charter and numerous United Nations resolutions, as well as breaches of internationally accepted norms and principles. It is not accidental that this fresh anti-Arab step was taken soon after the signing of the American-Israeli so-called memorandum of mutual understanding in the sphere of strategic co-operation and the arrival of Washington's emissary in the Middle East.

79. The signing of that agreement provided the world with fresh evidence of the fact that Washington and Tel Aviv are acting in a united aggressive front, the aim of which is to continue the occupation of the Arab territories and the usurpation of the inalienable rights of the Palestinian people.

80. The Washington-Tel Aviv military alliance which is taking shape now is a direct product of the very same Camp David process advertised as the beginning of the "peace era" in the Middle East. The promised "peace", however, has turned in practice into the building up of an American military presence in the region and the growth of Israel's aggressiveness and expansionism.

81. This ignominious, wicked and childish manoeuvre is an attempt to save the Camp David process and its

accomplices, headed by the United States, from isolation and total disgrace. It is also a calculated pressure to draw other Arab countries into that infamous and bloody deal. It is a dangerous and adventurous move which comes in the wake of other Zionist plans like declaring the Holy City of Jerusalem as the so-called eternal capital of Israel, the continuous aggression against Lebanon, the attack on Iraq, and the policy of brutally suppressing the Palestine resistance movement.

82. At a previous meeting, the Council unanimously declared null and void the Israeli decision with regard to the Syrian Golan Heights. The Council agreed to reconvene in the event of Israel's failure to rescind its illegal decision in order to consider measures to ensure the implementation of the Council's resolution [resolution 497 (1981)].

83. The Israeli representative lost no time in declaring that his Government could not and did not accept that resolution [2319th meeting, para. 37], and thus proved the lawlessness and arrogance of his régime for the umpteenth time.

84. The plenary meeting of the non-aligned countries held on 5 January 1982 expressed its deepest concern and indignation at Israel's defiance of Security Council resolution 497 (1981) and General Assembly resolution 36/226 B. The meeting further expressed its firm conviction that the international community should immediately apply the necessary sanctions in conformity with Article 41 of the Charter of the United Nations [see S/14829, annex].

85. The Government of the Democratic Republic of Afghanistan, while strongly condemning Israel for its provocative action, firmly associates itself with the demand of the international community that all necessary measures, including the application of sanctions under Chapter VII of the Charter, should be adopted to put an end to the expansionist ambitions of Israel.

86. In conclusion, on behalf of the people and the Government of the Democratic Republic of Afghanistan, we reiterate once again our firm and strong solidarity with and unreserved support for the Government and the people of friendly and fraternal Syria.

87. I wish to thank you, Mr. President, and the members of the Council for affording us the opportunity of expressing our views on the item under discussion.

88. The PRESIDENT (*interpretation from Russian*): The next speaker is the Permanent Observer of the League of Arab States, Mr. Clovis Maksoud. At its 2322nd meeting, the Council decided to extend an invitation to him to participate in this debate under rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

89. Mr. MAKSOUD: The various statements that have been made by member States and delegations constitute a very strong identification with the need to preserve international law, the credibility of the United Nations, the Charter of the United Nations and the Geneva Conventions of 1949.

90. In view of the immense support and solidarity that have been manifested during the deliberations of this body, I had no intention of making an additional statement. However, it has become necessary to do so because of the most recent development in the occupied Golan Heights. It has been reported that Colonel Allen, Deputy Chief of Staff of the United Nations Disengagement Observer Force (UNDOF), has stated that it is the intention of the Israeli occupying authority to transform the military checkpoints into a so-called international border; that, indeed, Israel has taken the necessary measures to begin such a transformation. It has also been reported that the Deputy Chief of Staff of UNDOF is asking aloud whether this means that that transformation is an attempt by Israel to extend its sovereignty, thus crippling the United Nations mechanism so that it will be unable to perform the functions that have been laid down for it.

91. This new development testifies to Israel's utter contempt—and not only for United Nations resolutions; that contempt is well documented and recorded. But it testifies to the fact that while the Council is seized of the question, Israel is unfolding its own annexationist designs without any—even minimal—courtesy in regard to the deliberations of the Council. That is an addition to Israel's usual contempt for United Nations resolutions; a new quality of contempt has been added to and has pre-empted its usual contempt. This is contempt not only for the resolutions but also for the proceedings of the Council. This contempt has given rise to the notion that whatever resolution is adopted, Israel's counterfeit legalism is the only legalism and that whatever the international commu-

nity determines to be legitimacy is irrelevant and of no consequence.

92. In view of this qualitative change in the manipulation of what might appear to be minor legalisms, in the service of substantive annexation, what is now involved is not only open contempt for United Nations resolutions—and particularly for Council resolution 497 (1981), which declared all of Israel's measures null and void—but also new measures which are in total contradistinction to the measures of the Council and to its resolution 497 (1981).

93. Now, we are being advised to tone down, to redefine "appropriate measures" as prescribed by resolution 497 (1981). We are being requested to be more moderate so that we can achieve a broad consensus resolution. But with due respect for the need for flexibility in international negotiations and for achieving a broad consensus that reflects the international community's determination to penalize such an obvious violator of the Charter and international law, we must ask this question of the Security Council: In view of this new defiance, this new legalistic twist, this new act of piracy, this new consecration of annexation, this new dimension of contempt for the proceedings as well as the resolutions of the Council—in other words, this proven demonstration of Israeli contempt—what kind of advice should be given on the nature of the Council's consensus and its resolution?

94. We think that this is a most dangerous development which accelerates the tension and the threat to peace in the region. We expect this body, being seized of the matter, to realize that what Israel is doing is escalating further the dangers inherent in its act of annexation. We hope that this body will take this development very seriously in view of the inherent dangers that it poses for peace in the region.

The meeting rose at 12.30 p.m.

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