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CONTENTS

	<i>Page</i>
Provisional agenda (S/Agenda/1760)	1
Record of the meeting	1
Adoption of the agenda	1
Arrangements for the proposed Peace Conference on the Middle East	1

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SEVENTEEN HUNDRED AND SIXTIETH MEETING

Held in private in New York on Saturday, 15 December 1973, at 10 a.m.

President: Mr. HUANG Hua (China).

Present: The representatives of the following States: Australia, Austria, China, France, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

Provisional agenda (S/Agenda/1760)

1. Adoption of the agenda.
2. Arrangements for the proposed Peace Conference on the Middle East.

The meeting was called to order at 11 a.m.

Record of the meeting

1. The PRESIDENT (*translation from Chinese*): As a result of consultations held with members of the Council, I understand that there is general agreement that rule 51 of the provisional rules of procedure of the Security Council will not be invoked on this occasion and that the verbatim record of this meeting of the Security Council will be circulated in all the working languages as an unrestricted document in accordance with rule 49. If there is no objection, I shall take it that that is agreed.

2. As this meeting is being held in private, it will be necessary to apply rule 55 of the provisional rules of procedure and to issue a communiqué through the Secretary-General at the close of the meeting. The text of the draft communiqué will be circulated to members of the Council in due course.

Adoption of the agenda

The agenda was adopted.

Arrangements for the proposed Peace Conference on the Middle East

3. The PRESIDENT (*translation from Chinese*): The members of the Council have before them the text of a draft resolution sponsored by Australia, Austria, Guinea, India, Indonesia, Kenya, Panama, Peru, the Sudan and Yugoslavia [S/11156] which will be introduced by the representative of Guinea.

4. Mrs. Jeanne Martin CISSE (Guinea) (*interpretation from French*): I shall be very brief for reasons familiar to

members of the Council, namely that in the course of the consultations we have been having we have already clearly defined what we believe to be the responsibility of the Security Council.

5. Indeed during the night of 21-22 October 1973 the Security Council adopted resolution 338 (1973), submitted by two of its permanent members, the Soviet Union and the United States, which, in its paragraph 3, clearly stipulated that the Security Council

"Decides that, immediately and concurrently with the cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East."

6. As we have always maintained and continue to maintain, for us, the 10 non-permanent members of the Security Council, and, I am sure, for all the 15 members of the Security Council, the appropriate auspices were clearly those of the United Nations. We wanted to stress this point, because for 25 years the United Nations has been faced with this distressing problem of the Middle East. For 25 years at each session the General Assembly has tried to find a solution to this problem. Since June 1967 the Security Council in its turn has regularly debated this problem in an attempt to find a solution and to bring peace to this part of the Middle East.

7. Therefore the Security Council, whose essential task is the maintenance of international peace and security, in our view has the heavy responsibility of playing its full part under the Charter. It is by virtue of this constant concern of respect for the role of the Security Council, respect for the responsibility incumbent upon it, that the 10 non-permanent members of the Council—Australia, Austria, Guinea, India, Indonesia, Kenya, Panama, Peru, the Sudan and Yugoslavia—have submitted the draft resolution contained in document S/11156, the text of which reads:

[The speaker read out the text of the draft resolution.]

8. As I have just said, the 10 non-permanent members of the Security Council are aware of the difficulty of the problem. They are also aware—and I should like to stress this—of the responsibility of the Council and want that to be very clearly defined. We the 10 non-permanent members of the Security Council trust that if in the future—the near future, as we hope—the Secretary-General should receive a letter from the interested parties, which would be transmitted to the President of the Security Council, we could perhaps meet again to make some changes in the text we are submitting to you.

9. In any case, in submitting this very brief text to the Security Council we should like to express anew our conviction that together we shall find ways of seeing that there is respect for the responsibility of the Council.

10. I shall not go on; I said I would be brief. The aim of the non-permanent members of the Security Council is not, as some have sought to say, to give a lesson to others on the responsibilities incumbent upon members of the Council. Not at all. Our only concern remains respect for the mandate entrusted to the Security Council. We shall remain faithful to that mandate and we want all of us together to see to it that there is strict respect for the role which the Charter entrusts to the Security Council.

11. The PRESIDENT (*translation from Chinese*): If there are no further speakers at this stage, I shall now put the draft resolution in document S/11156 to the vote.

A vote was taken by show of hands.

In favour: Australia, Austria, Guinea, India, Indonesia, Kenya, Panama, Peru, Sudan, Yugoslavia.

Against: None.

Abstaining: France, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 10 votes to none, with 4 abstentions.¹

One member (China) did not participate in the voting.

12. The PRESIDENT (*translation from Chinese*): I shall now call on representatives who wish to explain their votes.

13. Mr. DE GUIRINGAUD (France) (*interpretation from French*): As the Council has just adopted the draft resolution submitted by 10 delegations concerning the Middle East question, I should like very briefly to explain the reasons why my delegation abstained.

14. The French Government welcomed with satisfaction the announcement that peace negotiations were about to begin. Their purpose is in fact to put an end to the conflict that for 25 years has raged in the Middle East. My Government sincerely hopes that those negotiations will lead in a reasonable period of time to the establishment of an agreement acceptable to the parties directly involved in the conflict and in keeping with the principles of international law embodied in the Charter.

15. Desirous as it is of giving such negotiations every chance, my Government understands and recognizes that we must beware of being excessively formalistic, and to that end must avoid to the utmost public debates at so delicate a time. What it could not accept, on the other hand, is that, on a question in which the responsibility of the United Nations has been involved from the very outset, the Security Council itself should abdicate the exercise of

that responsibility to the point of seeming to be extraneous to the negotiations that are about to open. This, incidentally, was the starting-point of resolution 338 (1973) of 22 October, which itself refers to resolution 242 (1967) of 22 November 1967, and the fact that the resolution is fundamental to a just and durable settlement is recognized by all.

16. If, as we hope, the Geneva Conference achieves positive results, it will be up to the Council to give its approval to the final settlement by accompanying it with such guarantees as it deems fit. It would lose its prestige and authority if it merely confined itself to recording the fact. In the event that the Conference should not meet the hopes we have justly placed in it, the States concerned sooner or later would not fail again to have recourse to the Council.

17. Lastly, it is not only the Middle East that is at issue, and it is the possibility of settling other international disputes that we must preserve for the future.

18. For all of those reasons the Council, in our view, is duty bound to recall in an appropriate manner, before the inauguration of the Conference, the link that must necessarily be established between the negotiations and the Council. Similarly, we believe that the Secretary-General should not go to Geneva without a clear and precise mandate.

19. In this respect—and despite its merits—the draft resolution submitted to us does not offer all the guarantees we would have wished to find in it. On the one hand, the terms in which it takes note of the participation of the Secretary-General in the Conference are not sufficiently explicit and do not clearly spell out the Secretary-General's role. It is, moreover, regrettable that the Council should have found itself obliged to meet and to take so important a decision without even knowing under what conditions the Secretary-General would be invited to participate in the Conference. This is a situation that is hardly compatible with the dignity or the normal role and prerogatives of the Council.

20. Moreover, the text that has just been adopted merely uses a very vague formula concerning the procedure by which the Secretary-General would keep the Council informed. On this point, when we are embarking upon what might be a long process, it would have been desirable, in our view, to stipulate that the Secretary-General would keep the Council regularly and fully informed of the development of negotiations so that the Council might be in a position to ensure the strict implementation of its relevant resolutions on the Middle East.

21. These requirements, which merely reflected the provisions of the Charter concerning the respective competences and roles of the Security Council and of the Secretary-General, appear to us to be such as to allow for constructive negotiations and to ensure the proper execution of the agreement, while preserving for the future the responsibilities incumbent upon the Council. As there was no unanimity on these requirements my delegation was constrained to abstain and to express its reservations on the text submitted to the Council.

¹ See resolution 344 (1973).

22. Sir Donald MAITLAND (United Kingdom): I understand and sympathize with the feeling of frustration and impatience of some members of this Council at the delays which have occurred in completing the preparations for the peace conference. I fully support the provisions of the resolution which the Council has adopted this morning. Indeed, I have maintained since this Council passed resolution 338 (1973) that the "appropriate auspices" referred to in that resolution should be United Nations auspices. We have also consistently supported the thesis that the Secretary-General should have a full and effective role to play in the conference. I was—and indeed I still am—looking forward to voting in favour of a resolution containing the provisions set out in the resolution adopted this morning.

23. As I understand it, the sponsors of resolution 338 (1973) are not opposed to the provisions of the resolution just adopted but they are not in a position today to vote in favour of it. I recognize that the Security Council depends to a significant extent on the sponsors of resolution 338 (1973) for the implementation of this resolution. I have preferred to withhold my vote until the two sponsors of resolution 338 (1973) are in a position to endorse this resolution. That is the sole reason for my abstention today, and I hope that there will soon be an opportunity when there can be a larger favourable vote for the provisions of this resolution.

24. Mr. BENNETT (United States of America): I appreciate the efforts that have been made by many members of the Council in this very delicate phase of preparations for an important conference which I am sure all of us hope will at long last provide the way to find a just and enduring peace in the Middle East. I know, and in fact I share, the sense of frustration that many members round the table have expressed in the last few days.

25. My delegation has abstained in the vote on the resolution this morning because I did not have any authorization to support it. We ourselves have not felt that formal action by the Council was necessary. We would have preferred a consensus approach; but I do not make any great issue of that.

26. The problem of my delegation—and I think it is not a new problem, and to me it is not an unusual or a surprising one, given what I have referred to as the delicacy of the situation—is that negotiations regarding invitations to the Geneva Conference are still proceeding, and we have not felt that we could support the resolution at this time.

27. My delegation has already made clear in the informal consultations, and I should like to repeat this morning, that we envisage that the Secretary-General would preside at the opening session of the Conference and that his representative would be there continuously: in other words, that there would be the full involvement of the Secretary-General, as there should be, in the Peace Conference proceedings, as is outlined in the resolution that has just been adopted. I would stress once again that the whole basis of the Conference, the framework for the negotiations, is to be found in the resolutions which have already been adopted by the Security Council, so it seems

to me that every effort is being made to give this Council its rightful role in the proceedings.

28. I am sure that we all hope that the details will soon be worked out. According to the latest information, which I received earlier this morning, there are several problems still remaining, and it was on that basis that I was not able to support the resolution and, therefore, abstained on behalf of the United States.

29. The PRESIDENT (*translation from Chinese*): As no other representative wishes to speak at this time, I should like to make a brief statement as representative of CHINA.

30. Last October the two super-Powers contrived Security Council resolution 338 (1973) with the aim of putting out the raging flames of the Arab peoples' war against aggression and reimposing the situation of "no war, no peace" on the Arab people so as to facilitate the two super-Powers' contention for hegemony in the Middle East and their division of spheres of influence there. We stated our position when the Security Council adopted that resolution. Consequently, the Chinese delegation cannot accept the present draft resolution which is derived from resolution 338 (1973). The Chinese delegation is always firmly opposed to any attempt of the two super-Powers to make behind-the-scenes deals at the expense of the interests of the Arab and Palestinian peoples.

31. According to the Charter, the Security Council has the primary responsibility for the maintenance of international peace and security. In pursuance of the purposes and principles of the Charter, the Council should, on the Middle East question, support the just demand of the Arab and Palestinian peoples who are the victims of aggression and oppose Israeli aggression and the two super-Powers' contention for hegemony in the Middle East. Under the provisions of the Charter, the Security Council is composed of 15 Member States. It is obvious that, in fulfilment of its responsibilities, the Security Council can establish its position only by a formal decision taken by itself. Without the consent of the Security Council, no individuals or countries have the right to represent the Council or to undertake obligations or sign documents on important matters in the name of the Security Council.

32. Based on its consistent position, the Chinese delegation has decided to dissociate itself from this resolution.

33. Speaking now as PRESIDENT, I would say that if no other representative wishes to speak I shall assume that the Council is ready to consider the text of the draft communiqué which has been circulated [S/11159].

34. Rule 55 of the provisional rules of procedure provides that "At the close of each private meeting the Security Council . . ."—

35. May I ask the representative of the Soviet Union on what question he wishes to speak now?

36. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): In exercise of my right of reply

37. The PRESIDENT (*translation from Chinese*): I would ask the representative of the Soviet Union please to wait until the end of the meeting to make his reply.

38. Rule 55 of the provisional rules of procedure provides that "At the close of each private meeting the Security Council shall issue a communiqué through the Secretary-General". Accordingly, I would ask whether any member of the Council has any comment to make on the draft communiqué. If not I shall take it that the draft text meets with the wishes of the members of the Security Council.

39. Sir Donald MAITLAND (United Kingdom): I wonder if a reference could also be included to the explanation of vote which I made. It might perhaps follow, as it did chronologically, the reference to the statement made by the representative of France.

40. The PRESIDENT (*translation from Chinese*): We have taken note of the request of the representative of the United Kingdom.

41. Mr. BENNETT (United States of America): The representative of the United States also made a statement.

42. The PRESIDENT (*translation from Chinese*): Then, in the appropriate paragraph, following the reference to the statement of France, we shall add references to the statements of the United Kingdom and the United States.

43. Perhaps the Under-Secretary-General for Political and Security Council Affairs can read out the full text of the communiqué.

44. Mr. SHEVCHENKO (Under-Secretary-General for Political and Security Council Affairs): The draft communiqué now reads as follows:

"The Security Council held its 1760th meeting in private on 15 December 1973 at the request of many of its members, to discuss the following item: 'Arrangements for the proposed Peace Conference on the Middle East'.

"The Council voted on the draft resolution [S/11156] submitted by Australia, Austria, Guinea, India, Indonesia, Kenya, Panama, Peru, the Sudan and Yugoslavia. The draft resolution was adopted by 10 votes in favour to none against with 4 abstentions (France, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America) as resolution 344 (1973).

"The representatives of France, the United Kingdom and the United States made statements.

"The representative of China did not take part in the vote and made it clear that China dissociated itself from this resolution."

45. The PRESIDENT (*translation from Chinese*): If there are no other comments, I shall take it that the text of the

draft communiqué meets with the approval of the members of the Council.

It was so decided.

46. The PRESIDENT (*translation from Chinese*): I now call on the representative of the Soviet Union.

47. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): I asked the President of the Security Council to allow me to speak in exercise of my right of reply in connexion with the Chinese representative's regular statement with its routine and customary fantastic inventions about some non-existent deal on the Middle East, supposedly directed against the interests of the Arab peoples.

48. With regard to this matter, I should like to inform the Chinese representative of what is known to the whole world, except, apparently, China and its representative in the Security Council, namely that the Soviet Union has been and still is a true and faithful friend of the Arab peoples—the victims of Israeli aggression—and that the USSR will struggle firmly and consistently for the elimination of the consequences of Israel's aggression, for a just settlement in the Middle East and for the establishment of a lasting and durable peace in that area.

49. In this connexion, it is also appropriate to inform the Chinese representative of the following universally known international fact.

50. At the recent meeting of the Heads of Arab States in Algiers at the end of November of this year, the participants in that high-level meeting made the following statement:

"They are proud to note the whole-hearted political support and military and economic assistance offered by the Soviet Union and other socialist countries to the Arab States in their just struggle for the liberation of the occupied Arab territories and the restoration of the lawful rights of the Arab people of Palestine."

That is the best possible answer to the Chinese representative.

51. The PRESIDENT (*translation from Chinese*): As representative of CHINA, I should like to make a brief reply to Mr. Malik's statement.

52. As the Chinese proverb puts it, facts speak louder than words.

53. I believe that the members of the Council and all the Members of the United Nations, and the peoples of all the countries in the world, have drawn the proper conclusions from the course of the Israeli-Zionist aggression against the Arab and Palestinian peoples in the Middle East in recent years, and from the actual deeds of the two super-Powers, the United States and the Soviet Union, there.

54. Mr. MALIK (Union of Soviet Socialist Republics) (*translation from Russian*): I entirely agree with the proverb quoted by the Chinese representative that facts

speak louder than words. The fact which I cited—the statement made and the deep appreciation expressed at the high-level meeting of the Heads of Arab States—is more powerful, and has a louder and more convincing ring than the routine piece of slander uttered by the Chinese representative.

55. The PRESIDENT (*translation from Chinese*): Again as representative of CHINA, I wish to say one sentence: the facts that now obtain in the Middle East speak louder than any words from Mr. Malik.

The meeting rose at 11.45 a.m.

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