



## Security Council

PROVISIONAL

S/PV.2960

27 November 1990

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND  
NINE HUNDRED AND SIXTIETH MEETINGHeld at Headquarters, New York,  
on Tuesday, 27 November 1990, at 4.30 p.m.President: Mr. PICKERING

(United States of America)

Members: Canada  
China  
Colombia  
Côte d'Ivoire  
Cuba  
Ethiopia  
Finland  
France  
Malaysia  
Romania  
Union of Soviet Socialist Republics  
United Kingdom of Great Britain  
and Northern Ireland  
Yemen  
ZaireMr. FORTIER  
Mr. LI Daoyu  
Mrs. CASTAÑO  
Mr. ANET  
Mr. ALARCON de QUESADA  
Mr. TADESSE  
Mr. TÖRNUDD  
Mr. BLANC  
Mr. RAZALI  
Mr. MUNTEANU  
Mr. VORONTSOV  
  
Sir David HANNAY  
Mr. AL-ALFI  
Mr. BAGBENI ADEITO NZENGEYA

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The meeting was called to order at 4.55 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION BETWEEN IRAQ AND KUWAIT

The PRESIDENT: In accordance with the decisions taken at the previous meetings on this item, I invite the representative of Kuwait to take a place at the Council table; I invite the representatives of Bahrain, Egypt and Saudi Arabia to take the places reserved for them at the side of the Council Chamber.

At the invitation of the President, Mr. Abulhasan (Kuwait) took a place at the Council table; Mr. Abdul Ghaffar (Bahrain), Mr. Moussa (Egypt) and Mr. Shihabi (Saudi Arabia) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: I should like to inform the Council that I have received a letter from the representative of Qatar in which he requests 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 that representative 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. Al-Ni'Mah (Qatar) took the place reserved for him at the side of the Council Chamber.

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

The first speaker is the representative of Saudi Arabia. I invite him to take a place at the Council table and to make his statement.

Mr. SHIHABI (Saudi Arabia) (interpretation from Arabic): It gives me pleasure, Sir, to congratulate you on your assumption of the presidency of the Council and to wish you good fortune and success.

I would also like to express my deep appreciation to your predecessor, Sir David Hannay, the Permanent Representative of the United Kingdom, for his presidency during the previous month, and for the outstanding role he played during the period of his presidency.

You will undoubtedly appreciate the pain we Arabs feel when we stand here detailing the crimes that are being committed by an Arab régime, condemning that régime and charging it with full responsibility before the highest tribunal of international security in the world for its invasion of a sister Arab country, its trampling of all values, transgression against traditions, violation of laws, spilling blood and usurpation of the rights of people.

Throughout their past - and you are all well versed in history - Arabs and Muslims could, even during the darkest epochs of their history, boast of traits of which they were proud, traits they considered to be the backbone of their moral constitution and the solid foundation of their social structure.

(Mr. Shihabi, Saudi Arabia)

They used to take pride in protecting the weak. They upheld constancy for its own sake. They considered the protection of the war-prisoner, the neighbour, and the kindred a duty that must be defended by all possible means. Emphasizing these traits has filled our literary history since the pre-Islamic period. Then came the heavenly message of Islam to purify it and regulate it within the Islamic code of conduct.

Throughout our history as Arabs and Muslims we have never taken pride in despotic rulers nor glorified commanders of armies who were bloodthirsty and who legitimized pillage and plunder; their likes were few and they were condemned and made an example of by Arab and Muslim history. Their history is a primary source of study so that conduct will be an example for children to learn about the evil consequences that follow when such people proliferate.

Fair-minded non-Muslim historians have never denied that the first rule of Islamic behaviour was justice, the protection of kinsmen and a prohibition on committing injustices, for as God Almighty says in the Holy Koran:

"God commands justice, the doing

Of good, and liberality to kith

And kin, and He forbids

All shameful deeds, and injustice

And rebellion: He instructs you,

That ye may receive admonition." (The Holy Koran, XVI:90)

Thus, how do we judge the conduct of the Iraqi régime according to these standards, in Kuwait, against the Kuwaiti, the Arab Muslim people, and against non-Kuwaitis in Kuwait! It was recorded of the Prophet Mohammed, may God's prayer and His greetings be upon him, that he said:

(Mr. Shihabi, Saudi Arabia)

"Whoever believeth in God and the day of judgement should not harm his neighbour; whoever believeth in God and the day of judgement should be hospitable to his guest, and whoever believeth in God and the day of judgement should say good things or keep silent."

Where is this high moral instruction in the attitude of the Iraqi régime towards its neighbour, the State of Kuwait, or in the behaviour of the Iraqi régime towards the thousands of foreigners who are the country's guests, whom it transformed into prisoners and rendered them hostages, pushing them unarmed into the line of fire; where is the Iraqi régime standing from the standpoint of the simplest of Islamic laws and the basics of Islamic behaviour; and where is it from the standpoint of Arab gallantry on which the Arabs built the foundation of their past glories?

All this is being committed at a time when the Arab nation with all its peoples is at the threshold of the twenty-first century looking forward to giving future generations their role in making history, raising the banner of civilization, and establishing the state of knowledge, progress and faith on the firm basis of morality and of values.

Those painful scenes which members have seen this morning and the injustice we have been watching is taking place across the land, as if gallantry and honour have been frozen in their system. Iraq's invasion of Kuwait was not a historic conquest, a civilizing expansion, or a constructive act of unification. It was an invasion against all norms. Members today have seen from the scenes of invasion things that chill the human spirit and shame humanity. It makes every Arab feel ashamed and want to reject being historically associated with it.

There is no time in this brief opportunity to detail the kinds of crimes that are being committed, but after the scenes that members have heard and witnessed

(Mr. Shihabi, Saudi Arabia)

which the Permanent Representative of the State of Kuwait has, thankfully, shown in statistics, suffice it to say that no one, an Arab or a foreigner, a Saudi or a Kuwaiti, a resident or a visitor, an unemployed person or a worker has been spared from physical and psychological instruments of torture and means of degradation which put to shame even shame itself. The tragedy of the thousands of hostages that is daily on the world stage is part of the sad and shameful story as if the machinery of government in Iraq has become a tool for terror and a means of murder and torture. For example, four Saudi citizens working for an Islamic relief organization, a subsidiary of the Muslim World League, which came to the assistance of those who were dispersed and displaced from Kuwait and who had come to Saudi territory were kidnapped by Iraqi soldiers at a border post while assisting those who were coming in. What they experienced in Iraqi prisons and in interrogation and torture centres, after being assaulted and robbed of all their possessions, could only be perpetrated by gangs of thugs. They were released after they saw in the prisons some of the things members of this Council have heard from the representative of Kuwait this morning. I do not want to go into details of what diplomats and non-diplomats, Saudis and non-Saudis have been subjected to, practices which deprive the Iraqi régime of any position in the community of civilized States.

Those who have recorded the history of Islam have abundantly reported about the justice of Muslims and the fairness of their treatment and their adherence to humanitarian codes towards everyone when they conquer a new country. The history of Islam reports that a Coptic lady in Egypt came to the Caliph, Omar, complaining to him about Amr Ibn Al'Aas, the famous Governor of Egypt at the time, who had confiscated a section of her house to add to a mosque he built, which is currently known as Amr Bin Al'Aas Mosque in Egypt. The Caliph, Omar, wrote to his Governor

(Mr. Shihabi, Saudi Arabia)

ordering him to give back to the woman what he took, the Governor carried out the orders; the mosque when completed had uneven lines of construction as a result of protecting the rights of the Coptic woman. Those lines were later straightened. During historical conquests, the Arabs strove to establish the State of civilization and progress on a firm basis of morality, justice and fairness. Their State was not the State of plunder and pillage, nor the State of murder and robbery.

What is the Iraqi régime doing in Kuwait today? The scenes we have seen today make one ashamed, make every Arab and Muslim ashamed; rather they make humanity in the twentieth century ashamed. It is regrettable and sad to hear some calls that aim at appeasing this situation and condoning the crimes to the point of rewarding them. I ask those who advocate this, I ask their consciences, if their countries and people were subjected to what we have witnessed, what would they say?

(Mr. Shihabi, Saudi Arabia)

Arabs and Muslims distance themselves from everything you have seen, Mr. President, because it is contrary to everything which their beliefs and religion, and every belief and every religion, stand for. It is against everything which our moral history has stood for. We distance the Iraqi people, people with a glorious past, from responsibility for what is being committed in Kuwait in their name. It is the perpetrators of these acts who will bear the responsibility.

The Arab and Muslim nation, the international community and this Council must shoulder their responsibility to remove injustice from Kuwait, to check the aggressors, return the country - every inch of it - to its people, restore legitimacy to its sanctity, and allow it to stand tall, make those responsible bear the consequences of their actions and safeguard the security of the region and its countries from their waywardness and the dangers of their evil intentions.

Your Council meets this Thursday, Sir, after the Iraqi side has shown no intention of considering the resolutions of the international community or the positions it has taken, and continues to insist on its waywardness by occupying Kuwait. The Council meets in order to take a firm stand, which we hope will set matters right, before matters run out of control. We call upon people with common sense to realize the gravity of what the Iraqi régime is committing in its obduracy, of what does not please God, contradicts every law, and for the consequences of which that régime bears full responsibility.

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

The next speaker is Mr. Ahmet Engin Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, to whom the Council extended an invitation under rule 39 of the provisional rules of procedure at the 2959th meeting. I invite him to take a place at the Council table and to make his statement.



Mr. ANSAY: At the outset, Sir, I should like to thank you for giving me the opportunity to address the Security Council on such an important item - "The situation between Iraq and Kuwait".

For almost four months now the State of Kuwait has been under Iraqi occupation. The Islamic world was shocked that this invasion of a State member of the Organization of the Islamic Conference was perpetrated by another State member of that Organization.

Very soon after differences between the two countries surfaced the Secretary-General of the Organization of the Islamic Conference, Mr. Hamid Algabid, addressed to the leaders of both Iraq and Kuwait messages expressing the Organization of the Islamic Conference's deep concern over the increasing tension in relations between Iraq and Kuwait, and urged the leaders to spare no effort to achieve a peaceful negotiated solution.

Being deeply conscious of the grave dangers that this situation entailed for the peace and security of the entire Gulf region, as well as its potentially devastating consequences for the solidarity of the Islamic Ummah, the Secretary-General of the Organization of the Islamic Conference once again, in a public statement issued on 27 July 1990, appealed to the two countries to show wisdom and restraint and to seek by peaceful means a solution to their differences.

Immediately after being apprised of the outbreak of hostilities on 2 August 1990 the Organization of the Islamic Conference, through its Secretary-General, issued another statement, in which Mr. Algabid expressed his grief and sadness over these tragic events, which were a grave threat to the harmony and stability of the region and the peace and security of the entire world. In his statement he recalled the commitment in the charter of the Organization of the Islamic Conference to refrain, in relations between member

(Mr. Ansay)

States, from the use or threat of use of force against the unity and territorial integrity or political independence of any member State.

On 4 August 1990 the Nineteenth Islamic Conference of Foreign Ministers, then in session in Cairo for their regular annual meeting, adopted a Special Declaration on the Situation between Iraq and Kuwait (S/21797, annex II) in which it condemned the Iraqi armed aggression against Kuwait and rejected all its consequences; decided not to recognize anything arising therefrom; and demanded that the Iraqi forces be withdrawn immediately from the Kuwaiti territories. It supported the legitimate régime in Kuwait, under the leadership of His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, the Emir of Kuwait and Chairman of the Fifth Islamic Summit. The Conference reaffirmed in no uncertain terms its full support for, and solidarity with, the Emir, the Government and the people of Kuwait.

Alas, despite numerous resolutions adopted by the Security Council, the Iraqi forces continue their occupation of Kuwait - a situation which is contrary to the Charter of the United Nations, the charters of all other international organizations and the norms and principles of international law and conduct. The practices perpetrated by the forces of occupation in Kuwait against the defenceless innocent Kuwaiti civilian population constitute a flagrant violation of the Fourth Geneva Convention and the Universal Declaration of Human Rights, as well as the Cairo Declaration on Human Rights in Islam, which is based on the noble principles and teachings of Islam.

Article 3 of the Cairo Declaration on Human Rights in Islam states:

"In the event of the use of force and in case of armed conflict, it is not permissible to kill non-belligerents such as old men, women and children. The wounded and the sick shall have the right to medical treatment; and prisoners of war shall have the right to be fed, sheltered and clothed. It is

(Mr. Ansay)

prohibited to mutilate dead bodies. It is a duty to exchange prisoners of war and to arrange visits or reunions of the families separated by the circumstances of war.

"It is prohibited to fell trees, to damage crops or livestock, and to destroy the enemy's civilian buildings and installations by shelling, blasting or any other means." (S/21797, p. 201)

Recently the Co-ordination Meeting of the Ministers of Foreign Affairs of the Organization of the Islamic Conference, held in New York on 1 October 1990, called upon Iraq to cease forthwith its campaign of repression in the occupied Kuwaiti territory and to release immediately all third-country nationals and hostages taken and facilitate their return to their countries of origin in conditions of safety and honour. It also called upon Iraq to abide by the principle of the inviolability of diplomatic and consular premises and accord protection to all diplomatic and consular personnel in Kuwait.

In this connection, article 21 of the Cairo Declaration on Human Rights in Islam states:

"Taking hostages under any form or for any purpose is expressly forbidden." (ibid., p. 206)

During the same New York Co-ordination Meeting the Islamic Conference once again expressed its full support for, and solidarity with, the Emir, the Government and the people of the State of Kuwait, and affirmed its determination to seek the restoration of the sovereignty, independence, territorial integrity and the legitimate Government of Kuwait, under the leadership of His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, the Emir of Kuwait and Chairman of the Fifth Islamic Summit.

(Mr. Ansay)

During these trying times we hope and pray for wisdom to prevail without further delay. We hope and pray that the current inadmissible situation will give way to the restoration of legitimacy, thereby avoiding the catastrophe this current explosive state of affairs will otherwise certainly cause.

The PRESIDENT: I thank Mr. Ansay for his kind words addressed to me.

The next speaker is the representative of Egypt. I invite him to take a place at the Council table and to make his statement.

Mr. MOUSSA (Egypt) (interpretation from Arabic): Sir, since this is the first time I speak in the Security Council during your term as President, I should like to extend to you our confidence in the exemplary manner and statesmanship with which you have guided the Council's work and to wish you success in your task. I should also like to express our admiration of the excellent performance of your predecessor, the Permanent Representative of the United Kingdom, during his presidency of the Council last month.

The issue before the Security Council today has to do with one of the consequences of the Iraqi invasion and occupation of Kuwait, one of the regrettable manifestations of the condemned actions perpetrated by the Iraqi forces as invading forces that occupy the territory of another country and violate the rights of its population as well as the diplomatic immunity of embassies and diplomatic personnel. The fundamental components of any State are its territory, its people and its Government. The Iraqi forces have committed an act of aggression against Kuwaiti territory and have violated its territorial integrity. They have defied the legitimacy of the Kuwaiti régime and usurped the responsibility of its Government. They continue to humiliate the people of Kuwait and to eradicate the country's basic features by actions that run counter to the rules of human rights and practices that contravene the provisions of the Fourth Geneva Convention and the principles of international law.

This morning, we heard moving accounts of the practices of the occupying forces against Kuwaiti civilians and against the infrastructure of Kuwait. We heard of attempts to force Kuwaitis from their homes, their city and their country. I need not dwell on the details of the actions committed against people, houses, banks and stores in Kuwait or on the procedures being carried out to eradicate the national identity of the Kuwaiti people by destroying archaeological landmarks, plundering libraries and historical documents and destroying Kuwait's

(Mr. Moussa, Egypt)

achievements. The moving accounts given this morning in the Security Council, as well as the statements made here by the Permanent Representative of Kuwait, have all contained examples of such practices. I would refer also to the contents of document S/21694 of 3 September 1990 and to the reports of Amnesty International, as well as the report contained in A/45/693 of 30 October 1990.

In addition to the actions I have mentioned, the occupying forces have relocated Iraqi citizens in Kuwait to take over the businesses and homes of Kuwaitis forced to leave or to flee the country within the framework of a plan to change the demographic composition of the Kuwaiti people.

This morning, we heard the representative of Kuwait tell us about the plundering of Kuwaiti population records by the occupying authorities and the destruction of the Kuwaiti civil population register in an attempt to sow confusion and make it difficult for the legitimate Kuwaiti authorities to have a proper knowledge of the events that have taken place since the beginning of the occupation. However, we are reassured to learn that an authenticated copy of the population register of Kuwait will be deposited with the Secretary-General, a document that covers the population registration of Kuwait up to 1 August 1990.

The lessons of history teach us that the era of colonialism and suppression of peoples is over. Occupation, however long it may last, will not withstand forever a people's determination to resist it. The Iraqi occupation of Kuwait will not be an exception to that rule, nor will any other occupation. The Iraqi occupation of Kuwait is rejected not only by the Kuwaiti people but also by all the peoples of the world and by the overwhelming majority of its States, which reject the false principle of historical claims and invasion and the doctrines of aggression under whatever pretext or excuse. I, therefore, join the representative of Kuwait in calling upon the Security Council to adopt the resolutions necessary to safeguard

(Mr. Moussa, Egypt)

the national identity of the Kuwaiti people and to record all instances of subversion and aggression against that identity until the legitimate Government is returned to power and the fraternal Kuwaiti people are liberated from the yoke of occupation and invasion.

We have stated on earlier occasions that the sole and radical way to ensure respect for the human rights of peoples under occupation is for that occupation to end. That applies to Kuwait as it does to any other occupied territory or country. It is a basic principle of Egyptian foreign policy. In a recent statement, President Hosni Mubarak emphasized that there can be no compromise with regard to principles. He said:

"We totally reject the present state of occupation and oppression. The only feasible solution is complete Iraqi withdrawal from Kuwait and the return of the legitimate Government of Kuwait."

President Mubarak continued:

"In the coming difficult weeks, we will spare no effort to reach a peaceful solution to the Gulf crisis. However, Kuwait must be liberated and the wrongs and injustice against it must be righted."

Mr. ABDUL GHAFAR (Bahrain) (interpretation from Arabic): May I first extend to you, Sir, my most sincere congratulations upon your assumption of the presidency of the Council for this month. I wish you every success in carrying out your functions.

I should also like to extend my most sincere thanks to Sir David Hannay, the Permanent Representative of the United Kingdom to the United Nations, who conducted the work of the Council last month with an efficiency which deserves our admiration and gratitude.

Since 2 August, Kuwait and its people have experienced the visitation upon them of the ranks of the Iraqi forces who have invaded Kuwait and perpetrated acts of violence against the citizens living peacefully in that country.

The hate complex of the aggressor has become clear. Aggression, pillage, murder and rapine have been in evidence between two neighbouring peoples in total violation of the formal prohibition of the Sharia, the Islamic law which prohibits aggression, injustice and violence.

The horror of the practices perpetrated by the forces of the Iraqi invader on these people has demonstrated that they have lost all reason, that their souls are full of hatred and that harshness has invaded their hearts. These are not qualities of a normal human being.

Since the occupation of Kuwait by Iraq, we learn every day of new violations of the human rights of Kuwaiti citizens and citizens of third countries living there who are also being subjected to this violence.

In this respect, the Middle East Watch indicated on 16 November 1990 that there were flagrant violations of human rights. The bulletin was based on detailed information received from hundreds of Kuwaiti and other refugees who were dispatched to the Kingdom of Saudi Arabia and other States. The bulletin of the Middle East Watch showed on the first page that during the second month of the



(Mr. Abdul Ghaffar, Bahrain)

occupation the Iraqi Government allowed its repressive bodies freely to throttle any peaceful manifestations or resistance against the plundering and violence of the Iraqi forces, which started from the very first days of the occupation. The bulletin summarizes the acts perpetrated by Iraq's occupation forces in Kuwait. I might just mention a few:

First, executions without trial. The occupation forces have executed persons accused by the forces of occupation of armed resistance or peaceful protests. The bulletin also mentions that the occupation forces executed approximately 250 people during the first three days of the invasion.

Secondly, the arbitrary breaking into houses by night either in order to seek out suspects or citizens of third countries. Approximately 5,000 people were arrested in this way, including children.

Thirdly, ill-treatment and torture of those arrested, during interrogation. Certain persons were arrested simply because they happened to be relatives of persons whose names appeared on the lists of people who had to be arrested.

Fourthly, the Iraqi authorities have taken over all government hospitals and medical appliances which were then transferred to Iraq.

Fifthly, the invading Iraqi forces have pillaged and plundered private homes and businesses. They have also taken over the teaching equipment in Kuwait University and in government schools.

It is certain that these practices are completely at variance with the norms of international law and the Universal Declaration of Human Rights. They are also at odds with the principles and precepts of the Islamic Sharia, which is the Islamic law. Islamic jurisprudence considers that the Iraqi invasion and aggression against Kuwait is a crime called jarimatu haraba, which is called by some fagihs the grand larceny because it is accompanied as in the case of the Iraqi

(Mr. Abdul Ghaffar, Bahrain)

invasion by pillage, theft, the taking of human life and rape. The Islamic Sharia is a law which makes it possible for a country that is invaded to repulse the invader either individually or as a group.

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

The next speaker is the representative of Qatar. I invite him to take a place at the Council table and to make his statement.

Mr. AL-NI'MAH (Qatar) (interpretation from Arabic): Allow me at the outset to extend to you, Sir, my sincere thanks for giving me the opportunity to speak before the Council. Allow me also, Sir, to discharge my pleasant duty of congratulating you upon your assumption of the presidency of the Council for this month. Your well-known experience and efficiency guarantee the success of our deliberations.

I should also like to thank your predecessor, the Permanent Representative of the United Kingdom, for his excellent conduct of the deliberations of the Council last month.

At this time, the Security Council meets to consider a painful aspect of the Iraqi aggression against the State of Kuwait. I refer to the practices which contravene international law and the Fourth Geneva Convention, as well as the Declaration of Human Rights and the most basic principles of humanity, which continue to be perpetrated by the occupying Iraqi forces against the proud Kuwaiti citizens.

The Permanent Representative of Kuwait has given us the details of these acts, substantiated by physical evidence and by eyewitness accounts. I need not go into a detailed commentary on them because what the Council has seen and heard is the best evidence of the barbarism of the occupation under which the Kuwaiti citizens languish and whose evils cause them untold suffering.

(Mr. Al-Ni'Mah, Qatar)

If occupation and aggression are in themselves criminal acts under international law, the shameful practices of the Iraqi occupation forces in the State of Kuwait are the other side of the coin in connection with this crime. Those practices are in themselves crimes that are condemned by and punishable under international law.

(Mr. Al-Ni'Mah, Qatar)

I am fully confident that this august Council will not confine itself to a strong condemnation of the Iraqi practices which have run counter to the law and to human rights; rather that this Council will reaffirm the responsibility of Iraq for those practices and for reparations as regards the damages incurred by individuals and institutions. The responsibility of Iraq for all such damages is a clear matter in international law. A resolution by the Security Council in that sense will be in full consonance with the relevant norms of international law, because if the forces of a certain country occupy the territory of another country or a part thereof, the actions of those forces and troops are subject to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

Iraq is a party to the aforementioned Convention. It acceded to the Convention since 1956. Iraq, therefore, is committed to the provisions of that Convention and thus must be held responsible for contravening those provisions.

The State of Kuwait is also a party to the Fourth Geneva Convention, to which it has acceded since 1968. The fact that both Iraq and Kuwait are parties to that Convention makes its applicability to the current situation in Kuwait a matter that need not be proven. I believe I am right in saying that article 2 of the aforementioned Convention is the best proof of this fact, which makes it abundantly clear that all Kuwaitis, natural or juridical persons, are protected under the provisions of the Fourth Geneva Convention. They enjoy all the rights that would arise from any contravention by the occupation forces of this Convention, whether to their property or their persons. Once the contravention of international law by Iraqi troops has been established, the responsibility of the occupying Power would not be open to debate since the elements of international responsibility are all clearly available in the question we are considering.

(Mr. Al-Ni'Mah, Qatar)

While we look at these inhuman practices perpetrated by the invading brother against sisterly Kuwait, our only objective is the restoration of justice. At this hour, all we want is that right be established against evil and wrongful acts. We want the invading brother to go back to his senses. We want his heart to feel it. We want him to rise above ambitions. We want him to understand the will of the international community, led by this august Council. We want the invader to show faithfulness to the glory and heritage of Iraq - Iraq which has given the world wisdom and logic. This is one of God's blessings to Iraq, which will remain a guiding light, a light that should become a glimpse of hope that would safeguard for Iraq, for its heritage and its soil, the essence of its proud and glorious heritage based on Islam and the age-old civilizations.

Cannot those invaders be inspired by their predecessors, by their ancestors, and be inspired by the life of Islam, which gave justice to the whole world, which gave immortal images that will live throughout history, as opposed to the shameful, painful images that the Council has seen this morning - as if all the palm trees in Iraq, as if all its forests in the north, are calling to the children of Mesopotamia for help. It is time for reason to reign supreme. It is time for us to go on the straight path. It is time to stop the invaders with the adoption of a resolution by this august Council that will bring the senseless back to their senses and implement the international will.

This situation, which runs counter to justice, is the result of the fact that the rulers of Baghdad cannot see the truth. We should make it clear to him. We should make them see the rising of the international sun that is drenching our world in light, to make them see, through the Council's long-awaited resolution, the true nature of the will of justice and peace, to show the momentum that is the march of humanity towards a safe future in order to achieve justice and security for the whole world.

(Mr. Al-Ni'Mah, Qatar)

How painful and hateful it is to see such ingratitude and such denial of the values of tolerant Islam, which enjoins Muslims to protect their neighbours and to protect their brothers and give them help, not invade them. But how things have changed in the minds of the invaders, how they have blinded themselves to the truth, how painful the images are that this Council has seen, what a plight we were pushed into by those tyrants. Where will the salvation of this nation come from? Where will the salvation come when their leaders are not showing the values they should show to their brethren and to their motherland? Can we expect those who have attacked their brothers to do anything good?

As for the people of Kuwait, those who have stayed and those who have gone, I say: in this international support you will find consolation. Great nations are made by great pains. God has blessed the pains of all the Prophets and blessed the pains of Mohammed when he fulfilled his message and when he struggled on his own. The acts of the invaders will be unraveled and good will prevail over evil, and the forces of faith will be victorious.

The PRESIDENT: I thank the representative of Qatar for the kind words he addressed to me.

Mr. TÖRNUDD (Finland): The invasion, occupation and purported annexation of Kuwait constitute particularly clear and flagrant violations of international law. There is no justification for the attempt by Iraq to obliterate one sovereign Member of the United Nations. The illegal occupation must, as the Security Council has frequently stated, be brought to an end.

Issues of aggression and unlawful annexation are not, however, the only issues of legality in this tragedy. Another set of violations relates to acts committed by the occupying authorities against civilians in Kuwait. My delegation does not have access to sources of information of our own, but the reports we have received through international humanitarian agencies and other public sources, as well as from the witnesses whom we heard this morning, are very convincing. We are shocked and dismayed.

Iraq is a party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949. That Convention, which is fully applicable to the Kuwait crisis, lays down clear and well-recognized rules concerning the humanitarian treatment of the civilian population which finds itself under the control of an occupying Power. There can be no doubt that Iraq is bound by those rules.

The use of physical force against civilians, looting, reprisals, the taking of hostages, destruction of property, collective punishments and the use of civilians to protect military operations or targets are all prohibited by the Fourth Geneva Convention. Hospitals and personnel providing medical services for the population must be allowed to operate normally. Special protection must be given to those particularly vulnerable, such as children under 15 years of age. The occupying Power may not compel protected persons to serve in its armed forces or otherwise

(Mr. Törnudd, Finland)

coerce them to secure enlistment. National Red Cross and Red Crescent Societies must be allowed to pursue their humanitarian activity in the occupied territory.

According to reliable reports, many, if not most, of these provisions have been violated by Iraqi military personnel during the occupation. These persons are presumably subject to military discipline and under the command of professional officers who have received the appropriate training in the laws of war. I note in this connection that article 146 of the Fourth Geneva Convention provides that each contracting party has the obligation to search and bring before its courts persons suspected of having committed the kinds of violations to which I have referred. Still, the main principle at issue here is, as the Convention itself states in article 29, that:

"The Party to the conflict in whose hands protected persons may be, is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred." (Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (United Nations Treaty Series, vol. 75, No. 973, art. 29))

Iraqi military personnel already bear an accumulated burden of responsibility for unlawful acts committed against civilians in occupied Kuwait. We expect that Iraq will abide by these international obligations.

The PRESIDENT: There are no further speakers for this meeting. The next meeting of the Security Council to continue consideration of the item on its agenda will be fixed in consultation with the members of the Council.

The meeting rose at 5.55 p.m.