



**SECURITY COUNCIL
OFFICIAL RECORDS**

TWENTY-SECOND YEAR

1373rd MEETING: 9/10 NOVEMBER 1967

NEW YORK

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

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THIRTEEN HUNDRED AND SEVENTY-THIRD MEETING

Held in New York on Thursday, 9 November 1967, at 3.30 p.m.

President: Mr. Mamadou Boubacar KANTE (Mali).

Present: The representatives of the following States: Argentina, Brazil, Bulgaria, Canada, China, Denmark, Ethiopia, France, India, Japan, Mali, Nigeria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1373)

1. Adoption of the agenda.

2. The situation in the Middle East:

Letter dated 7 November 1967 from the Permanent Representative of the United Arab Republic addressed to the President of the Security Council (S/8226).

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Letter dated 7 November 1967 from the Permanent Representative of the United Arab Republic addressed to the President of the Security Council (S/8226)

1. THE PRESIDENT (*translated from French*): In accordance with the Council's rules of procedure, I propose, if there is no objection, to invite the representative of the United Arab Republic to take a place at the Council table in order to participate without vote in the discussion.

At the invitation of the President, Mr. Mahmoud Riad (United Arab Republic) took a place at the Council table.

2. THE PRESIDENT (*translated from French*): In a letter dated 8 November [S/8232] the representative of Israel has requested that he be invited to participate without vote in the Council's meeting. If there is no objection, I shall invite him to take a place at the Council table.

At the invitation of the President, Mr. G. Rafael (Israel) took a place at the Council table.

3. THE PRESIDENT (*translated from French*): I have also received a letter dated 9 November [S/8234] from the representative of Jordan, requesting that he be invited to participate without vote in the Council's discussions. If there is no objection, I shall invite the representative of Jordan to take a place at the Council table.

At the invitation of the President, Mr. A. M. Rifa'i (Jordan) took a place at the Council table.

4. THE PRESIDENT (*translated from French*): I call upon the representative of the United States on a point of order.

5. Mr. GOLDBERG (United States of America): Before I proceed with my point of order I should like to inquire of you, Mr. President, what the proposed order of speakers is.

6. THE PRESIDENT (*translated from French*): At the request of the United States representative, I shall read out the list of speakers in the order in which their names were inscribed: the United Arab Republic, India, Nigeria, the Soviet Union, the United Kingdom, the United States, Israel, Ethiopia, Canada, Denmark, France, Japan and Argentina.

7. Mr. GOLDBERG (United States of America): Mr. President, you have given me the information I requested, which I appreciate, so that I can appropriately address myself to the Council on a point of order.

8. Under the established practice of the Council the members of the Council speak first and non-members subsequently. But it is a well-established tradition of the Council that the Council has agreed to hear the parties first. There is no practice and no equity in allowing one party at interest in the first instance to speak and to deny the privilege to another party at interest to be heard before the members of the Security Council are heard. The precedents on this are very many, and I could refer to many of them, but I will not take the time of the Council.

9. At the 893rd meeting, on 8 September 1960, the President, then the representative of Italy, stated:

"I am aware that the usual practice in the circumstances would be for members of the Council to speak first . . ."¹

Then where this question has arisen our *Repertoire* shows us what we have frequently done. The *Repertoire of the Practice of the Security Council, 1946-1951* states:

"The representative of the USSR proposed that the Council hear first the representatives of the parties concerned."²

¹ See *Repertoire of the Practice of the Security Council, Supplement 1959-1963*, chap. III, part III, case 12 (United Nations publication, Sales No.: 65.VII.1), p. 79.

² *Ibid.*, 1946-1951, chap. III, part III, case 95 (United Nations publication, Sales No.: 1954.VII.1), p. 133.

10. In the light of the established practice of the Council, I therefore now move that the parties to the dispute who have asked to speak, that is, the United Arab Republic and Israel, be invited to speak prior to the members of the Council.

11. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation had not intended to speak on the question of procedure. It considered that this question was perfectly clear, that it could be settled by the President, and that it was not worth spending time on it when we have such an important and serious item to deal with. However, since the representative of the United States of America has mentioned the question of procedure, our delegation would also like to refer to it.

12. I should like, first, to draw the attention of the members of the Council to the fact that the initiative for the consideration of the item before us came from the delegation of the United Arab Republic. Moreover, this item is not a new one on our agenda, and it is not one on which the parties concerned have not yet stated their views. As you know, in recent times the Security Council has had this item before it on several occasions. This problem is perhaps new to the representative of the United States of America, but I am sure that it is not new to all the other members of the Council.

13. The representative of the United States has referred to past precedents. I should like to reply that, in the present case, since the item is not being considered for the first time, his reference to precedents is unfounded and cannot be applied to the present case.

14. As we see it, the President of the Security Council is obliged to act in conformity with the rules of procedure which have been adopted for the Security Council. I should like to remind the Council of rule 27 of its provisional rules of procedure, contained in chapter VI entitled "Conduct of Business"; it reads:

"The President shall call upon representatives in the order in which they signify their desire to speak."

This is such a precise and clear directive that it needs no interpretation. Our delegation proposes that this rule should be strictly adhered to.

15. Mr. PARTHASARATHI (India): I regret to have to intervene in our proceedings at this stage, but I should like to make the position of my delegation clear. You will recall, Mr. President, that my delegation was inscribed as the second speaker for this afternoon, immediately after the delegation of the United Arab Republic. We were then informed that the representative of Israel had expressed his desire to be the second speaker in our place. When you approached me about this question I agreed to yield my place to the representative of Israel as a matter of courtesy, even though my delegation had priority by virtue of earlier inscription. I made only one reservation: that is, that it would not be proper for the representative of Israel to make any reference to the three-Power draft resolution dated 7 November [S/8227] before its formal introduction in the Council.

16. This is my delegation's position. I could not, however, waive the right of other delegations which had inscribed their names before Israel.

17. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (*translated from Russian*): I have taken the floor to remind the Council that according to the rules of procedure and the established practice, representatives who are invited to a meeting of the Security Council to take part in the discussion on a particular item but who are not members of the Security Council—these representatives are not entitled to take part in discussions on the rules of procedure. In mentioning this, I should say that I consider that we should strictly adhere to this rule in the present case.

18. Mr. GOLDBERG (United States of America): With great respect for the distinguished Deputy Foreign Minister of the Soviet Union, Mr. Kuznetsov, I wish to point out that he entirely misconceives the rules of the Security Council, and I should like to demonstrate that very simply.

19. Rule 27, on which he relies, says:

"The President shall call upon representatives in the order in which they signify their desire to speak."

The representatives which are referred to in that rule are clearly the members of the Security Council. There are several indications and confirmations of that in other rules of the Security Council. For example, rule 30 states:

"If a representative raises a point of order, the President shall immediately state his ruling."

The only person authorized to raise a point of order before the Security Council is a representative on the Security Council. No one else may raise a point of order in the proceedings of the Security Council. The same terms are used there as are used in rule 27.

20. As a matter of fact, in looking at the rules, various other terms are used when dealing with a Member of the United Nations which is not a member of the Security Council. That is covered in rules 37 and 38. And those are the rules that govern a Member of the United Nations which is not a member of the Security Council.

21. It is very clear under the rules—and the practice has invariably confirmed this—that rule 27 refers to members of the Security Council. Rule 30 also refers to members of the Security Council; the same language is used in rule 31, the same language is used in rule 32, and we do not get to non-members until we reach rule 37. This has been the invariable practice of the Security Council from the beginning, as far as I can determine. All Presidents and all members have acted in accordance with this. This is a simple procedure, in accordance not only with the rules but with ordinary plain sense, with a sense of fair play and fairness which dictates it. Therefore, I put my motion.

22. Mr. ADEBO (Nigeria): It is with very great hesitation and, understandably, with some trepidation that I intervene in this dialogue. But I feel that as the representative of a

member of the Security Council, even though it is a non-permanent member and a relatively small country, it is my duty to make this statement.

23. I very much regret that we should be starting our proceedings today with a controversy of this kind. I do not claim the knowledge or the experience commanded by either the representative of the Soviet Union or the representative of the United States in this matter. Nigeria has been on the Security Council for only a short time and will soon disappear from it.

24. In my experience, my very short experience, it has always been left to the President to call upon representatives in the order in which they signify their desire to speak, and I had always thought that that action was governed by the provisions of rule 27.

25. It is also the case that whenever there has been any subject of controversy—when one person who has alleged something against another has spoken—customarily, the person against whom any allegation is made has been given the opportunity to speak in reply.

26. During the time that I was President of the Council there was no difficulty about this because in the case that came before the Council at that time the representatives of the parties were properly inscribed in due time one after the other. It may be that if that had not been the case I would have been—like you, Mr. President—in the very awkward position in which you seem to be placed this afternoon. I am very anxious that our President should be saved from this awkward position.

27. There has been a rule in this Council—whether between representatives who are members of the Council or between members who are only invited to speak without voting—that if there should be any desire on the part of any speaker to take a place in advance of that to which he is entitled according to the order of his inscription on the list, that representative has always done what I believe was done in this case; he has gone to the person inscribed in the position in question and has asked if he might speak out of his turn.

28. It seems to me that we ought to have followed that procedure in this case and I would respectfully suggest, therefore, that if my colleagues see no objection we should have a short suspension so that if possible this matter may be resolved amicably by consultations between our President and those who are directly concerned in this procedural wrangle. Some of us here are very anxious to proceed as soon as possible with the substance of our debate and it is for that reason that I suggest that there should be a short suspension so that the necessary consultations may be undertaken and the parties may have an opportunity to review the position and spare the President what I believe to be an awkward situation. On the other hand, it may be that the President is not in an awkward position and can give his verdict immediately. That is why I say that, subject to the President's concurrence and that of my colleagues, we might have this short suspension so that this problem may be amicably resolved.

29. THE PRESIDENT (*translated from French*): In accordance with rule 33 of the provisional rules of procedure,

I shall now put to the Council the Nigerian representative's motion—namely, that the meeting be suspended for the purpose of consultations in the hope of arriving at a solution to this procedural problem.

30. May I remind you that in cases of this kind the Council has to take a decision without debate. If there is no objection, I shall consider the proposal adopted and the meeting will be suspended for half an hour.

The meeting was suspended at 4.45 p.m. and resumed at 7.10 p.m.

31. THE PRESIDENT (*translated from French*): The fact that we have been faced today with this incident, which has somewhat delayed our work, was certainly not due to any intention on the part of the President. We would have preferred to have settled the incident before the meeting. However, since both parties referred to the practice and tradition of the United Nations, the President was obliged to bow to the law. Thus, the list of speakers read out by the President was drawn up in accordance with rule 27 of the Security Council's provisional rules of procedure—that is to say, in chronological order of inscription.

32. I should like to thank the Nigerian representative for asking for a suspension of the meeting to give all parties time for reflection and understanding which might enable us to reach agreement. The President addressed himself to the task with all the will and perseverance demanded by his heavy responsibilities and by the confidence you have placed in him by electing him to preside over you.

33. I regret to say that we have been unable to bring about agreement between the parties. We shall therefore be obliged to refer the matter to the members of the Council so that we may decide upon a form of procedure and continue with our work.

34. If there is no objection, I shall read out the motion submitted by the United States representative at the beginning of this meeting [*para. 10*]. This is the text of the motion he presented:

"I therefore now move that the parties to the dispute who have asked to speak, that is, the United Arab Republic and Israel, be invited to speak prior to the members of the Council."

35. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (*translated from Russian*): Mr. President, I have taken the floor on a point of clarification, to make sure whether we understand correctly the proposal which has just been read out. At the beginning of the meeting, the President read out a list of speakers. In that list, the first speaker was the representative of the United Arab Republic and we all understood that there was no question or discussion about the United Arab Republic and that the proposal was merely that we should consider the question of Israel, which was sixth or seventh on the list; and it was the representative of Israel that the United States representative was talking about.

36. I should like to make it clear that the motion introduced by the representative of the United States

related only to Israel. Now, if we understand you correctly, there is some question about the United Arab Republic as well. This is not in line with the proposal which was made orally by the representative of the United States, and in this form it is a different proposal which we have not heard before and which is quite new.

37. As we understand it the issue to be decided is when the representative of Israel should speak and it has nothing to do with the United Arab Republic.

38. Mr. GOLDBERG (United States): Mr. President, I wish to say to you that I greatly appreciate the efforts which you have made to settle the problem which I raised initially when the meeting opened. I should take this occasion, perhaps, to make it quite clear for the record that the background to the motion I made was as follows. When we arrived at the Council chamber this afternoon we were advised by the Secretariat, as I am sure the other members of the Council were, that the first two speakers would be the United Arab Republic and Israel, in that order. Shortly before the meeting began, maybe a few minutes, we were advised that the order had been changed owing to circumstances which had arisen; not because of any fault of yours, Mr. President. Then I made a motion.

39. With due respect to my friend, Deputy Minister Kuznetsov, I made the motion and handed it to you, and the motion that I made was the motion that you read, in precisely those words. That is the motion that I put before the meeting. I should make it clear to everybody, however, that I mentioned the United Arab Republic first in the way I put it—the United Arab Republic and then Israel.

40. Mr. TARABANOV (Bulgaria) (*translated from French*): The motion we are discussing, whether it is presented in the form in which we have just heard it, or in the form in which it was previously submitted by the representative of the United States, or again according to the interpretation given to it by the representative of the Soviet Union, is in fact a proposal to the effect that, after we have heard the order of speakers as read out to us by the President, Israel's position on the list of speakers should be moved up from number six or seven to number two. This is what the motion amounts to and this is the point to which I wish to draw attention because, both at the beginning of the meeting and just now, Mr. President, when you confirmed it, a list of speakers was presented to you; and it is perfectly obvious that the explanations given by the United States representative cannot change the order of speakers on your list. I repeat, therefore, that the motion we are discussing is intended to change Israel's position on that list.

41. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (*translated from Russian*): We are sorry to have to spend so much time on a procedural question. But since this question has now taken a form such that it extends in fact beyond the framework of a procedural question, I should like to say a few words in connexion with the statement by the representative of the United States.

42. First of all, I should like to say that the representative of the United States did not read out any text to me.

Secondly, if I understand him correctly, and as we understand the question, if the United States motion is not adopted by the Security Council, then the list read out by the President at the beginning of the meeting still stands. On this understanding, we consider that a vote on the United States motion, if the motion is not adopted, will not in any way alter the fact that the first speaker on the list will be the representative of the United Arab Republic.

43. THE PRESIDENT (*translated from French*): The representative of the Soviet Union has just asked this question: if the motion by the United States representative is not accepted by the Council, does that mean that the United Arab Republic will remain first on the list of speakers? I should like to ask the United States representative to be good enough to reply to that question.

44. Mr. GOLDBERG (United States of America): In accordance with the practice and rules of the Council I would have the right, as a member of the Council, as would any member of the Council, to speak first, before any of the parties. However, I am not asking to exercise that right. I have put a motion and I am satisfied to abide by the results of the vote—which, of course, I hope will be favourable—following which the representative of the United Arab Republic could speak first.

45. THE PRESIDENT (*translated from French*): I shall now put to the vote the motion by the United States representative.

A vote was taken by show of hands.

In favour: Argentina, Brazil, Canada, China, Denmark, Japan, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: None.

Abstaining: Bulgaria, Ethiopia, France, India, Mali, Nigeria, Union of Soviet Socialist Republics.

The result of the vote was 8 in favour, none against, with 7 abstentions.

The motion was not adopted, having failed to obtain the affirmative votes of nine members.

46. The PRESIDENT (*translated from French*): We shall now continue the meeting. The second item on the agenda is the consideration of the situation in the Middle East.

47. Before we start our work I should like to draw attention to the two draft resolutions which have been submitted; the first, submitted by India, Mali and Nigeria [S/8227] and the second, submitted by the United States of America [S/8229].

48. The first speaker on my list is the representative of the United Arab Republic, on whom I now call.

49. Mr. Mahmoud RIAD (United Arab Republic): Five months have already elapsed since Israel launched its war of aggression against my country, Syria and Jordan. The

aggressive Israel forces continue to occupy parts of the United Arab Republic's territory and territory under United Arab Republic administration, as well as parts of Syria and Jordan. The Israel aggression and its subsequent military occupation pose the most serious challenge to this Organization and its Charter. The responsibility of the Council in meeting that challenge remains unfulfilled; it is a responsibility which under no circumstances should be evaded or surrendered.

50. Aside from the obvious fact that the Council has the primary responsibility for the suppression of aggression, there exist other fundamental factors which make the Council's responsibility greater than ever, for Israel's aggression constitutes not only a most serious violation of its obligations under the Charter but equally a violation of its solemn obligations under the General Armistice Agreements which Israel signed along with the Arab States under the auspices of the Security Council.

51. Furthermore, the present occupation of Arab territories by the aggressive Israel forces has created a situation which is fraught with danger to peace and security in the area. Israel's latest aggression against the United Arab Republic on 24 October 1967, which caused considerable loss of civilian life and set aflame the United Arab Republic oil refineries at Suez and also destroyed other vital civilian factories and industrial plants, leaves no doubt as to the grave nature of the present situation. By any measure of judgement, and for whatever reason, be they political, constitutional, historical or legal, this international Organization is in no position to continue to allow itself to remain in a state of inaction in the face of the Israel aggression. With every single sign of hesitation or delay in action by this Organization Israel grows more arrogant and defiant. The wild public statements by the Israel officials, together with their actions and policies, evident now to the entire world, clearly indicate that Israel today is operating totally outside the realm of law.

52. On the other hand the Israel aggression has continued to present to this Organization the gravest crisis of its life, and we believe that the United Nations cannot afford to fail. Its failure in the present situation would plant the seeds of its ultimate total paralysis in the field of the maintenance of international peace and security.

53. From the moment the Israel aggression took place on 5 June, the duty of the Council has been clear: to condemn the aggression, order Israel to withdraw forthwith its forces to the positions they held on 4 June, and to determine Israel's responsibility for the damages and losses it inflicted upon the Arab countries and peoples.

54. Regrettably, the Council failed to follow that course of action and was able only to issue cease-fire orders. That was the first setback for the international Organization in the current crisis. Due to the Council's failure to take a positive stand on the substance of the question, the General Assembly was convened in an emergency special session upon a request from the Soviet Union. The deliberations in the emergency session revealed a unanimous sense of commitment on the part of Member States to the most fundamental principle that military occupation of any part

of the territory of one State by another is totally inadmissible. Absolute support of this principle was the common denominator which emerged in the deliberations of the emergency session. However, for reasons which my delegation and others have expounded before, and which have been common knowledge inside and outside this Organization, the General Assembly was unable to translate into a resolution its sacred commitment to this principle. This failure of the General Assembly was the second setback for the international Organization in the current crisis as well as for the principles, purposes and values it stands for.

55. As a result of the Assembly's inability to take a firm and meaningful stand the Israel forces felt free to launch further aggression. Intoxicated with the results of their earlier aggressions, and encouraged by the failure of the United Nations to act, they embarked upon a series of actions designed to bring about further destruction to the Suez Canal and to the Canal's installations, as well as the destruction of vital industrial civilian establishments in the United Arab Republic. This policy of terror and destruction resulted in the death of large numbers of civilians in the Suez Canal area, a matter which led my Government to evacuate the civilian inhabitants, totalling more than 300,000 persons. Hand in hand with this new policy of piecemeal war, Israel has been waging in effect a war against the United Nations. Israel has openly expressed its defiance of the resolutions adopted unanimously by the General Assembly at its fifth emergency special session on Jerusalem [2253 (ES-V), 2254 (ES-V)] and the return of the new refugees to their homes [2252 (ES-V)]. Israel today demands that the United Nations abandon and wash its hands of the whole question of its aggression against the Arab States.

56. Last August, the leaders of the Arab world held a summit meeting in Khartoum at which they decided to pursue political action on international and diplomatic levels in order to eliminate the consequences of aggression and secure the withdrawal of Israel forces from occupied territories. That decision, taken at the highest responsible level in the Arab world, must be understood in its true dimension. It was a decision for peace, but not surrender. It was a decision for a political solution to the crisis, and not a decision for national suicide in the name of a political solution. Within that mandate, my Arab colleagues and I decided to avail ourselves of the opportunity presented by the international gathering in the General Assembly at its twenty-second session. We realized that there existed certain misconceptions regarding the Arab position and, to the best of our ability, we sought in our addresses in the general debate to correct those misconceptions.

57. In my statement on 29 September 1967, at the 1573rd meeting of the General Assembly, I explained the developments which took place before 5 June, the day Israel launched its treacherous aggression. I equally set forth our position on the fundamental issues facing our region. On the other hand, for the past six weeks, together with other Arab colleagues, we have held consultations with a wide range of representatives from other countries. Our aim has been to point out the dangers inherent in the present situation and in the continuation of the Israel

occupation. We have emphasized that we seek a peaceful and just solution, and that the cornerstone of that political solution, as we have said before, is naturally the immediate and unconditional withdrawal of the aggressive forces to the positions they occupied prior to 5 June. That is a basic requirement which emanates from every essential provision of the Charter. We were encouraged in our effort by the universal support of this position as expressed by many leaders from Asia, Africa, Latin America and Europe in their speeches in the fifth emergency special session, as well as in the general debate of the present twenty-second session of the General Assembly.

58. This commitment, which is the essence of our Charter, is equally reflected in various basic international instruments. Article 17 of the Charter of the Organization of American States provides that:

"The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever. No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized."³

59. On the other hand, the deliberations in the emergency session as well as in the general debate of the present session of the General Assembly revealed the concern of a number of delegations over the general state of affairs in our region.

60. Indeed, the peoples of our part of the world can in no way benefit from a state of war, belligerency and tension. What they need is a state of security and stability in which they can devote their resources to the challenges of progress and development.

61. The Security Council has therefore the duty fully to apply the Charter, to eliminate the present aggression against the Arab territories, and to initiate a course that will bring about normalcy in the area through the appropriate and faithful application of the Charter.

62. Peace should be the target of this Council; but peace is made up of deeds, not words.

63. Israel's massive wars of aggression—almost one every ten years—and its policy of territorial expansion, clearly evident to the entire world at present; its policy of unilateral abrogation of its international obligations; its total defiance of the authority of this Organization; and its continued armed attacks against the civilian inhabitants are policies which constantly prove to us that for Israel war is a fascinating ideology and a national policy.

64. The history of the Palestine question is a history half a century old. The abnormalities that have resulted from it can in no way be adjusted by aggression. They can be adjusted only by peaceful and appropriate application of the Charter. The Security Council is duty bound to stand

against any attempt to solve international questions through force or aggression.

65. Members of the Security Council are entitled, however, to ask about the origin of the state of tension and instability that has engulfed our region for decades. In answering this question one single fact imposes itself: the expulsion by force of the people of Palestine from their homes. As this single fact has led to the most abnormal consequences and conditions in our part of the world, it equally remains the central issue the solution of which must naturally bring about peace and justice. The President of the United States recognized this essential fact in his speech of 19 June 1967, when he referred to the question of the Palestinian people and when, according to *The New York Times* of 20 June 1967, he said: "There will be no peace . . . for any party in the Middle East unless this problem is attacked".

66. This is a problem the solution to which lies within the framework of this Organization. On no other question has the United Nations assumed or borne greater responsibility. This Organization is the successor to the League of Nations to whose Mandate the territory and people of Palestine were entrusted. In addition, the United Nations adopted resolutions which resulted in the birth of Israel. Whether by action or by inaction, this international Organization has borne the historic, constitutional, legal and moral responsibility for the people of Palestine. The United Nations remains the only valid framework for finding the appropriate means to enable the people of Palestine to exercise their inherent and established right to self-determination, for this is the essence of the resolutions consistently adopted by this Organization on the rights of the people of Palestine.

67. In the introduction to his latest annual report, the Secretary-General referred to the rights of the people of Palestine in these words: "people everywhere, and this certainly applies to the Palestinian refugees, have a natural right to be in their homeland and to have a future".⁴ This remains to be fulfilled by our Organization.

68. What is immediately before the Council today, however, is an open aggression against three Member States. The rules of the Charter are categorically firm and the duty of the Council is absolutely clear.

69. Israel's aggression against the Arab countries on 5 June must be considered in its grave dimensions. Israel's obligations under the Charter of the United Nations, as well as under the General Armistice Agreements which it has signed, are inescapable. The binding character of those Agreements is stated in their very provisions. In the introduction to his annual report the Secretary-General correctly referred to this fact when he stated that "There is no provision in them for unilateral termination of their application."⁵ Surely the Council cannot subscribe to the proposition that any State may violate its obligations and thereafter allege that it is no more bound by those obligations.

³ See United Nations, *Treaty Series*, vol. 119 (1952), No. 1609, p. 56.

⁴ *Official Records of the General Assembly, Twenty-second Session, Supplement No. 1A*, para. 49.

⁵ *Ibid.*, para. 43.

70. Furthermore, some basic provisions of the General Armistice Agreements, namely, the principles related to the non-use of force, the right of every party to its security and other basic principles, cannot be revised even by mutual consent. This is natural for these obligations flow from the provisions of the Charter, which we have all solemnly undertaken to apply and observe.

71. May I refer here to the statement made by the President of the United States on 23 May 1967, in which he said:

"We call upon all concerned to observe in a spirit of restraint their solemn responsibilities under the Charter of the United Nations and the General Armistice Agreements. These provide an honourable means of preventing hostilities until, through the efforts of the international community, a peace with justice and honour can be achieved."

72. Throughout the past few weeks we have been in constant contact with all members of the Security Council. During this time, we have emphasized one essential point, namely, that the Charter prescribes that the aggressive Israel forces must withdraw immediately to the positions they held before 5 June. Concerted and determined efforts should begin, and begin with sincerity, justice and legality, to find solutions for the other aspects of the Palestine question.

73. In these consultations, we travelled a long way in an effort to meet all the points raised by those who were sincerely labouring to find a just and reasonable formula. But we could not agree to a theory designed to surrender the role of the Council, so specifically laid down by the Charter, to the whims of an aggressor. Nor could we agree to another theory designed to balance the interests of aggression with the interests of the victims of aggression. For the Charter envisaged enforcement actions against the aggressor. It certainly did not envisage that the aggressor would receive assistance—whether military, political or economic.

74. Since 5 June Israel has occupied the unique position of an outlaw in the international community. Its aggression, its continued occupation of the Arab territories, its expansionist policy, as evidenced by its annexation of Jerusalem and the reference by its Prime Minister a few days ago to the occupied Arab territories as part of "greater Israel", its refusal to allow neither the old nor the new refugees to return to their homes, its constant raids against the civilian inhabitants in the Suez Canal area, and its policy bent on bringing further destruction to the Suez Canal and its installations, are all outlawed policies which require and call for the most determined opposition by the entire international community. It is for this, and in the interest of peace in the Middle East, for the sake of the Charter, and even for the sake of future relations among nations and peoples that we urge that military, political and economic assistance to Israel be withheld until Israel complies with the Charter and its obligations and withdraws its aggressive forces from all the territories it has occupied as a result of its aggression.

75. I have already pointed out that the inaction of the Security Council, which has continued for some months

now, and the inability of the international Organization to put into effect the provisions of the Charter in meeting the aggression committed by Israel, has only encouraged Israel to further acts of war and greater defiance of the will of this Organization and the expressed commitments of the international community. This position cannot continue. This international Organization, particularly the Security Council which has the primary responsibility for the maintenance of peace and the suppression of aggression, must now act and discharge its responsibility long overdue.

76. It is obvious that the present situation, which finds the Israel forces continuing to occupy parts of Arab territories, is a situation which is untenable. It is equally obvious that this situation falls into the most serious category of breaches of the peace which require the Security Council to shoulder its responsibilities and apply the provisions of the Charter. These provisions are clear. They call for the strongest condemnation of aggression such as Israel's, and in the event Israel should refuse to withdraw its forces promptly to the positions they had occupied before the aggression, the Council must apply the enforcement measures. This is the rule of the Charter; this is why the Charter was adopted and proclaimed as the highest law of the international community; this is the reason the United Nations came into existence; and this is the basic function of the Security Council.

77. The gravity of the present situation and the potential danger to international peace and security inherent in it, however, have impressed upon us the need to continue in the search for the possible avenues of action still open to the Council. The minimum measures requiring adoption by the Council would be a resolution demanding that Israel immediately withdraw its aggressive forces to the positions held on 4 June. Indeed, the Security Council cannot afford not to meet this minimum requirement. The withdrawal of Israel forces to their original positions is not only the rule of the Charter and a fulfilment of the universal commitment by all Member States of this Organization; it is also the essential prerequisite for initiation of a course towards peace in our part of the world. Peace cannot be imposed by aggression.

78. The Security Council, indeed the United Nations in its entirety, as the embodiment of the present international order, is facing an historic responsibility. We urge that this Organization be in full awareness of the grave situation created by the Israel aggression.

79. Three decades ago the world witnessed an outrageous war against law and order. The militarist and expansionist régimes of fascism and nazism carried out one aggression after the other. The international order, based then on the Covenant of the League of Nations, failed to stand against aggression. The League of Nations followed a policy of inaction, timidity, hesitation and appeasement in the face of aggression. The catastrophic suffering, destruction, havoc and loss of life of many millions of people that ensued was only the result of an international order incapable of carrying out the very provisions and rules it proclaimed.

80. The present international order which emerged from the experience of the 30's and the 40's has equipped itself

with the authority, institutions and sanctions to stand against aggression, to protect the territorial integrity and political independence of States. On no other occasion, since the Charter came into force, has this Organization been made to face such a crisis as it is facing today. On no other occasion has the United Nations been rendered incapable of following its cease-fire orders with specific instructions for the withdrawal of aggressive forces to their original positions. Any compromise with this principle would be a compromise with a most fundamental provision of the Charter; indeed, and in fact, it would be a compromise with the Charter itself, and a compromise of the entire international order which is based on the Charter. The Security Council, which is responsible for the suppression of aggression, cannot accept aggression. In all sincerity, we believe that the international Organization and its Members cannot afford, for the sake of peace and for the sake of every member of the international community, be it large or small, to allow such a disastrous result to be reached.

81. The Arab people are in the process of fulfilment of their national aspirations. These aspirations are for peace, justice, freedom and progress with a deep commitment and a determination to share in the universal task of meeting the great human challenges of our age.

82. Israel's aggression on 5 June has presented us with a setback. But the history of nations is made up of victories and setbacks. The course of Arab history is no different. The people of Egypt, throughout the thousands of years of their history, have faced destructive waves of invasion and aggression. But our people, through their resolution and perseverance, have always been able to defend their fatherland and overcome aggression. We have not the slightest doubt that we shall overcome the present aggression as well. This is not unique with our people. I can point to various countries around this table which suffered military setbacks as a result of wars of aggression. They have all been victims of aggression and treacherous armed attack in recent history. Yet all these peoples were able to overcome their setbacks because they refused to accept aggression. The Arab people also refuse to accept aggression. Indeed, no country present here should expect our people to live with aggression on our land. In an unshakable faith in our history, the nobility of our present struggle, and our future, our people, who have made sacrifices in the past and in the present, shall not under any circumstances accept the aggression. What is at stake is so great and fundamental to us, and, therefore, every sacrifice would be offered with no hesitation. We are committed to peace, but, equally, we are committed to overcoming aggression.

83. We consider that the Security Council has the authority, and indeed the duty, to suppress the Israel aggression and to force the aggressive Israel forces to return to the positions held before 5 June. Our conviction is derived from our faith in the Charter, and for this reason we have asked the Security Council to meet and to resume its consideration of the Israel aggression; for we believe that a fair and impartial effort by this Council would indeed secure the application of the principles and purposes of our Charter.

84. Mr. PARTHASARATHI (India): Mr. President, I should first of all like to extend my delegation's sincere felicitations to you on your assumption of the office of President of the Security Council for this month. We feel assured that you will preside over our Council with the same probity, wisdom and impartiality which have marked your guidance of the informal consultations among all members of the Council during the past few days. It is our earnest hope that under your leadership the Council will break the unfortunate stalemate on West Asia and move forward towards a peaceful settlement.

85. It is now over five months since the Security Council first took up consideration of the dangerous situation in West Asia. As we all remember, in the months of June and July, the Council adopted several unanimous resolutions demanding a cease-fire and the cessation of all military activities in the area. It was also the unanimous agreement of the members of the Council that a cease-fire was to be only the first step in the direction of creating conditions for permanent peace and stability in West Asia. Some of us earnestly urged that, having taken the first step in ordering a cease-fire, the Security Council should take the further steps of securing the withdrawal of Israel forces from all occupied territories and in bringing about peace and security to the area. These two steps were, in our view, necessary to prevent the emergence of graver threats to peace and security in the future.

86. During the last few months, the General Assembly also has expressed its views on this grave situation first, in the fifth emergency special session, and then during the general debate at the twenty-second regular session. Although these deliberations of the General Assembly have been inconclusive on the vital questions concerning the maintenance of peace and security, nevertheless they have underlined the deep concern of Member States at the crisis, and have revealed certain fundamental areas of agreement which could pave the way towards finding definitive solutions.

87. First, withdrawal of Israel forces to the positions they occupied before the outbreak of hostilities, that is, to the positions held on 4 June 1967. Second, withdrawal should not result once again in the situation of part peace and part war. Therefore, there should be an end to the state of belligerency as it existed before the outbreak of hostilities on 5 June. Further, it should be possible for all States in the area—indeed it is the right of all States—to live in peace and complete security free from threats or acts of war. Third, in accordance with the Charter of the United Nations, all States in the area must respect the political independence and territorial integrity of one another. Fourth, there must be a just settlement of the long-deferred problem of the Palestinian refugees. Fifth, there should be not only freedom of navigation through international waterways in the area, but there should be a guarantee of such freedom.

88. By its resolution 2256 (ES-V), the General Assembly, bearing in mind the resolutions adopted and the proposals considered during the fifth emergency special session, requested the Secretary-General to forward the records of that session to the Security Council in order to facilitate the resumption by the Council of its consideration of the

tense situation in West Asia. The Secretary-General complied with this request of the General Assembly through a letter dated 21 July 1967, addressed to the President of the Security Council [S/8088].

89. Among the important proposals considered by the General Assembly at its emergency session was a revised draft resolution sponsored by twenty Latin American delegations [A/L.523/Rev.1]. I should like to request that this draft resolution be circulated as a Security Council document.⁶

90. During the last three to four weeks, the Afro-Asian and Latin American delegations members of this Council have been engaged in intensive and extensive consultations in regard to the most appropriate course to be followed by the Security Council. Individually or collectively, we examined all the proposals, formal and informal, which were put forward during the months of June and July when the General Assembly was meeting in emergency session. We had before us the non-aligned draft, the Latin American draft and the papers which were produced as a result of discussions between the Soviet Union and the United States. We also had the benefit of the valuable passages from the Secretary-General's introduction to his annual report to the General Assembly's twenty-second session. We took all these proposals into account and tried to produce a fair and balanced paper for the consideration of the Security Council. Needless to say, we also had in mind the views of the other members of the Council and of the parties concerned.

91. I am sure my Latin American and Afro-Asian colleagues will bear me out when I say that in finalizing the three-Power draft we had the Latin American draft as the basic document of reference. The draft resolution which has now been distributed to the members of the Council [S/8227] and which I have the honour to introduce here today on behalf of Mali, Nigeria and India, closely parallels the Latin American draft sponsored by twenty delegations in the General Assembly. The draft resolution reads as follows:

"The Security Council,

"Expressing its continuing concern with the grave situation in the Middle East,

"Recalling its resolution 233 (1967) of 6 June 1967 on the outbreak of fighting which called for, as a first step, an immediate cease-fire and for a cessation of all military activities in the area,

"Recalling further General Assembly resolution 2256 (ES-V),

"Emphasizing the urgency of reducing tensions, restoring peace and bringing about normalcy in the area,

"1. Affirms that a just and lasting peace in the Middle East must be achieved within the framework of the

Charter of the United Nations and more particularly of the following principles:

"(i) Occupation or acquisition of territory by military conquest is inadmissible under the Charter of the United Nations and consequently Israel's armed forces should withdraw from all the territories occupied as a result of the recent conflict;

"(ii) Likewise, every State has the right to live in peace and complete security free from threats or acts of war and consequently all States in the area should terminate the state or claim of belligerency and settle their international disputes by peaceful means;

"(iii) Likewise, every State of the area has the right to be secure within its borders and it is obligatory on all Member States of the area to respect the sovereignty, territorial integrity and political independence of one another;

"2. Affirms further:

"(i) There should be a just settlement of the question of Palestine refugees;

"(ii) There should be guarantee of freedom of navigation in accordance with international law through international waterways in the area;

"3. Requests the Secretary-General to dispatch a special representative to the area who would contact the States concerned in order to co-ordinate efforts to achieve the purposes of this resolution and to submit a report to the Council within thirty days."

92. There is no need for me to explain the preambular paragraphs of the draft resolution. So far as the operative paragraphs are concerned, they are also clear and unambiguous. Our endeavour has been not only to state each principle in clear terms but also to link it to the others so as to give equal validity to each and to ensure equality of obligations. But there are a few points which need to be explained. The first operative paragraph begins by affirming what is obvious to all of us and it is that peace and stability can be brought to West Asia only within the framework of the Charter of the United Nations. We do not attempt to pinpoint any particular provision of the Charter because, in our view, the entire Charter should be the framework. In sub-paragraph 1, the basic point of operative paragraph 2 of the Latin American draft is brought in, namely, the inadmissibility of occupation or acquisition of territory by military conquest. The second half of the same sub-paragraph in regard to withdrawal uses language identical, word for word, to operative paragraph 1 (a) of the Latin American draft. Sub-paragraph (ii) of our draft goes farther than operative paragraph 1 (b) of the Latin draft. It is somewhat more comprehensive because it not only calls for the termination of the state of belligerency but also of any claim of belligerency. Sub-paragraph (iii) of our draft takes up the question of territorial inviolability and political independence which was referred to in operative paragraph 3 (c) of the Latin draft. Here again, our draft resolution is somewhat more comprehensive because it

⁶ Subsequently circulated as document S/8235.

clearly states, borrowing the language of our distinguished Secretary-General, that every State of the area has the right to be secure within its borders—I emphasize “within its borders”. There are two other points mentioned in operative paragraph 3(c) of the Latin draft. They are: the problem of refugees and the establishment of demilitarized zones. As far as the question of refugees is concerned, this is provided for in our operative paragraph 2(i). However, I must make it quite clear that in our view the question of refugees comprehends only the Palestinian refugees and not those who have acquired that status as a result of the conflict in June of this year. In our view, as soon as Israel withdraws from all the territories she has occupied as a result of that conflict, the problem of the so-called new refugees would automatically cease to exist. Insofar as the establishment of demilitarized zones is concerned, sub-paragraph (ii) of our operative paragraph 1 refers to the right of every State to live in peace and complete security free from threats or acts of war. If the establishment of demilitarized zones is found to be necessary in the light of the special representative’s report, that could be taken care of in conformity with sub-paragraph (ii). Of course, it is clear to all of us that demilitarized zones must be established only with the consent of the States concerned.

93. Now we come to the question of freedom of navigation which is mentioned in operative paragraph 3(b) of the Latin American draft, and finds a place in our draft in sub-paragraph (ii) of operative paragraph 2. Our draft talks of the guarantee of freedom of navigation in accordance with international law. Most international waterways have their own particular régimes. In the case of the Suez Canal, the Constantinople Convention of 1888 is applicable. If, however, no particular régime exists, then the waterway, such as the Gulf of Aqaba, is regulated by customary international law. We have been told in informal consultations that the reference to international law merely serves to confuse the issues, to promote prolonged litigation, etc. My delegation is not convinced that this is so. However, we are prepared to examine very carefully any arguments that might be advanced in the Council in respect of the words “in accordance with international law”.

94. Operative paragraph 3 of our draft needs to be explained only in one detail. We request the Secretary-General to submit a report to the Council within thirty days of the adoption of this resolution. It is not, of course, our contention that the work of the special representative of the Secretary-General would be over in thirty days. Nevertheless, it is important to receive a report in the very near future because of the urgency of the problem. If the period of thirty days is considered too short, the sponsors of the draft resolution would be quite willing to consider other suggestions in this regard.

95. The sponsors of the draft resolution which I have just introduced have tried very hard and sincerely to present a fair and balanced formulation of all the principles and problems germane to the situation in West Asia. We know that some of the provisions of our draft are not in accordance with the wishes of the parties concerned. We are keenly aware that there are differences within the Council and between the parties on what should be the basic approach at this stage. It has been our endeavour and will

continue to be our effort to narrow down these differences. I should like to emphasize once again, that the core of our guide-lines for action lies within the framework of the Charter of the United Nations and particularly of its most fundamental principles. It is our view that the Council should lay down in clear and unambiguous language the principles it considers to be appropriate to the solution of the problems of the area. The three-Power draft initiates the process of peaceful settlement of the West Asian crisis. Members of the Council will note that the draft resolution provides for the adoption of all peaceful means to settle the disputes. As we see it, the mission of the special representative and his contacts with the parties may open up various possibilities of the means of peaceful settlement within the framework of this resolution.

96. Our deliberations, consultations and consideration of the West Asian crisis have reached a crucial stage; the time is now ripe for the Security Council to discharge its primary responsibility for maintenance of peace and security. The Council cannot allow itself to be bogged down any further in endless controversy. All of us around this table share the common objective of the restoration of peace and security to all the nations and peoples of West Asia. We must, therefore, look forward to the day when all States of the area through the genuine implementation of the provisions of our resolution will be able to close an unhappy chapter of the past and start a new era of good-neighbourly relations. It is in this spirit and with this objective that we have presented this resolution and we would request our colleagues to give it their earnest consideration.

97. THE PRESIDENT (*translated from French*): I should like to thank the representative of India for the flattering remarks he has just made about me.

98. Mr. ADEBO (Nigeria): This is the first opportunity that I have had to say how much pleasure it gives to my country to find you, Mr. President, in the Chair that you now occupy. The record that has been set by your country in all organs of the United Nations is a very commendable one. It is not only one of which your country should be proud, but also one of which all of us in Africa are proud. We are very glad that you have been appointed to follow in that tradition and that already you are showing the calibre that we have been accustomed to find in representatives of your country. Having regard to the relations between our two countries, I do not have to assure you that we of the Nigerian delegation will do all that is in our power to make your occupancy of that Chair as little uncomfortable as possible.

99. I should also like to say one word about your predecessor in that Chair, the representative of Japan. He did not have to face some of the problems that you, Mr. President, have had to face today. He did not have to preside over so many official meetings of the Council. Nevertheless, we had plenty of opportunity to realize what useful experience he brought to the United Nations and of what value that experience is going to prove to us in this Organization.

100. When I intervened in the last debate that we had on the Middle East situation I took the opportunity to remind

the Council of the general position of my country, a position which was explicitly stated by the Commissioner of External Affairs of Nigeria in his contribution to the general debate in the plenary Assembly. With your permission, and that of my colleagues, I should like to quote it again, because it is most pertinent to what will now follow. Our Commissioner of External Affairs stated:

"It is now generally agreed that no country should be allowed to achieve territorial gains by military conquest. It is also agreed that we must help create a political climate in the Middle East in which all the inhabitants in that area of the world will live hereafter in reasonable peace and security."⁷

101. In point of fact there is nothing really new in that position; it is a position which was echoed by most Member States of the United Nations in the plenary meetings of our Assembly. If Nigeria can claim any credit for that position, it is only in respect of the consistency with which it has held to that position. It has held consistently to that position in spite of pressures from both sides of this controversy. I have been spokesman for my country in the Security Council on occasions when I have pleased one side and displeased the other side, only to displease the first and please the second at a subsequent meeting. That is the price that we have had to pay for consistency.

102. On the other hand, Nigeria can claim that it did warn—as did many other members of the Council—that the Middle East situation was not one that could be allowed to be settled merely by the effluxion of time; that the Middle East situation was one that the Council should tackle, and tackle energetically, not on the basis of taking partial decisions—that is to say, decisions partial to one side or the other—but by taking decisions courageously which, in our opinion, are calculated to create real peace in that disturbed area of the world.

103. Consistent with that position, the Nigerian delegation has never felt that the position before 5 June 1957 was a good one, either for the Arabs or for the Israelis; it was at best a condition of precarious peace. How tenuous was that peace was demonstrated by the explosion that occurred only a few months ago.

104. So we of the Nigerian delegation do not believe that the position before 5 June was satisfactory. We went into consultation with our colleagues informally on the basis that what we had to do in the Middle East was not merely to restore the *status quo*, but to create a climate in which all of the people in that area could live in peace. How did we go about doing that? As the representative of India has explained, we examined all the draft resolutions that were put to the emergency session of the General Assembly which was called to discuss this question. We considered all the contributions that were made by individual countries, either in that emergency session or in meetings of the Security Council, or even in informal discussions upon this subject. We came to the conclusion that the best basis for achieving a consensus which would enable peace to be

restored in the Middle East was the Latin American draft resolution which was rejected at the emergency session, but which nevertheless was supported by quite a substantial number of Member States in the General Assembly. We entered into informal consultations "without prejudice", as the lawyers say. That is to say, we knew and recognized that all those who were participating in our informal discussion had their own positions and the positions of their countries in regard to the Middle East situation.

105. But we felt that all of us shared one thing in common, that what was important was not the position of India or Nigeria or Canada or the Soviet Union or the United States but the real interests of the peoples of the Middle East, and we felt that on the basis of that draft we could produce something that would achieve a consensus and would have the effect that I have indicated. The Latin American draft had many merits. Nevertheless we sought to improve upon the merits it had, and my colleagues, if they examine our draft resolution carefully, will find provisions there that are a definite improvement upon the Latin American draft. But essentially and in substance we committed ourselves to following the Latin American draft as closely as possible.

106. Having done that, we assumed that our difficulties would be with those who did not subscribe to the Latin American draft resolution when it was proposed at the fifth emergency special session of the General Assembly. Therefore we consulted a good number of such countries and we got the impression that so far as they were concerned, if we were able to produce a consensus on the basis of the Latin American draft, they would be prepared, in spite of the positions that their countries had taken before, to subscribe to the kind of solution that we proposed. I am not suggesting that I speak for all those who, at the emergency session, did not support the Latin American draft, but I have the impression that most of them will be prepared to subscribe to the kind of decision that we are recommending to the Security Council today.

107. We assumed that those who had subscribed to the Latin American draft, either by co-sponsoring it or by voting for it, would create no problem at all. I regret to say that we were wrong and we discovered that our effort, instead of being praised, was being criticized on the basis of lack of realism. First of all, it was argued by some that the General Assembly is one thing and the Security Council is another. I am disposed to agree with those who put forward that argument provided they are referring to decisions of the Security Council taken under Chapter VII of our Charter. The effect of such decisions is certainly different from the effect of the decisions of the General Assembly, and consequently it follows that those who are going to take such decisions in the Security Council, being very responsible people and being conscious of the nature of the decisions they are about to take, would re-examine the position carefully before subscribing to such a decision. But those of us who joined in the preparation of the draft which is now before you had no intention of putting forward that draft as a decision to be taken under Chapter VII of the Charter of the United Nations, and in order to dispose of any possible misunderstanding in that regard we proceeded to make certain changes in the draft. Instead of

⁷ Official Records of the General Assembly, Twenty-second Session, Plenary Meetings, 1586th meeting, para. 137.

using a certain word to which our friends who had those reservations had objected, we used another word which showed clearly that those of us who put forward that draft were putting it forward for decision by the Council under Chapter VI of the Charter of the United Nations. It may be that at some time in the future the Security Council will feel that the situation in the Middle East requires action under Chapter VII. Speaking for my country, I hope that that stage will not be reached. We hope that a decision under Chapter VI such as we recommend will be complied with genuinely by both parties so that there will be no question at all of anybody asking for action under Chapter VII of the Charter.

108. As my colleague from India has indicated, we also had to face another criticism, and that concerned the question of acceptability by the parties to the dispute. Obviously, if we are operating under Chapter VI, that acceptability is very important, and those of us who are putting this draft before you are conscious of that importance. But let me remind those who are looking for that acceptability, let me remind those who talk of reconciling the views of the parties, how difficult those views are to reconcile. The position of the Arabs has been clear from the outset, has been stated and restated both here and in the General Assembly. Their position is very simple. The aggressor must not be allowed to get away with all the fruits of aggression. Therefore the appropriate organ of the United Nations must order immediate unconditional withdrawal of Israel forces, and no negotiation can take place until that has happened. The position of the Israelis has been made very clear also. There can be no question of withdrawal except on the basis and as a result and follow-up of bilateral negotiations.

109. Those of us who joined in preparing that draft felt that one of the most constructive ways of trying to reconcile such disparate positions was for those who are friends of either party to get in touch with them and persuade them to cool down, persuade them that what they are asking for is unobtainable. Nigeria, being a small Power—in fact, no Power at all—was not in a position to do much of that persuasion, but we were in the happy position of being on excellent talking terms with both parties, and I can say honestly and frankly that throughout our deliberations I was in touch with both parties ascertaining their views. However, I regret to say that at no time in the negotiations was I able to persuade either party to my own point of view, and that remains the position today.

110. It was not a development that surprised the representative of Nigeria, since the representatives of even the greatest Powers have been unable to secure that measure of consensus on both sides which would make our task so much easier. For that reason, those of us who joined in drafting the resolution that is now before the Council felt that the best way to proceed was to put forward something which we ourselves honestly believed in, which we ourselves frankly believed to be fair to both parties, and that is what we have tried to do. We have not provided in our draft for unconditional and immediate withdrawal of Israel forces. We have not been able to do so, and I apologize to the Foreign Minister of the United Arab Republic and to our other Arab fellow diplomats here for our failure. We were

quite unable to provide for that. Nor have we been able to provide in our draft for immediate bilateral talks between the Arabs and the Israelis. I apologize to the representative of Israel; he will not find such a provision in our draft, for the reason that we simply do not believe that at this time it would be a practical provision or would do anything to contribute to lasting peace in the Middle East.

111. So here we are with a draft that we know is not accepted by either party as being in accordance with its position in this controversy. It is the best that we have been able to achieve. We recommend it not on the basis that either side is able today to find that it is in accordance with its position but in a different spirit, in the spirit in which all of us who prepared this draft, those of us who are sponsors, the other members of the non-permanent group of the Council and the permanent members as well, have co-operated in informal consultations over the last two and a half weeks. As a person who believes in achieving a consensus if that is possible, as a person who has sometimes been blamed very severely by some colleagues for proposing suspensions in order to try and achieve a consensus, I regret I have no apologies to make. I think that if we can achieve a consensus we should do so, because I believe that to be the best thing conducive to peace in the Middle East; but we cannot continue to pursue a consensus all the time.

112. Those of us who have put forward this draft resolution here were wondering what we should do next when the representative of the United Arab Republic asked that a meeting should be summoned. As an earnest of the efforts that we have made to adjust views and to put forward a balanced draft we are offering this draft resolution for the consideration of the Security Council.

113. I wish to thank all our collaborators in the little group which drafted the resolution initially. I want to thank in particular our Latin American colleagues, because their draft was the foundation of our work and they gave us all the help they could in the course of trying to improve the draft for the purpose of achieving a consensus. I wish to thank also the other members of the non-permanent group, because they laboured as hard and energetically as the little group which drafted the resolution. I want to thank the representative of Japan, under whose Presidency were held practically all of the consultations that preceded the submission of this draft resolution.

114. I do not consider that our labours have been in vain. I know that not all of our colleagues here are—or were yesterday—in a position to tell me that they will support our draft resolution. In point of fact I am aware that one of the great Powers has submitted another draft resolution. I shall say nothing to prejudice that draft resolution. All I want to say at this point is that criticism of our draft is welcome, because we recognize that we are not perfect, however hard we have laboured to achieve a balanced draft.

115. May I appeal to my colleagues around this table, as well as to the general public—and especially to members of the Press, who disseminate news of our proceedings to them—to deal fairly with the draft that we have presented. If you do not agree with it, say precisely why you do not agree. I make that appeal because there have been criticisms

that our draft is a pro-"X" draft. Anybody who bases his criticism on that sort of thing is, in my opinion, admitting the weakness of his case.

116. As a result of the informal discussions that have taken place there is more in common between us around this table than there was at the beginning. There is a great deal more in common, even, between the two drafts before us [S/8227, S/8229]. At least those two drafts share one great thing in common: they are both being shot at by both sides. So if we have not been able to achieve complete unanimity by our draft, nobody else has been able to do so either. But that is cold comfort, having regard to the grave crisis that faces us in the Middle East.

117. We cannot continue to labour in the hope that irreconcilable views will be reconciled. We have to muster enough courage to tell both parties that unless they move they cannot have peace in the Middle East. The aim of Nigeria is a Middle East in which there is stable peace. We do not think that you can achieve such a Middle East if you allow anybody to keep the fruits of military conquest. We do not apologize for saying that. Again, we regard it as inconsistent with the achievements of that aim of ours that a situation should be created or recreated in the Middle East in which either Israel or any other country feels insecure.

118. The present situation in the Middle East does nobody any good. It does very little good to those which have lost territories; it merely increases their rancour. It does no good to those who are in possession of occupied territory because so long as they are there, so long as we do not find a really permanent solution, they also will not know peace. So, the present situation is not one that helps anybody. We should not delude ourselves that it helps anybody. I would hope, speaking on behalf of my little country, that both parties will take heed of this warning.

119. We hope that this draft that we have put before the Council will be adopted if the Council feels, after examining it, that it should be. But we have put it forward, again as my colleague of India has pointed out, not in the spirit of "take it or leave it" but in the firm spirit that we believe in this draft. We believe it to be balanced. We believe it to be a contribution to the restoration of peace in the Middle East. But if further discussions here should indicate that the parties have declared their agreement on a formula different from ours, nobody will be happier than the sponsors of this draft resolution. Until and unless such a consensus emerges, we feel convinced that this is the most balanced draft and we recommend it on that basis to our colleagues for their very careful consideration.

120. THE PRESIDENT (*translated from French*): I should like to thank the representative of Nigeria for the tribute he has paid to my country and to me.

121. In view of the lateness of the hour and the number of speakers remaining on my list, I propose to suspend the meeting for one hour. As a result of unofficial consultations it appears that members of the Council are in agreement with this proposal. When we resume our discussion, we shall continue to hear the speakers on my list. If there is no objection, I shall take it that this proposal is adopted.

The meeting was suspended at 9.15 p.m. and resumed at 10.50 p.m.

122. THE PRESIDENT (*translated from French*): During his statement the Indian representative requested that the Latin American draft resolution submitted by twenty delegations at the fifth emergency special session of the General Assembly and circulated as document A/L.523/Rev.1, should now be circulated as a Security Council document. If there is no objection, I shall request the Secretariat to circulate the text of that draft resolution as a Security Council document. As there is no objection, this will be done.⁸

123. Mr. KUZNETSOV (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation supports the request of the Government of the United Arab Republic that the Security Council should, as a matter of urgency, resume its consideration of the question of the situation in the Middle East. We have listened with great attention to the statement made by Mr. Riad, the Minister for Foreign Affairs of the United Arab Republic, and also to the explanations given by the representatives of India and Nigeria on the draft resolution submitted on behalf of three Afro-Asian States [S/8227].

124. The question of the situation in the Middle East, the question of eliminating the consequences of Israel's aggression, stands inevitably at the centre of the attention of the United Nations and, in particular, of the Security Council on which the Charter of the United Nations has placed primary responsibility for the maintenance of international peace and security. At the end of the fifth emergency special session and at the present twenty-second session of the General Assembly, this question has been recognized by States Members of the United Nations as being one of primary importance and urgency.

125. The most important result of the fifth emergency special session of the General Assembly was the confirmation of the principle of the inadmissibility of the use of force to acquire territory, one of the fundamental principles of the United Nations Charter upon which relations between States should be built. The overwhelming majority of States Members of the United Nations came to the conclusion at that session that the essential thing is the withdrawal of the aggressor's forces from the Arab lands which they had seized. It is this which is reflected in the documents of the emergency session which have been transmitted to the Security Council in order to facilitate the Council's consideration of the tense situation in the Middle East as a question of extreme importance and urgency. The statements made during the general debate at the current session of the General Assembly have shown once again that the States Members of the United Nations consider the withdrawal of Israel's forces from the occupied Arab territories as an important step towards a settlement in the Middle East. This was true when the question of the situation in the Middle East was considered in the summer of 1967 and it is all the more true now in the light of the situation which is developing in that part of the world.

⁸ Subsequently circulated as document S/8235.

126. Israel not only has no intention of evacuating the territories which it has seized in Arab countries but, judging from all appearances, it is taking steps to consolidate its position there as strongly as possible. In those territories it has established a special occupation administration, and is in fact endeavouring to colonize the Arab lands. In an increasingly high-handed manner, the occupiers are lording it over foreign soil and are establishing their military settlements in the western part of Jordan, in the area of Banias on Syrian territory, and on the coast of the Sinai peninsula. Tel-Aviv has even drawn up its budget for the future on the assumption that it will continue the criminal occupation of Arab territories, the maintenance of occupation troops and the appropriation of lands belonging to the Arabs.

127. Israel's attempts to annex the Arab part of the city of Jerusalem are an insolent manifestation of its aggression and of Tel-Aviv's desire for territorial aggrandizement. This is a flagrant act of defiance of international law. As everyone will recall, the General Assembly, at its emergency session, twice condemned the actions of the Israel authorities with regard to Jerusalem. Resolutions were adopted on 4 and 14 July [2253 (ES-V) and 2254 (ES-V)] in which Israel's claims to Arab territory in Jerusalem were completely rejected, and in which it was emphasized that the steps being taken by the Israel Government to annex the old part of the city had no legal force. Those decisions concerning Jerusalem are of special significance since they demonstrate quite definitely the non-recognition of the results of Israel's aggression. It should be pointed out, also, that the Assembly expressed deep concern at the fact that Israel had not implemented its first resolution of 4 July concerning Jerusalem. Israel, however, continues to this day to disregard the demands of the United Nations concerning Jerusalem.

128. Tel-Aviv's attitude with regard to Jerusalem and the other Arab territories reveals the generally aggressive and expansionist nature of Israel's policy. In Tel-Aviv there is talk of creating a "greater Israel" and the annexation of Jerusalem is considered to be a matter which is not subject to discussion. Responsible leaders in Israel call upon Jews from abroad to immigrate in order to settle the occupied Arab territories. Moreover, they talk of the "benefits" of the occupation for the Arab population in Gaza and other areas. Such statements are now made openly not only by such extremists as General Dayan, but also by Mr. Eshkol, the Prime Minister of Israel, in his official statements.

129. The continuation of Israel's occupation of territory belonging to Arab States is creating an increasingly explosive situation and a permanent source of tension, which constantly threatens to develop into a fresh military outbreak that would complicate international relations as a whole. We all know how tense the situation is in the Suez Canal area. Israel's armed forces, in flagrant violation of the Security Council decisions calling for a cease-fire, are systematically organizing provocative attacks; they are deploying aircraft, artillery and tanks and are shelling port installations, ships and living quarters in Arab towns located on the west bank of the Canal, thereby causing many victims among the peaceful civilian population and barbarously destroying valuable property.

130. The aggressor has blocked the Suez Canal and has interrupted international navigation through this important artery of world trade and navigation, causing serious loss to the United Arab Republic and many other countries. The presence of Israel's forces on the banks of the Suez Canal deprives the United Arab Republic of the possibility of opening the Canal and restoring navigation between Europe, Asia and Africa through the Suez Canal.

131. More and more information is being received to indicate that Israel's forces are being moved up towards the Suez Canal, and are also being concentrated in positions which it is difficult to consider as anything other than springboards for the organization of new military action against Syria and Jordan. Arms are being delivered to Israel from abroad in ever-increasing quantities. The military clique in Tel-Aviv is calling for a further increase in the strength of the armed forces. Threats directed by Tel-Aviv against the Arab States—including, recently, Lebanon—are becoming more frequent.

132. In view of this ever-increasing tension, one cannot preclude the possibility of serious complications developing in the Middle East, the possibility that military incidents intentionally provoked by Israel along the Suez Canal and the Israel-Jordan and Israel-Syrian fronts will develop into a widespread military conflict.

133. It is common knowledge that Israel's forces have recently provoked new military incidents—the most serious since the Security Council adopted its cease-fire resolutions. The Israel destroyer *Eilat* had violated the territorial waters of the United Arab Republic, and on 24 October Israel's armed forces carried out a piratical bombardment of living quarters and industrial areas in the town of Suez, which resulted in many casualties and considerable material damage. This new act of aggression is clearly linked to the defiant statements made by the Government of Israel concerning its preparations for a renewal of military activities against the Arab States, and it is also linked to the policy of annexing the conquered Arab territories and the so-called "appropriation" of the eastern bank of the Suez Canal. In its recent decision, the Security Council, as we know, condemned these actions by Israel.

134. Thus, we are faced with a long and meticulously prepared and far-reaching plan by Israel to seize Arab territories by armed force. Israel is now bringing things to the point of trying to realize its avid and unrestrained aspirations for expansion.

135. The appeal to all peace-loving States and to the United Nations as a whole contained in the recent statement made by Mr. Eban, the Minister for Foreign Affairs, at a press conference on the eve of the Council's resumption of its consideration of the Middle Eastern situation, can hardly be considered as anything but a threat to the Security Council. We are astounded at the irresponsibility with which the Minister for Foreign Affairs of Israel rejects proposals which have not yet been considered by the Security Council, and at the impudent way in which he distorts the contents and spirit of the proposal by the three Afro-Asian countries, as well as the facts relating to the preparation of this draft. An analysis of the statement made

by Mr. Eban shows even more clearly that Israel does not wish to withdraw its troops from the occupied Arab territories and that the main barrier to the establishment of peace in the Middle East is precisely the stubborn endeavour of the aggressor to achieve territorial gains at the expense of the Arab countries. Israel's leaders do not appear to be aware of the consequences for Israel itself which might result from their political short-sightedness.

136. Unfortunately, however, the question does not turn merely upon the position of Israel. Israel's expansionist aspirations have been connived at and are still being connived at by its powerful protectors, especially the United States of America. Without their generous assistance and support, Israel would not have dared to challenge the Arab world and to start a military adventure against neighbouring Arab countries. It is not acting alone at the present time, either, when it attempts to take advantage of the results of its criminal aggression, setting itself against all peace-loving States, and flagrantly flouting the Charter of the United Nations and international law.

137. Now, as before, Israel's protectors are continuing to encourage the Israel extremists and to urge them to make new and ever more far-reaching demands, and are in fact preventing a settlement of the Middle East problem. Is it not symbolic that on the very day when Israel's artillery was barbarously shelling the town of Suez, the United States of America announced its intention of delivering a large number of bombers to Israel?

138. Can one disregard the fact that this involves deliveries of arms to Israel which, unlike the Arab countries that were the victims of aggression, did not lose any weapons and whose military potential was, and still is, as the latest events have shown, sufficient not only for defence but also for attack? When, in these circumstances, people help Israel to increase still further its military potential, one is bound to ask why is this being done. There should be no doubt that it is being done in order to incite Israel to further aggression against the Arab countries, and to strengthen the position of the Israel extremists who have seized foreign territories. These acts constitute direct complicity with the aggressor and are a hostile challenge to the Arab world.

139. All these facts and the whole development of events in the Middle East lend force to the request by the United Arab Republic that the Security Council should without delay and in all seriousness consider the question and take the necessary decision—that it should above all demand the withdrawal of Israel forces from all the occupied territories of the United Arab Republic, Syria and Jordan to the positions occupied by these forces prior to 5 June 1967. This is essential because, as long as the aggressor remains on Arab soil, as long as Israel is making territorial and other claims on the Arab States, it will not be possible to remove the tension and establish a lasting peace in the Middle East. Connivance at Israel's territorial claims would be tantamount to a violation of the basic rules of contemporary international law and of the fundamental principles of the United Nations Charter.

140. The withdrawal of Israel forces from all the occupied Arab territories has been and still is the most important and

indispensable element, the very core of a settlement in the Middle East, and of the establishment of peace and the normalization of relations between States in that region. It is in the light of the solution to the main question, the question of the withdrawal of Israel's forces, that the Soviet delegation approaches the draft resolutions submitted to the Security Council.

141. From the explanations given here today by the representatives of India and Nigeria, we know that the draft resolution submitted by the three Afro-Asian non-aligned countries—India, Mali and Nigeria—is the result of a long search for a mutually acceptable solution, that it was formulated in the course of difficult negotiations to which the participants devoted a great deal of labour and effort. We appreciate the efforts of those who are trying sincerely and in a spirit of goodwill to contribute to the establishment of peace in the Middle East on the basis of the principles of the United Nations.

142. The draft submitted by the three countries contains a clearly stated provision to the effect that occupation or acquisition of territory by military conquest is inadmissible under the Charter of the United Nations and that consequently Israel's armed forces should withdraw from all the territories occupied as a result of the recent conflict. We consider that this demand for the withdrawal of Israel's forces meets the requirements of the case, since it provides for the unconditional withdrawal of the aggressor's forces from all the territories which have been illegally occupied.

143. The three-Power draft also includes other important provisions designed to eliminate the causes of tension. It is clearly stated in the draft that every State in the Middle East area has the right to live in peace and complete security free from threats or acts of war and that consequently all States in the area should terminate the state or claim of belligerency and settle their international disputes by peaceful means. The draft also states that it is obligatory on all States in the area to respect the sovereignty, territorial integrity and political independence of one another.

144. These provisions are in keeping with the principles of the Charter of the United Nations. They are designed to strengthen peace in the Middle East and to bring about a political settlement of the problems of that area which would meet with the support of an overwhelming majority of States. In this connexion, I should like to point out that the Soviet Government, as it has repeatedly stated, takes the position that the consequences of Israel's aggression must be liquidated without delay and, at the same time, a renewal of the military conflict in that area in the near or more distant future must be prevented.

145. The Soviet Union is prepared to give strong support to any solution which provides for the immediate withdrawal of Israel's forces from all the Arab territories occupied as a result of the recent conflict and which at the same time recognizes the principle of the independent national existence of all States in that region and their right to live in peace and security.

146. The position taken by the Soviet Union on the question of the settlement of the situation in the Middle

East is fully in keeping with the principle of the self-determination of peoples, which is one of the fundamental principles of Soviet foreign policy. As Mr. Kosygin, Chairman of the Council of Ministers of the USSR, said in his statement at the fifth emergency special session of the United Nations General Assembly:

"... the Soviet Union is not against Israel, but against the aggressive policy pursued by the ruling circles of that State.

"...

"While upholding the rights of peoples to self-determination, the Soviet Union just as resolutely condemns the attempts of any State to conduct an aggressive policy in regard to other countries, a policy of conquering foreign lands and subjugating the peoples living there."⁹

147. The three-Power draft also proposes solutions to other questions which are awaiting settlement, namely, the question of Palestine refugees and the question of freedom of navigation in accordance with international law through international waterways. The Soviet Union, for its part, also considers that these questions must be settled provided, of course, that the main requirement is fulfilled—namely, that the withdrawal of Israel's forces from the occupied Arab territories is ensured. In this connexion, we must say that, if Israel demands that the Arab and other States should recognize its rights, it must not at the same time refuse to recognize the lawful rights of that part of the Arab people of Palestine which is now living in exile, and it must respect the many United Nations General Assembly resolutions on that question. On examining the three-Power draft, we cannot refrain from saying that some of its provisions do not fully take into account the position of the Soviet Union.

148. The Soviet Union's position of principle in connexion with the settlement of the situation in the Middle East has been stated on many occasions both in the Security Council and in the General Assembly, and is well known. The essence of this policy is as follows: the aggression must be condemned, Israel's forces must be withdrawn behind the lines which they occupied prior to 5 June 1967, and the aggressor must pay compensation for the damage it has caused to the Arab countries, and must comply with the resolutions of the United Nations General Assembly concerning Jerusalem.

149. However, the Soviet delegation, although it would prefer a more radical solution, would be prepared to support the draft submitted by India, Mali and Nigeria if, of course, the Arab countries which are the victims of aggression are not against it. This draft must be considered as the first step on the way to a political settlement in the Middle East, and to the liquidation of the consequences of Israel's aggression against the Arab countries.

⁹ *Official Records of the General Assembly, Fifth Emergency Special Session, Plenary Meetings, 1526th meeting, paras. 44 and 47.*

150. I should now like to dwell on another draft submitted for consideration by the Security Council as an alternative to the proposal by the three non-aligned countries. We have in mind the draft resolution submitted by the United States of America [S/8229]. What kind of draft is this? What are its contents and its purpose? Why has it been submitted? First of all, of course, we must turn to the most important point and try to see how it proposes to solve the question of the withdrawal of troops and what importance it gives to this question. Quite frankly, I must say that in the United States draft this key provision is very obscurely and ambiguously worded; it is lost among other questions and is presented in such a context that it would enable the Israel aggressors to put obstacles in the way of a decision calling for the withdrawal of troops, and to occupy the Arab territories as long as Israel likes. Furthermore, the draft is designed to support the aggressor's territorial claims to Arab lands. It suggests that the essential prerequisite and primary condition for the establishment of a lasting peace in the Middle East is not a clear and unambiguous provision calling for the withdrawal of Israel's forces from the Arab lands they have occupied, but rather the solution of a whole series of other problems. This premise turns the whole problem upside down. It is a fallacious approach which merely serves Israel's interests. Surely it is obvious that, without the withdrawal of the aggressor's armed forces from the territories they have seized, there can be no solution of the other problems and no lasting peace in the Middle East.

151. The new formula in the United States draft concerning the withdrawal of troops is obviously a retreat from the position taken by the United States this summer. This new formula is a step backwards compared with the corresponding provision in the well-known draft resolution of the Latin American countries, for which the United States delegation voted at the emergency session of the General Assembly. This is the draft which, at the suggestion of the Indian delegation, is now being circulated to members of the Security Council. In fact, while the draft resolution of the Latin American countries provided that Israel's forces should be withdrawn from all the Arab territories they had occupied as a result of the recent conflict, the United States draft does not mention Israel at all and does not contain any provision calling for the withdrawal of troops from all the territories occupied during the recent conflict.

152. Whose troops are to be withdrawn, and where to? The United States draft gives no convincing and clear answer to this fundamentally important question. It is not difficult to understand that this approach is designed to confuse matters and, in effect, to help Israel achieve its territorial aims. The absence from the United States text of any substantial clarification of what is meant by the withdrawal of troops "from all" territories, and the exclusion of any reference to the fact that the subject under discussion is the recent conflict, must be considered in conjunction with the appearance in the United States draft of phrases such as "secure and recognized boundaries". What boundaries does this refer to? What is behind the idea of "secure and recognized boundaries"? Who is to decide how secure these boundaries are and who has to recognize them? To all these questions the United States draft provides no answer but leaves the field wide open for

different interpretations and constructions, including interpretations which still make it possible for Israel itself arbitrarily to establish new boundaries and to withdraw its forces only to those lines which it considers appropriate. And the interpretations by Israel, which asserts that the General Armistice Agreements of 1949 approved by the Security Council are not binding on it, go very far. We know that Israel is ever asserting that it was not Israel but the Arab States which illegally occupied the Gaza Strip and territories in other areas.

153. Consequently, the United States draft leaves open the possibility that Israel's forces may not be withdrawn from all the Arab territories they have seized and that part of these territories may be kept by Israel. If this is not so, we hope that the United States representative will give us a clear and unambiguous explanation to the effect that the United States supports the withdrawal of Israel's forces from all the occupied territories to the positions occupied prior to 5 June 1967. The provision concerning the withdrawal of the occupier's troops must be formulated in such a way as to leave no loop-holes whatsoever for different interpretations.

154. There is yet another striking feature of the United States draft. While the wording concerning the withdrawal of troops is ambiguous and obscure, the provisions supporting Israel's claims and imposing obligations on the other party are extremely precise and far-reaching. The fact that the United States draft does not contain any provision to the effect that the occupation or acquisition of territory by military conquest is inadmissible cannot be regarded as an accidental omission. No one has heard from United States official representatives a single word of condemnation directed against Israel extremists, Israel's territorial conquests in the Middle East or the occupation of foreign lands.

155. We cannot refrain from referring also to the provisions of the United States draft concerning the powers of the special representative. The functions of this representative amount merely to using the United Nations as a screen for Israel's aggression, and would mean that the United Nations would in effect no longer concern itself with the consideration and solution of the question of the Middle East. Further, unlike the draft submitted by the three Afro-Asian countries, the United States draft does not contain any indication as to when the special representative should submit his report to the Security Council. A mandate of such undetermined duration would provide abundant grounds for procrastination and delays and would, as it were, legalize the continuation of Israel's occupation for an indefinite period.

156. To sum up, it may be said that the draft submitted by the United States delegation is an attempt to support the aggressor and to use the United Nations flag as a screen for his dangerous and criminal actions. For all these reasons, we cannot agree with the United States delegation's draft.

157. The Soviet Government is firmly convinced, however, that there is now an objective and favourable possibility of putting an end forthwith to any further

dangerous delays in bringing about a political settlement in the Middle East. The Soviet delegation expresses the hope that the Security Council will be able to adopt a speedy decision which would ensure respect for the sovereignty and territorial integrity of the Arab States, would comply with the principle of self-determination for the peoples of the Middle East and would lead to the restoration and strengthening of peace and security in that region. We for our part will co-operate in every possible way to achieve that end.

158. Lord CARADON (United Kingdom): Since I follow the distinguished Deputy Foreign Minister of the Soviet Union, I wish to express, on behalf of all of us, our welcome to him. We are honoured by his presence. Many of us have had the satisfaction and advantage of discussions with him, a man of wide experience, great ability and high authority. I trust, having heard his speech, he will take it as a compliment when I say that we look forward to progress not so much from his public speeches as from his private consultations. I confidently trust he has come to New York not to spread discord but to seek for a satisfactory and lasting settlement.

159. To his speech and to others we have heard today, and to those still to be made in this Council at this critical time, we should, I suggest, apply one main test: do they add to hate and hostility; do they sink deeper into entrenched positions; do they threaten or demand or offend or challenge; do they seek to score, to steal advantage in debate? Or do they, on the other hand, by understanding and restraint and readiness to meet others, open the way towards wide agreement and thus to effective action?

160. I make no comparisons but perhaps, in referring to the statements which we have heard already, I may say that I especially admired the speech of the representative of Nigeria, particularly his readiness to consider with a steady and fair judgement all proposals for making effective progress. Certainly, it is easily understandable that intense feelings and fears and hopes should lead to strong and sometimes extreme, and violent or bitter statements. But for all of us our duty surely is clear, as the Nigerian representative has taught us tonight: we must listen and try to understand, in respect for the opinions of others, and then search for common ground and seek persistently and diligently for agreement, and to do so in mutual confidence and with an overriding determination to succeed. What else are we here for?

161. There has been plenty of accusation and misrepresentation elsewhere, but here in the Council it is perhaps well to remind ourselves of our obligation to seek settlements and win agreements. Never has it been more necessary to keep in mind our primary obligation to be a centre for harmonizing the actions of nations in the attainment of common ends.

162. Perhaps those are platitudes. But platitudes are sometimes truths which we are apt or anxious to forget. Never was it more necessary that those precepts should be remembered. Every one of us knows how often they have been forgotten.

163. We have some common ground already. The elected members of this Council have laboured for weeks to

discover and to define it. We all owe them a debt of sincere gratitude for their persistent efforts. They have reported to us unanimous agreement among themselves on three questions of first importance.

164. They agree that a United Nations special representative should be appointed to go to the Middle East. They agree that we should act within the provisions of Chapter VI of the Charter, dealing with the pacific settlement of disputes. They agree that the terms of reference given to the United Nations special representative should be as precise as possible.

165. It is true that the elected members were unable, at present, to go further and that at the end of last week they consequently invited the permanent members of the Council to join in the effort to draft a widely acceptable resolution. But we should not fail to express our gratitude for the work which they did and for giving us a base of agreement from which to advance. We can draw satisfaction and confidence from that limited but valuable start.

166. I am bold enough to go on to say that in spite of the recriminations and misrepresentations which persist here there is, I am convinced, a very wide measure of general agreement, both in this Council and in the general membership of the United Nations, on the course we should follow. Questions of balance, of formulation, of presentation are difficult and important, but no impartial observer who has spent the past few months studying first the resolutions put to the Assembly last July and then the various texts which have been subsequently discussed can fail to be impressed by the extent of the common ground which is already apparent.

167. To me it is inconceivable that with such a wide measure of general agreement we should fail to decide now on the way to go forward. We are all very familiar with the charge that while we in the United Nations have often successfully intervened to stop fighting we have seldom been able to go to the root of the trouble and proceed from peace-keeping to peace-making, but now we have the opportunity to achieve a permanent peace in the Middle East.

168. We know that we cannot quickly arrive at the final solution on such questions as those of boundaries and guarantees, and on the question of the desperate fate of the refugees. But I claim that there is an overwhelming agreement on the way we should start towards a final settlement of these long-festered problems. In all the disputes we have dealt with in the Council I cannot remember one in which there was so much common ground, and such a longing amongst the whole membership of the United Nations that we should quickly find the means to start out on the road towards a lasting solution.

169. I also feel sure that we are all now agreed on the need for urgent, indeed for immediate, action. I have said before that the Security Council should have met much earlier and acted much sooner. Everything that has taken place over recent months has fortified us in our conviction that we have delayed much too long. What damage, what bloodshed, what suffering could have been avoided if we had

acted in the summer instead of waiting for the winter? But there can be no purpose in going back over the mistakes and delays of the past. Now all of us can be united in a determination that we should delay no more.

170. I find on all sides a growing conviction that if we fail now the opportunity to set a new course which we have before us in the Council at present will never come back. We have an opportunity now which we must not miss. If we continue to delay then I fear that we shall start a descent on a slope to new depths of fear and hate and violence. And when once we start on that slope we may never be able to recover. The time has come to act in agreement. It may never return.

171. As I say, no one of us expects that we can here and now finally settle all the difficult problems before us, but the fact that what we are discussing is how we can make a start in the right direction need not prevent us from stating at once what our purpose should be.

172. Peace is the prize—a durable peace. We need to bring the unhappy history of past decades to a final end. We would never advocate a return to uneasy hostility. On that main aim there can be no question of compromise, or hesitation, or uncertainty. That is fundamental. My Government would never wish to be associated with any so-called settlement which was only a continuation of a false truce.

173. We are convinced that the benefits which can flow to the people of the Middle East from real peace and security will be a blessing to all. The resources and energies of the people of all the countries concerned will be released for productive and constructive purposes. Our aim can be no less than to rid all the people from the fear and the suffering which have bedevilled them far too long.

174. A peace to be permanent must be just. It certainly cannot be based on force or the imposition of any settlement which relies for justification on conquest or subjection. It is in this search for a just settlement that the United Nations has a vital part to play.

175. There are those who complain about the actions and inactions of the United Nations in the past, forgetting that United Nations action has often been obstructed by one side or the other or by both. I would claim that where the United Nations has been given half a chance it has fully justified international action. It was the United Nations Emergency Force which kept the peace on the borders of Israel and the United Arab Republic for a decade. We all pay tribute to General Bull and his observers who have worked indefatigably and in circumstances of the utmost difficulty to stop fighting and keep the peace. We know, moreover, that, again in the face of great difficulties, the United Nations agency for relief of the suffering of the refugees has done admirable work. Where it has been allowed to operate, international effort has undoubtedly been valuable. I cannot myself believe that the peaceful and lasting settlement we wish to see can be achieved without international assistance and international endorsement.

176. As to the policy of my Government I would claim, as the representative of Nigeria claimed earlier, that through-

out the months which followed the conflict, and indeed before it, our policy has been clear. Indeed I would claim that no country has more consistently advocated a constructive policy. For months we have urged that the Security Council should meet and act. For months we have been emphasizing urgency. For months we have been recommending that the Secretary-General should be authorized to send a special representative. We have said that there must be withdrawal from occupied territories and an end of belligerence. On the question of secure frontiers, we have made clear that they cannot and must not be settled by conquest or force. From the first we have stated that nothing should be done in Jerusalem or elsewhere to prejudice the final outcome of the settlement we wish to see.

177. We, like other countries, are concerned that there should be freedom of navigation through international waterways. We wish to see the Suez Canal open for the ships of all nations in the interests of everyone. But as my Foreign Secretary said in the House of Commons a day or two ago our overriding concern is with the peace and stability of the whole area, and we shall not allow any narrower interests to affect the policies which we are pursuing to that end.

178. We have urged that a new and imaginative and comprehensive policy should be undertaken to deal with the problem of the refugees.

179. On all these issues we have openly stated the policy which we think is right. There has been no change in those policies. We have consistently stated them in public and in private. While our own views have been clear and while we believe that they are now increasingly welcomed and accepted we have throughout been ready and anxious to consider and take into account the views of others, always bearing in mind that the action we wish to see in the direction of a final settlement can best succeed if here at the United Nations we show the widest measure of agreement and a united determination to put our resolutions into practical effect.

180. As soon as we have decided and formulated the principles we wish to see applied—the framework within which we wish to make progress towards a final settlement—we believe that the United Nations special representative will have a key role to play. Certainly he must work in the closest consultation and co-operation with the countries concerned and his aim must be to work for and facilitate agreement. But we would not wish to confine and circumscribe his functions too closely. We would wish to see him left free within the principles which we should declare to use his best judgement without an attempt on our part to prejudge in advance the methods most likely to secure lasting peace. We feel more strongly than ever that until a United Nations special representative can go to the Middle East and start on his work we shall see no progress. Once our basic decisions are taken on the principles to guide him, it must be in the Middle East that practical advance will be achieved rather than in further debate here in New York.

181. It is not my purpose to deal at this stage with the detail of resolutions, which have been circulated. Nor is it a

question of seeking victories in the vote. We want not victories but a success. It is a question of what resolution we can pass with the prospect of early and effective action.

182. Consequently, I would earnestly put to the Council the suggestion that when we have heard the opening statements in this debate, we should allow a short period for further urgent consultations between us all. There is, I am sure, such a measure of agreement and common ground between us that I cannot believe that such consultations will fail.

183. Mr. GOLDBERG (United States of America): The United States will welcome the opportunity which we profoundly hope will emerge from this meeting of the Security Council to take meaningful steps towards peace in the Middle East. Although, very frankly, we should have preferred to have this meeting take place only after the intensive diplomatic consultations of recent weeks had led to advance agreement, we nevertheless will do all in our power to make it an occasion of progress towards peace.

184. Through the seven months of the present crisis we have adhered consistently to the view that the Security Council, which has been seized of this matter throughout that period, should exercise its Charter responsibilities to help the parties to achieve peace in the area. Action by the Council is long overdue. The question remains as it has been throughout our consideration of this matter: in what spirit and in what principles should the Council act?

185. The way to peace is not going to be opened by words or acts of rigid partisanship or reiteration of stale charges such as I again, regrettably, have heard tonight from the Deputy Foreign Minister of the Soviet Union. Rather, the effective formula will be one in which all concerned, the parties and the members of this Council as well, display another spirit, a spirit of moderation, common sense and magnanimity. In this affirmative spirit, my country remains ready to do its share, and more than its share, in contributing to the achievement of a final and durable peace in the Middle East. To this end we have submitted a draft resolution which now lies before the Council [*S/8229*]. Let me explain both the objective and the terms of that draft resolution, since one could scarcely recognize it from the description of it by the representative of the Soviet Union.

186. The objective of our draft resolution is to open a new path to a state of just and lasting peace in the Middle East in which every State in the area can live in security, justice, honour and dignity. Neither the States of the Middle East nor indeed the world community can any longer endure the conditions of tension, instability and recurrent violence that have characterized the Middle East for the past generation. The uncertain and frequently violated armistice of those years must be replaced by a permanent peace.

187. As for the terms of our draft resolution, they reflect our conviction, born of the recent tragic events of last May and June, that a durable and reliable peace in the area must embrace certain fundamental principles. These principles were set forth by President Johnson in his address on 19 June 1967 in which he briefly summarized them as follows:

first, the recognized right of national life; second, justice for the refugees; third, innocent maritime passage; fourth, limits on the wasteful and destructive arms race; and fifth, political independence and territorial integrity for all.

188. This summary must, of course, be viewed in the context of the full remarks which President Johnson made on the five principles in the same address. We now reaffirm the statement of policy in that address. The terms of our draft resolution are founded on that policy.

189. It is of the greatest significance that the principal parties on both sides have stated their acceptance of these principles as the framework for a just and lasting peace. It is this fact which has encouraged us to draw up our draft resolution on the basis of those principles. Certainly, the clear import of our draft resolution is that a just and lasting peace should be achieved in the Middle East. Certainly, the clear import is that it should embrace withdrawal of armed forces from occupied territories, termination of claims or states of belligerency, and mutual recognition of, and respect for, the right of every State in the area to sovereign existence, territorial integrity, political independence, secure and recognized boundaries, and freedom from the threat or use of force. Our draft resolution likewise affirms, further, the necessity for guaranteeing freedom of navigation through international waterways in the area, for achieving a just settlement of the refugee problem, for guaranteeing the territorial inviolability and political independence of every State in the area through measures including the establishment of demilitarized zones, and for achieving a limitation of the wasteful and destructive arms race in the area.

190. How these objectives can be achieved in practice, what the modalities, methods and steps may be, can be worked out only in consultations with the parties which the special representative would undertake. In our view, all objectives must be taken fully into account in concept and in practice in the achievement of the common aim. Furthermore, the text of the United States draft resolution does not prejudice the positions of those directly concerned. In short, it is an effort to do now what can be done now, to set in motion a diplomatic effort within the United Nations and within the framework of the Charter, and to establish guidelines and objectives for such a peace-making effort.

191. It has long been my Government's profound conviction, and what must be an obvious fact, that peace in the Middle East necessarily depends primarily upon the parties to the conflict. As President Johnson stated, sooner or later it is they who must make a settlement in the area. We have also equally recognized that the United Nations can greatly help in the peace-making process.

192. It is our conviction that our draft resolution contains a meaningful mandate which should be acceptable within the Council and which is sufficiently comprehensive for all the States directly concerned so that the process of diplomacy can be set into action. In all candour, we do not conceive that such a mandate could be stated in terms entirely satisfactory either to the Arab States or to Israel. Therefore, we have attempted to state it in terms that set

forth guidelines on all the political issues involved and in language which, in our opinion, takes into account and in no way prejudices the positions or the vital interests of the States involved. In sum, it is intended to be the framework of the special representative's work under which the States concerned could co-operate with him in working out political solutions to the problems involved and achieving a just and durable peace.

193. The most constructive contribution the Council can make at this stage is to affirm such principles and provide such guidelines for the special representative, not to seek to impose the exact terms of settlement. But the peace-making process must begin. It has been too long delayed and our draft resolution intends that it should begin, and begin now. The United States believes that the United Nations representative should have been sent to the area a long time ago. It believes that he should be sent to the area now, promptly, looking towards a fundamental settlement.

194. On behalf of my Government I pledge to the Security Council and to the parties concerned that our diplomatic and political influence would be exerted under this draft resolution in support of the efforts of the United Nations representative to achieve a fair and equitable settlement, so that all in the area can live in peace, security and tranquillity.

195. The tragic story of the Middle East has been one of failure to transform opportunities when they have occurred into practical realities. Let us not miss such an opportunity now when there appears to be an increased readiness to accept concepts previously rejected. We offer our draft resolution as an essential next step along the difficult road to peace. We know well the deep emotions involved and the sufferings and wrongs that have been endured on all sides. But we can make a start here in the Security Council at this time. We can make the essential turn in the road. Let us do so by setting in motion the process which will, we devoutly hope, lead at last to an age of peace, security and progress in the Middle East.

196. THE PRESIDENT (*translated from French*): The next speaker on my list is the representative of Israel. However, during the suspension of the meeting, at 9.30 p.m., I was informed by the representative of Israel that his delegation had decided not to speak at today's meeting. I therefore call upon the next speaker who is the representative of Ethiopia.

197. Mr. MAKONNEN (Ethiopia): I wish to seize this opportunity in the Council's present deliberations to make some preliminary observations by way of indicating my Government's attitude at this juncture of events. At the Council's meeting held on Tuesday, 24 October 1967, I joined a number of members of the Council in calling for the dispatch without delay of a special representative of the Secretary-General to the Middle East, and I said on that occasion:

"Such a representative would, of course, have to operate within the context of general and comprehensive guidelines of principles which should be reaffirmed by the Council in the resolution authorizing the appointment of a representative." [1369th meeting, para. 135.]

198. In thus urging that a special representative be sent to the area, my delegation had in mind three very important considerations: first, that such a representative would be sent as a matter of great urgency so that an effective United Nations presence may be established in the troubled region of the Middle East; second, that the special representative be armed with such agreed lines as would serve as a basis for his contacts with the Governments concerned, with a view to initiating a process which would, hopefully, establish in the end a just and durable peace in the area; and third, and equally important, that these guidelines should have the backing of the Council as a whole, thus enhancing the authority of the special representative's mandate.

199. With these considerations very much in mind, my delegation has been taking an active part in the informal consultations that have been taking place during the past weeks among the ten non-permanent members of the Security Council. Moreover, in order to facilitate the task of consultations among the ten non-permanent members and with the objective of assisting in evolving a consensus on the basis of which, first, the ten non-permanent members, and then the Council as a whole, could agree, my delegation was happy to be associated with the elaboration of a working paper prepared together with the delegations of Argentina, Brazil, India, Nigeria and Mali. The delegation of Japan was also associated with our work at a later stage.

200. That working paper, the substance of which is contained in the draft resolution of 7 November 1967 [*S/8227*], sponsored by India, Mali and Nigeria, won the approbation of my delegation not only because we felt that it was based on the Latin American resolution presented to the fifth emergency special session of the General Assembly, a resolution we supported at the time, but also because the approach was, in our view, a sound one and the principles involved were affirmed and maintained in reasonable balance. My delegation continues in its adherence to those principles first contained in the working paper prepared by the Afro-Asian and Latin American delegations and now embodied in the draft resolution presented by India, Mali and Nigeria.

201. While thus giving our support to the set of principles as affirmed in the aforesaid draft resolution, we find it essential to state that we attach special importance and significance to the manner of their adoption by the Security Council at this particular stage in Middle Eastern development. My delegation was particularly happy and greatly heartened by the similar sentiments expressed by both of the co-sponsors of the draft resolution who have spoken tonight. Our colleague, the representative of India, in his brilliant speech of introduction, has made it clear that the co-sponsors of the draft resolution would be, in his words, "willing to consider suggestions in regard to certain paragraphs of the draft resolution". Our colleague, the representative of Nigeria, in his equally able and eloquent explanation of the draft resolution, assured the Council that the sponsors welcomed criticism and that they did not present their draft in a spirit of "take it or leave it".

202. This attitude of conciliation and co-operation on the part of the sponsors of the three-Power draft resolution is, in our view, most meaningful and commendable, especially

at this stage of our mutual endeavours. For this present stage of our endeavours is the most crucial of all, not only because it is the first step and the one that counts most, but also because it is a vital beginning when seen in the light of the urgency with which something needs to be done by the Council in the dangerous situation of confrontation and stalemate existing today in that troubled area.

203. The work of the one to whom we are going to entrust a high mission, that of a representative of our Organization in the area, should not begin, in our view, on a tone of division and discord, and must not be the outcome of divided counsel. Rather, it should begin with the unreserved blessing and united support of all members of the Council and, more particularly, of the permanent major Powers.

204. This being the imperative that we face, we owe it to ourselves and to the United Nations to continue making every effort in order to obtain, if possible, agreed guidelines for the special representative, so that he can start his difficult task with the knowledge that he has all of us behind him. It seems to my delegation that the convening of the Council in formal session at this particular time provides a unique and useful opportunity for continuing and intensifying the consultations we have begun, using all opportunities of our formal and informal contacts and bearing in mind always the need to give to our special representative a happy and hopeful send-off.

205. In the spirit of this statement and in dedication to the cause of a just and durable peace in the area of the Middle East, I pledge the untiring co-operation of my delegation, with all and every effort aimed at achieving that common accord which is so essential and so vital for the starting of the process of lasting settlement in that area. I am convinced that if we succeed in making such an agreed and positive start during the present deliberations I am hopeful that we shall have begun turning the first leaf in the new chapter of relations between all the nations of the Middle Eastern area.

206. Mr. IGNATIEFF (Canada): Even at this late hour, Mr. President, I must associate my delegation with the deserved tributes and offers of co-operation to you in the very onerous task you have undertaken. You may certainly count on the full support of my delegation, and I should say that you have already won our respect in the way that you have conducted the consultations among the ten members. I should also wish to associate myself with the well-merited thanks to your predecessor, the representative of Japan.

207. When we last met I said that there were three types of action that were essential for the United Nations to take in regard to the Middle East: first, to see that the cease-fire was observed by the parties; second, to help the Secretary-General to strengthen the machinery of observance of the cease-fire; and third, to proceed as soon as possible, through a representative of the Secretary-General, to the beginning of the establishment of peaceful conditions in the area.

208. We have been wrestling for many days with the third phase, and as the representative of Nigeria, in his remarka-

ble, frank and helpful speech rightly pointed out, we have so far been unable to reach agreement. But there is, as the representative of the United Kingdom has said, common ground among us that the United Nations can and must assist in bringing about peaceful conditions in the Middle East. It is already acting as a peace-keeper, and the willingness to strengthen peace-keeping arrangements in the area has indicated the clear recognition by the parties directly concerned that the United Nations is helpful to them. In the same way it seems to be generally recognized that the appointment of a special representative would also be helpful, and that the United Nations can and should act as a useful intermediary in the situation confronting the parties.

209. The Canadian delegation has supported this approach consistently—there has been a good deal of reference to consensus tonight—since the end of the fighting in June. Indeed, we circulated informally on 14 June, before the Council adjourned to enable the General Assembly to meet in emergency session, a draft of a resolution which proposed that the Secretary-General be asked to appoint a special representative to go out to the area to help establish and maintain contacts among the parties in order to reduce tensions and bring about peaceful conditions in the area.

210. We were hopeful that action of this kind might be taken by the Council earlier rather than later. It is understandable that the countries in the area wished fully to record their views both at the emergency session and in the general debate at this session. But sooner or later the questions arise: How can the recurrence of hostilities in the Middle East be prevented? How can tensions be reduced? How can peaceful conditions be established?

211. There has been a great deal of talk before the Council on principles: the principle particularly of withdrawal, the principle of non-acquisition of territory by force. There are differences of interpretation among us as to the language of the Charter on these points. But one thing is certain, that under Article 2 of the Charter all Members have undertaken solemnly to: "settle their international disputes by peaceful means in such a manner that international peace and security, and justice"—I repeat, justice—"are not endangered." Likewise, all Members have assumed the obligation to refrain in their international relations "from the threat or use of force against the territorial integrity or political independence of any state". That is common ground among us because we are all committed to the Charter.

212. In the lengthy private consultations, to which a number of my colleagues have referred, we have found common ground also, I believe, on the necessity of a peaceful settlement, or, as it is sometimes called, a political solution, and of the Security Council recommending procedures for the settlement of all aspects of the dispute, including the question of withdrawal, the guaranteeing of freedom of navigation through international waterways, and, of course, the just settlement of the all-important refugee question, under Chapter VI of the Charter.

213. What we have not been able to agree upon completely is the mandate under which a special representative should operate. The important consideration for the Cana-

dian delegation is that the special representative must be able to help bring about the agreement of the parties. We suggested earlier that the special representative might wish to start discussion under a broad mandate which would avoid contentious issues. But if it is easier for him to start these discussions on the basis of precise guidelines or principles of action, we would be perfectly happy to agree on condition that such guidelines or principles are balanced and equitable.

214. I do not mean by this that the parties must approve what we do. Clearly the members of the Council have to accept their responsibilities under the Charter to take practical steps leading to a just solution. But in the context of what is admittedly a diplomatic initiative, not an imposed solution, this means that the acquiescence of the States directly concerned is essential. The mandate given to the special representative therefore requires that it entail an equitable balance of obligations on all parties.

215. In our discussions emphasis has been placed on withdrawal and on the context in which it should take place. This indeed, I suggest, is the main question dividing us at the present time. Some have argued that withdrawal is the prior condition required for a settlement: that we should resurrect a situation which existed before hostilities broke out in June. We believe this is both unrealistic and undesirable. Withdrawal is indeed a crucial element, but it cannot stand in isolation and we must at all costs avoid re-creating the circumstances which led to the outbreak of hostilities in June 1967; and we must ensure that those circumstances do not recur.

216. In brief, our aim should be to move from a state of war to a state of peace—a just peace. If our aim is to bring about a settlement or a political solution, there must be withdrawal to secure and recognized borders, or borders which are respected and acknowledged, as we said in working drafts which Canada and Denmark discussed with other Council members in recent days in our informal consultations. These drafts have all included a provision for withdrawal. Our contribution to the negotiating process of the past several weeks has been to try to suggest the definition of the nature of the equilibrium required in order to bring the process of peaceful settlement into operation.

217. We regret that the draft resolution offered in the name of India, Nigeria and Mali does not seem to us likely to have the effect that we desire of beginning the process of peaceful settlement. We prefer the United States draft because it more fully meets the criteria of equilibrium which I have mentioned. Our aim, however, is not—and I agree in this with the representative of Ethiopia—to enter into competition and contention but to seek agreement among us and the earliest possible action by the Council that would be of help to the parties in the dispute and the suffering peoples of the Middle East.

218. Canada is for withdrawal—yes, withdrawal which leads to peaceful conditions and not to a return to the state of affairs which led to the recent conflict and which was brought to this Council by Denmark and ourselves on 24 May 1967 [*1341st meeting*].

219. The time for moving to a peaceful settlement or political solution is long overdue and we urge the Council

not to lose heart but to continue all efforts to try to reach agreement on a text which will achieve this goal.

220. In conclusion, I would say—and I agree entirely with the representative of the United Kingdom on this—that the Council should not, it dare not, let this opportunity slip to bring the healing influence of a United Nations intermediary to bear upon the troubled scene in the Middle East, and thus begin the process of reconciliation, reconciliation among the States of the Middle East.

221. Mr. BORCH (Denmark): Several months have already passed since this Council last met in open session to discuss the over-all political situation in the Middle East. We met in the wake of a war which had upset the whole picture of the Middle East and evoked emotions which were not conducive to a peaceful political settlement. In the meantime, the dust has had time to settle and we have a clear picture of the problems facing us.

222. Ever since the middle of May, when a sharp deterioration occurred in the situation in the Middle East, the delegation of Denmark has endeavoured to pursue a consistent line of policy based upon the following main considerations.

223. It is essential that whatever decision the Security Council takes in the exercise of its responsibility for the maintenance of international peace and security should be practicable and workable and aim at reducing tensions and the step-by-step seeking of peaceful solutions to the many and complex problems in the area.

224. In the period when the crisis was building up, we considered that the best thing the Council could do would be to request all States in the area to show restraint and refrain from any steps which would tend to aggravate the situation. We formed this view in the light of developments which my predecessor, the present Minister for Foreign Affairs of Denmark, in a statement on 24 May 1967 in this Council, described as follows:

“There has been a military build-up along the borders of Israel and the United Arab Republic, and there is no way of denying that the stage is set for a major military clash.” [1341st meeting, para. 69.]

We can only regret that, although some delegations shared our views, there was not sufficient support in this Council for a preventive move like the one we suggested.

225. When the war broke out we endeavoured to have the Council adopt—even on the very first day of fighting—a resolution calling for an immediate cease-fire. To our regret we and those who shared our views did not succeed immediately in this either. Agreement on this was not reached until thirty-six hours later. Many things would perhaps have looked different, and sacrifices might have been avoided, if agreement had been reached at an earlier stage. When the war then had been brought to an end, we would have preferred this Council to tackle the Middle East political problems forthwith to effect a real move away from conditions which had created ceaseless tension over nearly twenty years and resulted in three wars.

226. Taking a retrospective view, it is perhaps easier now to understand why it was not feasible to start such a development at that time. A cooling-off period was apparently necessary to create an atmosphere congenial to progress in the political field.

227. From that starting point we then entered into the consultations and discussions among the non-permanent members of this Council nearly four weeks ago, and I think that at that time we all shared a feeling of cautious optimism. We thought that the realities of the situation were now so clear that the prerequisites for progress towards solutions should be obvious.

228. It will be well known that during his stay in New York in October my Foreign Minister took an active part in the work of the non-permanent members, and that as a result of conversations with the main parties involved and with all members of the Council, we produced, together with Canada, a working paper which we hoped might have been useful as a basis for the drafting of a resolution to be adopted by this Council.

229. Other members also produced working papers and, under your wise guidance, Mr. President, and, earlier under that of the distinguished representative of Japan, extensive efforts were made to find common ground. In this process a number of points were clarified and minor disagreements removed through amendments of the various texts. However, as things worked out, we found at the end of our negotiations in the group of non-permanent members that agreement could not be reached, particularly on one important point, namely the formula for the withdrawal of troops and the context in which it should take place.

230. In this respect, I should like to recall my Government's policy, as expressed on more than one occasion. In his speech to the General Assembly on 21 June, Mr. Krag, the Danish Prime Minister and then Minister for Foreign Affairs, said:

“I therefore suggest that the problem of withdrawal cannot be envisaged as an isolated step. The problem of the withdrawal of troops is closely connected with some of the most burning and sensitive political problems, such as the final settlement of the borders in the area and the claim of Israel, and indeed of all States in the area, for the safeguarding of their territorial and political integrity.”¹⁰

231. Furthermore, Mr. Krag in his speech in the General Assembly on 21 September 1967 said: “territorial gains should not be based upon military action . . . all Member States have a fundamental right to peaceful existence.”¹¹

232. Mr. Tabor, my Minister for Foreign Affairs, in a public statement of 19 October 1967 went on to say:

“As we see it, the full implementation of these principles would include the withdrawal of Israel troops; the safeguarding of the territorial and political integrity

¹⁰ *Ibid.*, 1529th meeting, para. 73.

¹¹ *Ibid.*, Twenty-second Session, Plenary Meetings, 1562nd meeting, para. 83.

of all States in the area, including a final settlement of the borders in the area; the right to free passage through the Suez Canal and the Strait of Tiran; limitation on arms shipments into the Middle East; and last but not least, a settlement of the refugee problem."

233. I hope that there is general agreement around this table about the validity of these principles but I know, of course, that difficulties arise when it comes to deciding how the different elements should be interrelated and balanced against one another.

234. We have been of the opinion, and we still are, that with respect to the fundamental political problems no solution will be useful or workable unless both sides feel that they can live with it. At the same time there must be a scrupulous balance between the claims on both sides. In the final analysis this indicates that the balance must be found at a rather low level or, in other words, that the common denominator for the framework of a political solution is rather small.

235. At the conclusion of the recent negotiations among the non-permanent members of the Council there was at least agreement on three points mentioned before in this discussion, namely, that at this stage we are operating under Chapter VI of the Charter, that a special representative of the United Nations ought to proceed to the area and that guidelines should be given for the work of that special representative.

236. It is, of course, the formulation of these guidelines that lies at the root of the present stalemate. However, does not the fact that there is broad agreement on these three points impose an obligation on us all to try again to reach a solution which can command the support of all members of this Council, and in whose implementation the parties may be expected to co-operate? My delegation for one believes so and we are prepared to continue to play our modest role in any effort with this aim in view.

237. There is a structural difference between resolutions of the General Assembly which take the form of recommendations and which as such can be regarded as expressions of world opinion, and resolutions of the Security Council which are to form the basis of action. In the case of the latter, the active co-operation of both parties to a conflict is of paramount importance. This, to us, seems especially true in a case like the one before us where our aim exactly is to send off a special representative to the Middle East to assist the parties concerned in finding a solution. But, I want once again to underline that we hope it will be possible to avoid a confrontation and that the Council instead will continue its search for agreement.

238. In June of this year the Council was able to act unanimously and resolutely in the face of war. In our opinion there is no doubt that the Council would serve the cause of peace in the Middle East to the benefit of all the peoples in the area, and to the credit of the United Nations, if we now—although we are, and happily so, not under the threat of an actual war—could decide in unanimity on the course to be followed towards the solution of the many and complex problems in this severely tried part of the world.

239. Mr. BERARD (France) (*translated from French*): During the four months in which the Council has not held any further meetings to consider the Middle East crisis as a whole, no progress has been made towards a solution. The situation on the spot is still fraught with danger. The occupation of territory, with its inevitable consequences, and the confrontation of armed forces, which are still on a war footing, are bound to provoke fresh incidents and maintain the feeling of insecurity throughout the region. The torpedoing of the *Eilat* and the bombing of Suez and its refineries have provided dramatic proof of this.

240. As the French Government stated on several occasions, even before the operations began, war by itself cannot solve anything. The risks it causes threaten not only the region concerned but the international community as a whole. The only possibility is a political solution, and by this I mean a solution that is not imposed by force. Only a political solution can enable peoples which have no alternative but coexistence, and which must finally reach a mutual understanding, to live side by side with one another.

241. Is it realistic to think or say that, in order to achieve this goal, direct negotiations must be started between the Government of Israel and the Arab Governments? To quote the views expressed by the French Foreign Minister in his statement to the General Assembly on 22 June, this would imply in advance that the problem had already been solved. In that statement, the Foreign Minister said:

"How can it be expected that these Arab countries, which for twenty years have refused to negotiate with Israel—however great the shock they suffered or possibly even because of that shock—would be any more ready to negotiate today than they were yesterday? It has, I dare say, never been more difficult to envisage even the minimum of dialogue."^{1 2}

242. In the opinion of my Government, therefore, it would seem that outside assistance—in other words, international action—will be required in order to start a new trend and allow it to develop favourably. Such action can be undertaken now, within the framework of the United Nations. In this connexion, we believe that international opinion, as it can be expressed in the General Assembly, can play a useful role in urging the parties to reconcile their views and in showing them something of the various reactions which their attitude provokes; however, we have always felt that it is for the Security Council to point the way to a solution of the problem as a whole. This obviously calls for agreement between the great Powers, which are bound to become more and more clearly aware of their responsibilities. If this agreement is lacking, the Middle East crisis is doomed to continue.

243. Therefore once again we appeal today not only to the parties concerned, but to all members of the Security Council, for efforts to create the conditions necessary for a peaceful solution.

^{1 2} *Ibid.*, Fifth Emergency Special Session, Plenary Meetings, 1531st meeting, para. 101.

244. Furthermore, if the Arab States are to accept such a solution, they must be able to do so in complete freedom—that is, freedom from the pressure created by the presence of foreign troops on their soil. After the fighting had ended, the French Government declared:

“It is obvious that no on-the-spot *fait accompli* regarding territorial limits and the status of citizens of the States concerned can be considered as final.”

As my Minister Mr. Couve de Murville recalled before the French National Assembly on 7 November, that is still my country's position. My country believes that the withdrawal of Israel's forces from the territories occupied as a result of the recent conflict is an essential prerequisite for a settlement of the problems.

245. It being understood from the outset that each of the States concerned has the right to exist and to have its safety assured, these problems appear manifold. First and foremost among them is the problem of the refugees, whose plight has been given a new and tragic dimension as a result of the war. Some problems, such as that of navigation, must be settled. Other problems have also arisen, including the most serious of all, the fate of Jerusalem, on which the General Assembly has already adopted two resolutions.

246. The non-permanent members of the Council have suggested that a special representative of the Secretary-General should be appointed to lend his assistance on the spot in the implementation of the principles to be established by the Council. We believe this suggestion warrants serious consideration, and we gladly give it our support. It is obvious, however, that it will not be enough to send an emissary of this kind to the Middle East with only the Charter as his viaticum. He would have no chance of rendering any useful service unless the principles he is to follow in his work are established by the Council with sufficient clarity.

247. At this stage of the debate, I do not think there is any point in discussing these principles in detail. I shall merely stress once again that security in that part of the world cannot be achieved by measures which merely provoke rancour, nourish resentment and stir up hatred. It can be achieved only in an atmosphere of equity and moderation which will inspire confidence. It is a dangerous, a fatal temptation for a conqueror to try to draw the maximum possible advantages from his gains, and history has taught us that such an attitude invariably rebounds on those who at first appear to profit from it.

248. The representatives of Israel have declared on several occasions, and sometimes at this very table, that they are looking hopefully towards a future in which there will be fruitful co-operation between the States of the region without distinction as to race, religion or system of government. France, a traditional enemy of racism, was—perhaps more than any other nation—filled with indignation and sympathy for the Jewish people in its tribulations throughout the centuries and its martyrdom during the Second World War. Thus such co-operation would be in keeping with our wishes. However, it is clear that such a development is possible only on the basis of an

easing of tension which would precede and prepare the way for friendly co-operation in the near or distant future.

249. We would like this conflict, which we tried to prevent and which we have witnessed with deep sorrow, to become in spite of all a source of hope for the establishment of a true peace, based on a just and reasonable settlement with the minimum possible vestiges of bitterness and rancour.

250. We have said before, and we repeat, that Arabs and Israelis, Jews and Moslems must be able to live together in the Middle East in peace, tolerance and mutual respect. This is what France desires. This is the consideration which will guide the French delegation in the position it adopts during the present meetings.

251. Mr. TSURUOKA (Japan): First of all, I should like to express my deep gratitude to the representatives for their kind words with reference to what I did, or at least what I tried to do, during the period of my Presidency last month.

252. The situation in the Middle East remains very grave. Five months have passed since the outbreak of open warfare and the United Nations is not yet in the position of being able to play a positive and helpful role in bringing about a just and lasting peace in the area. However, we refuse to be discouraged and we feel it is still too early to admit defeat.

253. At the closing stage of the 1371st meeting of the Security Council on 25 October, when the necessity for a strict observance of the cease-fire resolutions of the Council was reaffirmed, it was understood that we would continue to engage in intensive consultations in the efforts to find a common basis, particularly on the question of sending a special representative of the Secretary-General to the area. Since that time, as all are aware, strenuous efforts have been made in consultations among Council members to achieve a formula for a just and lasting peace in the Middle East. Today the Council is meeting once again at the request of the United Arab Republic to consider the problem. Two draft resolutions have been submitted to the Council: one sponsored by India, Mali and Nigeria [S/8227] and the other proposed by the United States [S/8229].

254. It is not the purpose of my present intervention to discuss the substance of those proposals. Suffice it to say that I find merit, if not complete satisfaction, in both of them. But it does appear that neither of those draft texts adequately reflects a consensus of the Council. Despite recent disappointment my delegation is still hopeful that further consultations might very well lead to compromise and a consensus that all members of the Council could support. We attach great importance to this objective, and we have some thoughts of our own on the subject.

255. I have listened very carefully to the preceding speakers and I do not see that there is anything constructive to be gained at this stage by pressing matters to a showdown. I, for my part—and I imagine that other members may very well share my view—would like more time to consider the two draft resolutions which are before

us, to engage in further consultations and to try once more to achieve a consensus. Given the continuing gravity of the situation in the Middle East, I do not think that is too much to ask. It goes without saying that my delegation will also be ready and willing to contribute its share and to co-operate with other delegations in the common quest for a consensus solution that can be adopted unanimously.

256. Mr. RUDA (Argentina) (*translated from Spanish*): Since the problem of the Middle East became acute in the middle of May, as a result of the withdrawal of the troops of the United Nations Emergency Force, my country has taken upon itself a definite obligation to do everything in its power to restore the peace which had existed, albeit precariously, for almost ten years. In this connexion, our work in the Council and later in the General Assembly has always been guided by equanimity and inspired by the desire to find solutions that might serve to settle the controversy within the framework of the Charter of the United Nations.

257. On 5 June 1967, the very day of the outbreak of hostilities, my Government stated that it

"... will have to be calm, in order to weigh the reasons for the conflict and the aspirations of the parties, it will have to retain an impartial and independent judgement and, above all, it will have to strive to be fair in its statements and to act accordingly, believing that in this way the higher interests of peace and world order, and the legitimate long-term interests of the Republic itself will be best served".

258. At that time my delegation supported resolution 233 (1967) of 6 June, which called upon the Governments concerned, "as a first step", to take all measures for an immediate cease-fire and for a cessation of all military activities in the area. We voted on that occasion in full awareness of the fact that the efforts of the Council could not end with a mere cease-fire, and that this body would have to go on striving for the achievement of world peace.

259. When the Soviet Union proposed the convening of the fifth emergency special session of the General Assembly, my delegation did not support that request, although it did participate, in a spirit of co-operation, in the discussions. We did not agree with the idea of convening the Assembly because we felt then, and still feel, that the Security Council had not exhausted its effectiveness and that it has sufficient authority and the necessary machinery to carry this process through to a satisfactory solution.

260. We believe today, on returning to the Security Council under the same conditions as existed in June, that time has shown us to be right. We still have no definition, by any United Nations body, of the crisis in the Middle East. On the other hand, we cannot fail to recognize that the extensive debate which took place during the emergency session clarified the positions of the Members of the United Nations regarding this matter.

261. My delegation is, therefore, taking part once again in this debate with a very simple mandate from its Government—to restate the position which we took in the Security

Council and later in the emergency session, as well as in the general debate during the twenty-second session of the General Assembly.

262. As we have pointed out on other occasions, my delegation, concerned as it is to strive for peace based on justice and on the application of the principles of the Charter, believes that a settlement of this problem must be sought by peaceful means. This is in the interests not only of the parties themselves but also of all Members of the United Nations which have a permanent interest in peace. This conflict is practically as old as the United Nations and has, from the outset, given rise to differences of opinion with regard to the effectiveness of the Organization and of the principles on which it is based.

263. The Argentine Republic, although geographically distant from the theatre of events, is nevertheless linked to the parties by ties of friendship, and it believes it has an inescapable duty to do everything in its power to ensure that the Middle East can be transformed into an area where life can develop in an orderly and stable fashion, as the representative of Nigeria has said today.

264. We know that passions have been violent and that it is not easy to erase in one day twenty years of conflict. On the other hand, in our view, the only solution is for all to respect and apply the legal norms governing relations between States, and particularly the principles laid down in the Charter of the United Nations. We have not asked anyone to forgo his legitimate interests, nor shall we do so; at the same time, however, we believe that there must be a clear balance of mutual concessions and that the peaceful solution must be achieved in a context in which the free will of the parties may be frankly expressed.

265. From the same seat, during the 1360th meeting of the Security Council on 14 June, my delegation spoke as follows—and I ask to be forgiven for quoting *in extenso*, but I feel that I must do so in order to clarify the basis of our views and the way in which we have maintained our position:

"For all these reasons, my delegation is firmly convinced that at this stage it is the Council's duty to seek to establish conditions whereby no one will negotiate under the threat of coercion. We believe that these conditions cannot be attained unless on the one hand, troops are withdrawn, and on the other, free passage through international shipping lanes is assured. In a word, this means abandoning a belligerent spirit and establishing spiritual conditions conducive to peace. We believe that both parties should be placed in a position where they can express their wishes freely. Consequently, we cannot support operative paragraph 2 of the Soviet draft resolution. Although we believe that the withdrawal of troops is one of the basic conditions for peace, neither party should be subject to pressure. Furthermore, we believe that the Middle East problem can be solved only by peaceful means, and that the first step to be taken or the first method to be used should be the creation of a climate of understanding, which would facilitate agreement between the parties." [1360th meeting, para. 72.]

266. The basis of our position was explained in greater detail by our Minister for Foreign Affairs when he spoke

during the General Assembly's fifth emergency special session, at the 1537th meeting on 27 June 1967. On that occasion he explained, very clearly we believe, the basis of Argentina's position, which I will summarize as follows:

(1) The General Assembly should draw the attention of the parties to the purposes and principles of the Charter as stated in Chapter I, particularly in paragraphs 3 and 4 of Article 2, and to the principles expressed in paragraphs 1 and 2 of Article 33.

(2) The Security Council should study the present situation and the immediate and remote causes of the conflict.

(3) The Security Council might entrust a person, or a group of persons, "with the task of maintaining contact with the parties, hearing their claims, getting to know their views and striving to bring about a real rapprochement among them", so that it would be able to discharge more effectively the task of studying the present situation and the immediate and remote causes of the conflict.

(4) My delegation took the view that the mere withdrawal of forces would not, of itself, bring about peace. After stating this, the Minister added that "such a withdrawal must be accompanied simultaneously by the termination of the state of belligerency, if it is to have a truly logical meaning and a sound legal basis. The parties would thus be able to seek solutions free from any constraint, and to agree spontaneously to any commitments they might make." On that occasion our Foreign Minister referred to the precedent established in article 2 of the Anti-War Treaty of Non-Aggression and Conciliation signed at Rio de Janeiro on 10 October 1933, which was initiated by our country and in particular by the then Chancellor, Don Carlos Saavedra Lamas. With regard to the state of belligerency, which in my country's view should be terminated forthwith, the Argentine Foreign Minister stated that: "the state of belligerency cannot be invoked in order to accept only part of the logical consequences stemming from the principles governing it. If it is invoked in order to provide legal justification for certain circumstantial and specific limitations of general principles, then all its consequences must also be accepted."

(5) It is essential to study other problems of major importance in regard to Article 1, paragraph 3, of the Charter, namely, the situation of the refugees, the wounded and the prisoners of war. The Foreign Minister then referred to the position adopted by my Government with regard to the city of Jerusalem.

267. The over-all position of my Government, which I have just summarized, was reflected very explicitly in the draft sponsored by twenty Latin American countries which appears in document A/L.523/Rev.1. This draft was voted on in the General Assembly last July, and received 57 votes in favour, with 43 against and 20 abstentions.

268. Now, in the month of November, in the course of the present debate, we are faced with the paradox that some of those Members who supported and voted for the Latin American formula apparently prefer to overlook that fact

when describing recent events in the Middle East, while others—who at that time were critical—are now supporting us. This draft resolution is well known to all members of the Council, and my delegation, without repeating the arguments advanced at the time of its submission, reiterates its support for the ideas contained in the draft.

269. In the recent general debate during the present twenty-second session of the General Assembly, at the 1569th meeting held on 27 September, my Government supported the position taken by the Latin American group, stating that it had: "acted calmly and objectively and did not ask either of the parties to make any undue concessions, nor did it make any demands of them that were not consistent with the normal requirements for post-war settlements."

270. On that occasion the Argentine Foreign Minister stated once again that "it would be possible to achieve peace, starting with the withdrawal of troops from the occupied zones and the termination of the state of belligerency", and that this would be the first step on the road towards a final peace.

271. As I said a few moments ago, at this stage of the new debate in the Security Council my delegation merely wishes to restate the position which my country has maintained since June. We do this with a view to serving the interests of peace. I do not believe that any one in the Council can have any doubts about this intention of ours. We maintain that the solution which we regarded as the correct one three months ago is still the correct one today. We have paid due attention to the criticisms addressed to us by certain delegations in the General assembly, and we shall also take into account any criticisms that may be made today; but the one point we can repeat, as the basis of our position, is that we are not serving the particular interests of anyone, and we hope that no one will take advantage of this conflict for his own political ends.

272. We respectfully invite the parties to enter this new stage in an atmosphere of understanding and calm. Only in such an atmosphere will it be possible for us to arrive at solutions based on the principles of the Charter.

273. Our main concern is that the Security Council should adopt a resolution which will enable the United Nations to play a part in ending this crisis. If we do this, we shall have responded to one of the most important contemporary challenges that the United Nations Organization has had to face.

274. THE PRESIDENT (*translated from French*): I have no further speakers on my list, but I have two suggestions I wish to put to the Council.

275. First, in the light of the work we have accomplished this evening and as a result of the informal consultations I have held, members of the Council seem to be in agreement that tomorrow morning's meeting on the complaint of the Democratic Republic of the Congo should be postponed until tomorrow afternoon at 3.30. If there is no objection, I shall consider this proposal adopted.

276. The second suggestion is as follows. I have also held informal consultations which indicate that members of the Council agree that the next meeting on the situation in the Middle East should be held on Monday morning at 10.30. If

there is no objection, I shall consider that this proposal also adopted.

The meeting rose on Friday, 10 November, at 1.15 a.m.

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