



## Security Council

PROVISIONAL

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ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND SIX HUNDRED  
AND SIXTY-EIGHTH MEETINGHeld at Headquarters, New York,  
on Wednesday, 26 March 1986, at 6 p.m.President: Mr. BIERRING

(Denmark)

Members: Australia  
Bulgaria  
China  
Congo  
France  
Ghana  
Madagascar  
Thailand  
Trinidad and Tobago  
Union of Soviet Socialist Republics  
United Arab Emirates  
United Kingdom of Great Britain and  
Northern Ireland  
United States of America  
VenezuelaMr. HOGUE  
Mr. GARVALOV  
Mr. LI Luye  
Mr. ADOUKI  
Mr. de KEMOULARIA  
Mr. GBEHO  
Mr. RAKOTONDRAMBOA  
Mr. KASEMSARN  
Mr. MOHAMMED  
Mr. DUBININ  
Mr. AL-SHAALI  
  
Sir John THOMSON  
Mr. WALTERS  
Mr. AGUILAR

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The meeting was called to order at 6.40 p.m.

EXPRESSION OF WELCOME TO THE PERMANENT REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS

The PRESIDENT: On behalf of the members of the Council, I extend a warm welcome to our new colleague, His Excellency Mr. Yuri Vladimirovich Dubinin, Permanent Representative of the Union of Soviet Socialist Republics to the United Nations. We look forward to co-operating with him in the work of the Council.

ADOPTION OF THE AGENDA

The agenda was adopted.

LETTER DATED 25 MARCH 1986 FROM THE PERMANENT REPRESENTATIVE OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17940)

LETTER DATED 25 MARCH 1986 FROM THE PERMANENT REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17941)

LETTER DATED 26 MARCH 1986 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/17946)

The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Czechoslovakia, Hungary, Kuwait, the Libyan Arab Jamahiriya, Malta, Poland, the Ukrainian Soviet Socialist Republic and Viet Nam in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council to invite those representatives to participate in the discussion, without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Agius (Malta) took a place at the Council table; Mr. Cesar (Czechoslovakia), Mr. Endreffy (Hungary), Mr. Abulhasan (Kuwait), Mr. Azzarouk (Libyan Arab Jamahiriya), Mr. Noworyta (Poland), Mr. Oudovenko (Ukrainian Soviet Socialist Republic) and Mr. Bui Xuan Nhat (Viet Nam) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting today in response to the requests contained in the letters dated 25 March 1986 addressed to the President of the Security Council by the Permanent Representative of Malta to the United Nations (S/17940) and by the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations (S/17941) and in the letter dated 26 March 1986 by the Permanent Representative of Iraq to the United Nations (S/17946), respectively.

I should also like to draw the attention of members of the Council to the following documents:

S/17938: letter dated 25 March 1986 addressed to the President of the Security Council by the Permanent Representative of the United States of America to the United Nations; S/17942: letter dated 26 March 1986 addressed to the Secretary-General by the Permanent Representative of Czechoslovakia to the United Nations; and, finally, S/17943: letter dated 25 March 1986 addressed to the Secretary-General by the Permanent Representative of the Union of Soviet Socialist Republics.

The last two letters will be available in the course of this meeting.

The first speaker is the representative of the Union of Soviet Socialist Republics.

Mr. DUBININ (Union of Soviet Socialist Republics) (interpretation from Russian): First, I should like to express to you, Sir, my gratitude for your welcome as I begin my work here as the representative of the Soviet Union to the United Nations. In turn, I should like to hope for fruitful co-operation with all my colleagues, the members of the Security Council. Although this month is almost at an end, I should like to congratulate you on your election as President of the Security Council for the month of March and wish you success in your responsible

(Mr. Dubinin, USSR)

post. Permit me also to express my gratitude to your predecessor, the representative of the Congo, Ambassador Adouki, for his skilful and professional conduct of the proceedings of the Council during the month of February.

The Soviet Union has called for an urgent meeting of the Security Council in connection with the extremely dangerous situation which has arisen in the southern Mediterranean as a result of the provocative, aggressive actions of the United States against Libya, an independent sovereign Member State of the United Nations.

Continuing its course of exacerbating the international situation, the United States Administration, on 24 and 25 March, committed acts of direct armed aggression against Libya, making use of a whole armada of warships, including three aircraft carrier groups, with hundreds of aircraft on board, to strike at a number of Libyan targets, causing casualties and inflicting considerable material damage on Libya.

As has emerged clearly from the statements of American officials, and also from the letter of the Permanent Representative of the United States to the United Nations, the United States Government is threatening to commit further acts of armed aggression against Libya. The premeditated nature of this bandit-like attack by the United States of America against Libya cannot possibly be doubted. For a long time now Libya has been the target of undisguised American military, political and economic blackmail. An unending torrent of threats and slander has poured out of Washington against the leaders of that country, to the point where American officials do not hesitate to discuss publicly various ways of physically eliminating the Libyan leadership. With the idea of destabilizing the Libyan economy, Washington has adopted a whole series of economic sanctions against Libya.

(Mr. Dubinin, USSR)

Over the last few months the mailed fist of the United States Navy has established a virtually constant presence off the Libyan coast, something unheard of in peacetime. Accordingly, the armed attack by the United States against Libya was a premeditated, planned and prepared act of aggression against an independent and sovereign Arab State. It has led to an abrupt rise in tension in the area and has created a real threat to international peace and security. No matter what specious pretext may be invoked now by official Washington, it can never justify their acts of banditry. What we have here is a naked policy of State terrorism, defiant disregard of the United Nations Charter, the universally acknowledged norms of international law, and the fundamental principles of relations among States.

The reasons for the growing aggressiveness of the United States towards Libya are, of course, a secret to no one. Washington makes no attempt to conceal its displeasure at the independent, anti-imperialist policy of Libya in international affairs and its vigorous opposition to attempts by the United States and Israel to impose separate capitulationist deals on the Arabs.

Washington clearly cannot tolerate the idea of Libya firmly opposing the assertion by the United States Administration of a right to act in the developing countries as if it owned them.

It is precisely for this reason that Libya and, indeed, Nicaragua, have borne the brunt of this imperialist offensive, but something that should be clearly realized is that this offensive has as its targets all the developing countries and, indeed, the Non-Aligned Movement.

(Mr. Dubinin, USSR)

Very cynically, they want to demonstrate to those countries that if the warning shots from Washington do not succeed in bringing about a change in their independent policies, then the United States always has its navy and aircraft ready to restore its kind of order, in accordance with the neo-colonialist recipes prepared in Washington.

The criminal act committed by Washington against Libya is just one more eloquent illustration of the policy of a new globalism proclaimed by the United States Administration. That is a policy which is visibly becoming more belligerent, more provocative and more dangerous to peace. The Soviet Union has already warned, in the Security Council and elsewhere, of the dangerous consequences of such a policy on the part of the United States Administration.

In the circumstances, all freedom-loving States that cherish their independence must raise their voices in defence of peace and the inalienable right of every people to determine its own fate. Their attempts to impose their will by force of arms on other States, their attempts to destabilize the situation in countries that have adopted a course of independent development must be firmly rebuffed.

Speaking today in the Kremlin, the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Mr. Gorbachev, stated:

"The actions of the United States are a challenge to the whole world community. They constitute a flouting of universally acknowledged civilized relations. Such a policy provokes regional conflicts and threatens international peace and security. It is aimed against all independent peoples. Indeed, it is against the interests of the American people themselves".

(Mr. Dubinin, USSR)

In these times that are so difficult for Libya, the Soviet people express their solidarity with the Libyan people. The Soviet Union remains, as always, on the side of Libya in its just struggle for its freedom and independence. The Soviet Union vigorously condemns the aggressive actions by the United States and demands that they be halted.

The Soviet Union and the Soviet delegation are firmly convinced that in the present dangerous circumstances, it is the bounden duty of the Security Council very vigorously to condemn the aggression committed by the United States against a State Member of the United Nations, to take all necessary measures to put a halt to these actions and to apply effective measures to protect Libya's sovereignty and territorial integrity.

The PRESIDENT: I thank the representative of the Union of Soviet Socialist Republics for his kind words addressed to me.

The next speaker is the representative of Malta, on whom I now call.

Mr. AGIUS (Malta): Allow me first of all, Mr. President, to congratulate you and, through you, your peace-loving country, Denmark, on your taking up of the vital duties of President of the Security Council for this month. I am certain that under your fair and able guidance the work of the Security Council will be carried out with fairness and efficiency. I wish also to thank your predecessor for the good work done last month.

My Government firmly believes that all disputes between States should be settled by peaceful means, in such a manner that international peace and security and justice are not endangered. That principle is enshrined in Article 2, paragraph 3 of the United Nations Charter. Under Article 2, paragraph 4, Member States have undertaken to refrain in their international relations from the threat



(Mr. Agius, Malta)

or use of force. We strongly appeal to the parties in the present situation in the central Mediterranean to abide by those principles in dealing with the differences which exist between them, and in particular to seek a solution to their differences through the methods of negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice, as envisaged under Chapter VI of the Charter.

The Government of Malta is convinced that the safeguarding of any rights under international law and practice, including the right of unhindered passage in international waters, can be fully undertaken within the framework of the principles of the United Nations Charter to which I have already referred, and within the procedures for the settlement of disputes which are available.

The Government of Malta insists that the use of force or threats for the enforcement of claims in disputed waters cannot be condoned. That is particularly the case in the context of a situation arising from the attempt by a State Member of the United Nations to exercise what it considers to be its rights in international waters thousands of miles away from its territory - especially through the mustering of a formidable array of aggressive air and naval armaments in disputed waters under the pretext of military exercises, which are protracted indefinitely. All that this manifestation of force can lead to is the provoking of a spiral of retaliation and counter-retaliation which the Security Council can in no circumstances permit. The Security Council cannot acquiesce in what is virtually a state of war threatening to engulf the whole Mediterranean region.

In that context, Malta recalls the statement made by the Foreign Ministers of the non-aligned Mediterranean countries meeting in Valletta in September 1984 that "the freedom of the high seas in a closed sea like the Mediterranean should be exercised scrupulously and exclusively for the purposes of peace, and that

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naval deployment, particularly by States outside the region, that directly or indirectly threatened the interests of non-aligned Mediterranean members should be excluded". (S/16758, para. 13)

At the same time, the Government of Malta wishes to underline the commitments undertaken by the 35 participants in the Conference on Security and Co-operation in Europe (CSCE) in the Helsinki Final Act, in particular principles II, V and X of the Declaration on principles guiding relations between participating States, principles which deal with refraining from the threat or use of force, with the peaceful settlement of disputes and with the fulfilment in good faith of obligations under international law.

(Mr. Agius, Malta)

The 35 States participants in the Conference on Security and Co-operation in Europe (CSCE) agreed at Helsinki to ensure that those principles would also be applicable in their relations with the Mediterranean non-participating States. In fact, in the chapter of the Helsinki Final Act entitled "Questions relating to security and co-operation in the Mediterranean," participating States declared their intention

"to conduct their relations with the non-participating Mediterranean States in the spirit of the principles set forth in the Declaration on Principles Guiding Relations between Participating States".

We have this week been facing a situation where a participating State of the CSCE has manifestly failed to abide by its commitment in this respect.

As a neutral and non-aligned State in the central Mediterranean, Malta has taken concrete steps to fulfil the commitments for peace and co-operation it has undertaken under the United Nations Charter and the Helsinki Final Act. By eliminating all military bases from its territory and guaranteeing that it will never be used as a base for aggression against its neighbours, Malta has established a focal point of stability in the very heart of the Mediterranean.

At the same time, Malta has joined the Mediterranean members of the Movement of Non-Aligned Countries in calling upon other Mediterranean European States not to allow the use of bases and military facilities on their territories against non-aligned Mediterranean members.

The Government of Greece responded to that appeal when, on 24 January of this year, Under-Secretary for Foreign Affairs Jannis Kapsis informed the Greek National Assembly that Greece would never allow the United States bases on its territory to be used against Libya or any other friendly and neighbouring Mediterranean country. The Italian Prime Minister, speaking on Tuesday, 25 March, in the

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Italian Parliament, also made it clear that bases in Italy would not be used in the present United States action against Libya.

An increasing number of States in the Mediterranean are therefore firmly engaged in a process which is steadily promoting the relaxation of tension in their region. The beneficial effects of this process, however, are being threatened by the build-up of armaments in the region by one super-Power, which, in turn, is provoking the other super-Power to increase its military presence in the Mediterranean as well. It is also for this reason that we believe the Security Council has to act firmly and urgently in urging the United States to desist from using its naval might in the Mediterranean to hold manoeuvres in disputed waters close to the Libyan mainland and to attack Libyan ships and the Libyan mainland.

I want to make it clear that I am not entering into the merits of the contending claims regarding the Gulf of Sidra. In this context, I wish to put on record that, with regard to the status of the Gulf of Sidra, Malta had written to the Libyan authorities as far back as August 1974 as follows:

"The Government of Malta cannot accept or recognize the contention that the Gulf of Sidra south of a line drawn along latitude 32.30 North 0 is a part of Libyan territory or falls under Libyan sovereignty."

That remains the position of my Government. That the United States Government also does not accept or recognize the Gulf of Sidra as territorial waters has sufficiently and repeatedly been so underlined as to obviate the need for any forceful - much less military - assertion. It is therefore more than evident that, in any differences that arise over this question, the recourse to a military solution is not acceptable. The procedures envisaged under Chapter VI of the United Nations Charter are the ones that can lead to a just and lasting solution.

(Mr. Agius, Malta)

At this juncture, therefore, Malta reiterates its appeal to the United States of America to enter into direct consultations with Libya in order to resolve all the differences which exist between them, on the basis of the principles relating to the peaceful settlement of disputes.

The Malta Government had launched this appeal in January of this year when the first manifestations of the confrontation which has led to the armed incidents of the past few days were occurring. At the time, the United States Government did not react positively to intensive efforts by the Maltese Prime Minister, which had already secured a Libyan agreement to hold talks with the United States at any appropriate level.

The latest incidents have shown that the rejection of the peaceful approach advocated by Malta and agreed to by Libya in January has not helped to resolve the problems which exist. On the contrary, it has exacerbated them. My Government's appeal for prudence and reason to prevail, therefore, remains as earnest as it ever was. The reasons why this appeal should be heeded are more than ever evident. We stand ready to assist and to co-operate in any action that could resolve the present difficulties and open the way for their just and lasting resolution.

The PRESIDENT: I thank the representative of Malta for his kind words addressed to me.

Mr. WALTERS (United States of America): Unlike previous speakers, I will confine my remarks to the agenda items.

We are here today because the Government of Libya has flouted international law and the Charter of the United Nations by using lethal force to assert its claim in the Gulf of Sidra. United States forces, engaged in a peaceful freedom-of-navigation exercise in international waters, have been subjected to unprovoked and justified attack by Libyan forces. The Government of Libya notified the Secretary-General on 24 March 1986 that it intended to disregard the role of

(Mr. Walters, United States)

this Council and "to resort to its own strengths". One day later, Libyan forces launched six surface-to-air missiles against United States vessels and aircraft which were exercising, after proper notification to Libya and all other concerned parties, our rights to navigate in international waters and fly over them. I should add that advance notice had been posted in accordance with international practice and that the exercise was publicly and widely recorded.

On Monday, 24 March, in the daylight hours, United States naval vessels proceeded south of 32 degrees 30 minutes. They were, of course, in international waters. At 12.52 Greenwich Mean Time, Libyan facilities launched two surface-to-air SA-5 missiles aimed at United States tactical naval aircraft conducting routine operations over international waters. No United States aircraft were hit. We did not respond. Two additional SA-5 missiles and an SA-2 missile were launched at 17.45. We still did not respond. Another SA-5 was launched at 18.45 - 6.45 p.m. At this point, Libyan forces had fired a total of six surface-to-air missiles at United States forces operating properly in international waters. The United States responded to this unjustified attack by a proportionate exercise of its right of self-defence.

We reject Libya's efforts to subvert by force the international legal right of freedom of navigation and the responsibility of this Council under the Charter. It is simply intolerable to allow States to subvert international law by threatening and using force against those peacefully exercising their legal rights. The Libyan claim to control navigation through international waters, as well as flights through international airspace, is inconsistent with traditional freedoms recognized in contemporary State practice. It has no basis in international law, and everyone in this Chamber knows this.

(Mr. Walters, United States)

The United States has been committed to ensuring the freedom of the seas ever since our birth as a nation. Freedom of the seas is essential to maintaining international security and the flow of commerce. All nations share a fundamental interest in maintaining and defending the principles of freedom of navigation and overflight. As a matter of long-standing policy, my Government conducts naval and air exercises in waters and airspace in every part of the globe. So, too, do several other members of this Council. As part of our regular programme of operations around the world, we have been in the Gulf of Sidra 16 times since 1981. We have been below the line claimed as a boundary by Libya seven times before this current operation.

Libya's claim to control navigation and overflight in a vast area of the Mediterranean Sea has no basis in customary practice or international law. The Government of Libya knows full well that its indefensible claim in the Gulf of Sidra and attacks on those exercising their rights to navigate in and fly over the international waters of the Gulf have caused this conflict. These flagrant Libyan attacks against naval units of the United States, operating in international waters of the Gulf of Sidra, were entirely unjustified and unprovoked. In self-defence, under Article 51 of the Charter of the United Nations, the United States forces responded to these attacks. I want to make clear that any further attacks also will be resisted with force, if required.

Let us not lose sight of the critical issue before this Council today. The United States believes that, in view of the grave challenge to freedom of navigation in international waters posed by the Libyan actions, this body should reaffirm the internationally accepted freedoms of navigation and overflight and condemn those nations that resort to force to violate these norms. By entering the

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Gulf of Sidra, the United States was defending freedom of navigation for all nations. Members of the Council should affirm that freedom by forthrightly condemning those who seek to deny it.

In conclusion, the first shots were fired by the Libyans against aircraft operating in international airspace over the high seas. The United States response to this hostile act was measured, appropriate to the circumstances and in conformity with Article 51 of the United Nations Charter.

These hostile acts were flagrant. If anyone wishes a definition of what is a hostile act, United States Secretary of Defense Weinberger described it very accurately: "A hostile act is when someone fires something at you that can kill you". Accordingly, we took appropriate action to defend ourselves.

The PRESIDENT: In view of the lateness of the hour, I intend to adjourn the meeting now. The next meeting of the Security Council to continue consideration of the item on the agenda will take place tomorrow, Thursday, 27 March 1986, at 10.30 a.m.

The meeting rose at 7.15 p.m.