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NOTE

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2317th MEETING

Held in New York on Wednesday, 16 December 1981, at 3.30 p.m.

President: Mr. Olara A. OTUNNU (Uganda).

Present: The representatives of the following States: China, France, German Democratic Republic, Ireland, Japan, Mexico, Niger, Panama, Philippines, Spain, Tunisia, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Provisional agenda (S/Agenda/2317)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:
Letter dated 14 December 1981 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/14791).

The meeting was called to order at 4 p.m.

Adoption of the Agenda

The agenda was adopted.

The situation in the occupied Arab territories:

Letter dated 14 December 1981 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/14791)

1. The PRESIDENT: In accordance with the decisions taken at the 2316th meeting of the Council, I shall invite the representatives of Israel and the Syrian Arab Republic to take places at the Council table, and the representatives of Cuba, Egypt, Kuwait, Lebanon, Saudi Arabia, Turkey and Viet Nam to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Blum (Israel) and Mr. El-Fattal (Syrian Arab Republic) took places at the Council table; Mr. Roa Kouri (Cuba), Mr. Abdel Meguid (Egypt), Mr. Abulhassan (Kuwait), Mr. Tuéni (Lebanon), Mr. Allagany (Saudi Arabia), Mr. Kirca (Turkey) and Mr. Ha Van Lau (Viet Nam) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT: I should like to inform members of the Council that I have received letters from

the representatives of India and the Libyan Arab Jamahiriya in which they request to be invited to participate in the discussion of the item on the agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Krishnan (India) and Mr. Muntasser (Libyan Arab Jamahiriya) took the places reserved for them at the side of the Council Chamber.

3. The PRESIDENT: The first speaker is the representative of Cuba. I invite him to take a place at the Council table and to make his statement.

4. Mr. ROA KOURI (Cuba) (*interpretation from Spanish*): Mr. President, allow me to extend to you the warmest congratulations of our delegation on the exemplary and brilliant manner in which you have been presiding over the meetings of this forum and for having recently paved the way for the election of a new Secretary-General of the Organization, who will take office on the first day of next year and who was confirmed yesterday by the General Assembly. Your recognized talent and wisdom will unquestionably help us adopt a resolution in keeping with the dictates of justice and law on the subject before the Council. I should also like to congratulate the representative of Tunisia, our friend Mr. Taieb Slim, for the work he performed as President of the Council last month.

5. It is not by chance that we are meeting once again to consider the complaint of a Member State, the Syrian Arab Republic, regarding the illegal conduct, which runs contrary to the letter and spirit of the Charter of the United Nations, of the Zionist régime of Israel. The very logic of this régime, which sees itself in an exclusive position, and the inability of the Council to apply to it the measures provided for in its fundamental instrument because of the opposition of a permanent member, have inevitably made it necessary for the Council to revert time and again to the discussion of Israel's aggressive actions which violate all the norms of law.

6. It seems that only yesterday we had to meet to condemn military aggression against non-aligned Iraq and today we must stand by the Syrian Govern-

ment and people whose territory, the Golan Heights, occupied since 1967 by the Zionist forces, has been supposedly annexed now by Mr. Menachem Begin.

7. The adoption by the Israeli parliament of the decision to seize an inalienable part of the Syrian Arab Republic in reality contradicts—indeed, makes a dead letter of the principle of—the inadmissibility of the acquisition of territory by force and is an act of piracy which requires vigorous condemnation on the part of the Council and of the entire international community.

8. The non-aligned countries, meeting in plenary session, adopted unanimously the following communiqué:

“The plenary meeting of the Movement of Non-Aligned Countries, held on 14 December 1981, having heard the declaration by the representative of the Syrian Arab Republic in connection with the gravity of the situation in the Middle East arising from the decision of the Israeli cabinet to impose Israeli laws on the occupied Golan Heights for the purpose of annexing them, expresses its deepest concern over the expansionist and annexationist policies of Israel regarding the occupied Golan Heights and reaffirms that the acquisition of territory by force is inadmissible under international law. The plenary meeting condemns this new Israeli act, which is a flagrant violation of the Charter of the United Nations, international law and the fourth Geneva Convention of 1949, as well as of all relevant United Nations resolutions.

“The plenary meeting expresses its solidarity with the Government and the people of the Syrian Arab Republic in its efforts to defend its sovereignty and territorial integrity against the expansionist and annexationist policy of Israel in the occupied Golan Heights.

“The non-aligned countries supported the initiative of the Syrian Arab Republic in seeking the urgent convening of the Security Council to consider this serious illegal action on the part of Israel.

“The non-aligned countries call on the Council to take appropriate action in order to restore the full sovereignty of the Syrian Arab Republic over all its occupied territories.”

9. Clearly, the policy of the Zionist régime of Israel is aimed at annexing once and for all the Arab territories which it has occupied since the end of the war of 1967. This is the only possible explanation for its determination to continue to expand its settlements in those territories, its policy of persecuting, repressing and expelling the Arab citizens of Palestine from their ancestral homes and its attempts to apply Israeli laws to those territories, including the occupied Golan Heights. This policy is an integral part of the determination of the Zionist régime of Israel to de-Arabize the

territory of Palestine, to deny the Palestinian people the exercise of its inalienable national rights, and to prevent any genuine settlement of the conflict in the Middle East, the crux of which is, precisely, the situation of the Arab people of Palestine as a result of the plunder to which it has been subjected.

10. If the just and lasting settlement of the question of the Middle East can be based only on the recommendations made to the Council by the General Assembly, which must, of course, be renewed at the conclusion of the consideration of agenda item 33 of the thirty-sixth session, then the decision of the Israeli Cabinet to impose its laws on the territory occupied by Israel in the Golan Heights must immediately be rejected as a shameless attempt to annex part of the Syrian Arab Republic.

11. In our opinion, the Council must demand that the Israeli authorities immediately revoke that decision. If, as they have done so far, the Zionist authorities refuse to abide by the decisions of this principal organ of the United Nations, then the Council must without any further delay impose on Israel the sanctions provided for in Chapter VII of the Charter in order to compel it to abide by the international will.

12. We are confident that the Council will grant the just demand of the Government of the Syrian Arab Republic and, in fact, the demand of the overwhelming majority of the members of the Organization.

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

14. Mr. TUÉNI (Lebanon): Mr. President, this has been a month that will be remembered in the history of the Security Council. Your presence in the Chair has been, in the unanimous opinion of members, almost providential. May I be permitted to join in congratulating you on a superb performance. Rarely has such knowledge of the rules been applied with such discretion, tact and an intimate perception of the psycho-political imperatives, both of nations and of international organizations.

15. I am making a statement in this debate only to express Lebanon's unconditional support for Syria in the face of yet a new form of Israeli aggression—what we may describe as an act of aggression not only against territory, not only against the land, but also against the law of nations, including the international laws of war. The representative of Kuwait has expressed the unanimous attitude of the Arab countries [2316th meeting]. One would have had very little to add to what he has said and to what the representative of Egypt has also said, from his own country's perspective [*ibid.*]. Judging by the unanimous reaction not only in the Arab world but also in the Council, as well as in all the capitals of the East and West, Israel seems to have a unique genius for creating unanimity even when and where it does not exist.

16. Overlooking the reasons which have prompted such unanimity and overlooking its own responsibility, Israel finds it convenient, in the face of unanimity, to come back often to the Council and cry out against the world, accusing everyone of conspiring against it for some sombre motives. Hence, we would all be best advised in this debate and in other debates if we were to maintain discussion of the issue before us within the restricted framework of legality, as stated by the representative of the United Kingdom.

17. It would be a very strange world indeed if we were to allow international relations to be governed by the logic used this morning by the Israeli representative [*ibid.*]. The Golan Heights represent a strategic danger to Israel, he claims. Therefore, it is Israel's right to annex them.

18. Imagine if this were to happen anywhere else, in the many parts of the world where nations could, at will and at random, consider that their own definition of their own strategic interest compelled them to occupy and to annex other nations' territories. Imagine how lawless the world might become if we were to allow nations to get away with this, and if this body were to allow Israel to establish the precedent and have the Council codify it as law.

19. Many examples of this could readily come to mind—on every continent, and probably on every frontier. We, for one, on the Lebanese frontier, feel very concerned indeed. Today it is the Golan Heights. Yesterday it was the West Bank. Tomorrow, why can it not be Marjayoun, Tyre, the Litani river and probably the capital city of Beirut itself?

20. There would be no limit—indeed, there are no limits—to the psychological constraints of obsessions, particularly of security obsessions. One reality is apparent to all of us, I hope: real peace, while contingent on guarantees of security, cannot be left to the mercy of obsessive expansionism.

21. The Israeli representative, with what he believes to be great cleverness, has more than once before the Council and elsewhere in the United Nations sought to divert attention from Israel's aggression by speaking of the many problems in the Middle East, including problems in my own beleaguered country, Lebanon. We refuse to be trapped into side-stepping the issue, nor can we ignore the fact that if Israel's concern for peace in the Middle East were genuine it might be well inspired to cease creating and complicating problems and then claiming that they are insoluble, legitimizing, as such, its further acts of aggression.

22. We shall debate later this week the issues at stake in southern Lebanon, so let us not now pre-empt that debate. I would be grateful if no one else were to do so. Before concluding, however, may I draw the Council's attention, as was done by previous speakers, to the fact that Israel finds it most convenient,

every time there is the hope of progress in the Middle East, to pre-empt the peace efforts, particularly if initiated by the United States of America.

23. The Iraqi nuclear installations were bombed when Mr. Philip Habib was about to reach some significant breakthrough. Mr. Habib has just returned from the area, cautiously optimistic, and his mission has once again been pre-empted. I am sure this is more than a coincidence, and the consequences do not escape the attention of the Council, particularly of the members who are most concerned.

24. It is not the fate of the Golan Heights that we are debating today. We are debating the fate of peace, real peace, and the fate of security, real security, governed by international law as universally interpreted and not as subjected to the whims of Israeli logic and ambition.

25. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): The Security Council is meeting today at the request by Syria that urgent consideration be given to the question of Israel's decision to extend the jurisdiction of Israeli laws to the Golan Heights. We listened very attentively today to the statement made by the representative of the Syrian Arab Republic in explanation of the just position taken by his country [*ibid.*].

26. As members are aware, two days ago the Begin Government put through the Knesset a bill according to which the laws, jurisdiction and administration of Israel would be introduced into the occupied Syrian Golan Heights. Thus, an arbitrary act has been perpetrated which would give legal form to a virtual annexation of the Golan Heights and to the inclusion of that region as part of Israel.

27. Can anyone seriously deny the fact that the decision taken by the Israeli Knesset runs counter to all the norms of international law, or that it is, further, a gross violation of the Charter of the United Nations and its fundamental principles, including the principle of the inadmissibility of the acquisition of territory by force? Such a decision does not have, cannot have and will never have any legal force. In undertaking such a brazen act, Israel has issued a challenge to the entire international community, the majority of the members of which have unambiguously condemned and rejected Israel's occupation of the Arab territories, including the Golan Heights, which belong to Syria.

28. This provocative attempt by the Begin Government to annex part of the territory of Syria is obviously aimed at consolidating the results of Israeli aggression. It further worsens the already tense situation in the Middle East and sets new obstacles on the way to achieving a genuine settlement in the region and to establishing a genuine, just and lasting peace there. All this more heavily underscores the hypocrisy of the oft-repeated assertions made by Israeli representatives, at the United Nations and elsewhere, to the

effect that Israel is sincerely seeking peace. In this sense, the actions of the Israeli authorities constitute arrogant disregard for the opinion of the United Nations and for its resolutions, first and foremost those of the Security Council, the body with primary responsibility for the maintenance of international peace and security. In the history of international relations of the past three decades it would be difficult, if not impossible, to find another such provocative act of annexation by one Member State of the territory of another Member State.

29. Such actions by the Israeli Government occurred neither by accident nor in a void; they are a logical consequence of the constant support for, and overt connivance with, its aggressive expansionist policies provided by the imperialist circles of the United States. The preparation for this reprehensible act is found in a number of events, which began with the conclusion of the Camp David accords¹ and recently culminated with the reaching of an agreement on "strategic co-operation" between the United States and Israel, an agreement with an openly anti-Arab emphasis. The United States bears full responsibility for this act of annexation. Not to say that would be tantamount to saying almost nothing. Only today, the representative of Israel, speaking in the Council, made an important statement: he openly admitted that senior officials of the United States, including former Presidents, had called on Israel never to leave the Golan Heights. I am sure that the members of the Council will take due note of that statement.

30. The delegation of the Soviet Union resolutely condemns the action which has been taken by the Government of Israel. In such circumstances, the Council cannot remain non-committal. It should, swiftly and vigorously, react to this illegal act. It is essential, in particular, for the Council to pass a resolution condemning such acts by Israel, declaring them illegal and invalid, and demanding that Israel immediately retract the annexation of the Syrian Golan Heights.

31. If, however, Israel should refuse to heed the opinion of the international community and not comply with such a resolution, the Council should, in the opinion of the Soviet delegation, speedily reconvene and seriously weigh the possibility of applying to Israel the sanctions provided for in Chapter VII of the Charter.

32. Israel's illegal acts with regard to the Golan Heights should be resolutely and sternly rebuffed by the Organization, first and foremost by the Security Council. If, because of the position taken by some States, the Council should be unable to discharge its responsibility in this matter, that would serve to give Israel the green light to extend its policy of annexation to the other Arab territories and to carry out further aggressive raids against neighbouring Arab countries.

33. Mr. LING Qing (China) (*interpretation from Chinese*): At a time when the present session of the United Nations General Assembly has just adopted, on 10 December, a resolution in which it demands that Israel withdraw from all the Palestinian and other Arab territories now under its occupation [resolution 36/120 D], the Israeli authorities, in defiance of world opinion, have openly made an expansionist move by adopting a bill in the Knesset on 14 December to annex the Golan Heights. This is another serious provocation against the Arab people and the international community by the Israeli authorities, following their illegal annexation of Jerusalem.

34. The Chinese delegation firmly supports the proper and reasonable move made by the Government of Syria in requesting that the Security Council meet urgently to consider this question. As everyone knows, the Golan Heights are an integral part of the territory of Syria. Since the war of 5 June 1967, the Golan Heights have been under Israeli occupation. For a long time, the Israeli authorities, besides establishing their military rule in that area, and as they did in other occupied territories, have been pursuing a settlements policy and persecuting at will the local Syrian inhabitants.

35. Because of this, the General Assembly and the Security Council have repeatedly adopted resolutions in which they condemned Israel for the illegal establishment of settlements in the Palestinian and other Arab territories under its occupation, and called on it to put an end to all acts which purport to alter the legal status, physical character and demographic composition of the occupied Arab territories, including Jerusalem.

36. At the present session of the General Assembly, the Special Political Committee has recommended to the Assembly the adoption of a draft resolution on the question of the Golan Heights, in paragraph 3 of which the Assembly determines that:

"all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Golan Heights are null and void and constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War² and have no legal effect."

37. Now, the Israeli Knesset, in disregard of the norms of international law and of the strong opposition of the Arab countries and all countries and peoples of the world which uphold justice, has acted in a unilateral and arrogant manner by adopting legislation for the purpose of annexing the Golan Heights, a part of Syrian territory. This is completely null and void and unacceptable to the international community. Such lawless behaviour on the part of the Israeli

authorities can only further reveal Israel's stubbornness in pursuing a policy of aggression and expansion, and is bound to meet with the strong opposition and stern condemnation of the international community.

38. The Chinese Government and people strongly condemn the Israeli authorities for their crimes of aggression, expansion and annexation. We firmly oppose any step taken by Israel to change illegally the status of the Golan Heights. We firmly support the Syrian, the Palestinian and the other Arab peoples in their just struggle to regain their national rights and to recover their lost territories.

39. In our view, the Council must strongly condemn the illegal action taken by Israel in the occupied territories, which is aimed at changing the legal status, the physical character and the demographic composition of these territories. The Council must strongly condemn Israel for its unilateral and arrogant action in changing the character and status of the Golan Heights. The Council should explicitly reaffirm that the above-mentioned measure taken by Israel is completely illegal, null and void, and should be revoked. The Council should also call upon Israel to withdraw from the Arab territories occupied since 1967, including Jerusalem. Should the Israeli authorities refuse to implement the relevant resolutions of the United Nations, including those of the Security Council, then the Council should, in accordance with the Charter, consider further and more effective measures against Israel so as to ensure the effective implementation of the relevant resolutions of the General Assembly and of the Security Council.

40. Mr. FLORIN (German Democratic Republic) (*interpretation from Russian*): The delegation of the German Democratic Republic is fully sympathetic to the request made by the representative of the Syrian Arab Republic for an urgent meeting of the Security Council to consider the question of a new Israeli act of aggression.

41. As we have learned, on 14 December, the Israeli Government took the decision actually to annex the Syrian Golan Heights illegally occupied by Israel, and to extend the legislation, jurisdiction and administration of Israel to that area.

42. This step, which violates international law and which has now in fact been approved by the Israeli Parliament, was already in preparation when the ruling circles of Israel took the decision to establish two new settlements on the occupied Golan Heights.

43. As the latest developments indicate, the Israeli act of annexation has been accompanied by an intensification of its policy of occupation against the Syrian population on the Golan Heights and by threats to the Syrian Arab Republic. Informed commentators have drawn attention to the fact that the aggressor, by annexing this part of Syrian territory, is making

preparations for even further expansion towards the capital of the Syrian Arab Republic.

44. Characteristically, there is growing discontent with regard to this policy, even in the Israeli Parliament. Opposition politicians are openly voicing their fear that the act of annexation of neighbouring Syrian territory may well lead to the further international isolation of Israel, and lend even more weight to demands that effective steps be taken against such aggressive policies.

45. The decision taken by the Israeli Parliament with respect to the Syrian Golan Heights illegally occupied by Israel is without a shadow of doubt an act of annexation by force of foreign territory and a violation of the principle of self-determination. As we know, seizure of territory by force is a clear violation of the Charter and also a violation of numerous United Nations resolutions in which, frequently and unambiguously, such steps have been condemned.

46. The Security Council is duty-bound vigorously to condemn this new Israeli attempt at annexation and to declare invalid the decision taken by the Israeli Cabinet and Parliament.

47. No one can question the fact that this fresh act of aggression on the part of Israel makes it much more difficult to reach a solution of the Middle East conflict, as also the task of establishing a comprehensive, just and durable peace in the region.

48. What has long been stated by many representatives of Member States is once again borne out, namely, that the policy of separate agreements not only makes it more difficult to achieve a just and lasting political settlement of the Middle East conflict, but also constantly encourages the ruling circles of Israel to embark upon new acts of aggression against the Arab States.

49. One cannot fail to note the direct link between the most recent events leading to the annexation of the Golan Heights, the policy of separate agreements and the support of Israel by influential imperial circles. This cannot be obscured by statements made by the representatives of those circles to the effect that they regret this act of aggression. Anyone who is not prepared effectively to counter the expansionist aspirations of the ruling circles of Israel and who hinders the United Nations from taking decisive steps against the aggressor, thereby assumes a great responsibility. What is at stake is peace and security in the region. The most recent Israeli act of actual annexation of foreign territory by force should lead to serious thinking about a more realistic approach to the Middle East problem in the capitals of States which give Tel-Aviv political and military support.

50. The delegation of the German Democratic Republic shares the view expressed by the representative

of Syria that the new Israeli act of aggression should be categorically rejected and severely condemned, and that Israel should be called upon to annul by a certain deadline this act against Syrian territory on the Golan Heights which is contrary to international law; otherwise, countervailing measures in accordance with the Charter are to be contemplated.

51. In supporting the draft resolution, the delegation of the German Democratic Republic would like to express the hope that the Security Council will act in this spirit.

52. Mr. NISIBORI (Japan): On 14 December the Government of Israel submitted to the Knesset legislation which would extend Israeli law, jurisdiction and administration to the occupied territory of the Golan Heights. The Knesset passed it on the same date. During the course of this year the Security Council has had to meet repeatedly to consider the heinous actions of Israel against its neighbours. In June, for example, Israel carried out an outrageous bombing attack on Iraqi nuclear facilities, and on subsequent occasions its actions gave rise to critical situations in southern Lebanon. That Israel has now dared to act yet again in violation of international law and in defiance of various relevant Council resolutions has profoundly disturbed Japan. Because this situation could have serious repercussions throughout the Middle East, the Council has had to convene at this time to respond to the urgency of the situation.

53. The Minister for Foreign Affairs of Japan, Mr. Yoshio Sakurachi, yesterday issued a statement on this matter which clearly presents the basic position of my Government. I should like to quote it here in its entirety:

"The Knesset (the Israeli Parliament) passed legislation on 14 December 1981 which in effect annexes the Golan Heights. Japan cannot condone such a unilateral change to the legal status of an occupied territory by Israel, following the annexation of East Jerusalem in July 1980, which is in total violation of international law and United Nations Security Council resolutions 242 (1967) and 338 (1973).

"The Government of Japan is deeply concerned that such an action would not only impair the atmosphere that exists for the settlement of the Arab-Israeli conflicts through peaceful means, but would also heighten tension in the region.

"On this occasion, the Government of Japan reiterates its strong demand that Israel withdraw from all the territories occupied in 1967 as early as possible." [S/14797]

54. Japan finds it extremely regrettable that Israel continues to carry out actions which ignore the voice of the international community as clearly expressed in

various resolutions of the United Nations. I wish in particular to recall the Security Council resolutions on such items as the question of Israeli settlements in the occupied territories, the question of Jerusalem and the Israeli bombing of Iraqi nuclear facilities. The General Assembly has also adopted numerous resolutions which reflect the views of the international community. I refer here specifically to the series of General Assembly resolutions which reaffirm that the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949¹ are applicable to the territories occupied by Israel since 1967.

55. The Government of Japan expresses deep concern that Israel has consistently ignored the calls of the international community. For its part, Japan has been making efforts towards the achievement of a just, lasting and comprehensive peace in the Middle East. Israel's position constitutes a direct challenge to these and various other international endeavours towards our common goal. Japan strongly urges Israel to change its position and to realize that only by pursuing a solution to the problem through peaceful means can its own security be more effectively guaranteed.

56. In continuing to defy world opinion Israel will unavoidably become further isolated from the rest of the international community. I can only add that if the efforts of the international community end in failure owing to Israel's intransigent attitude, its position in the international arena will become even more precarious.

57. My delegation hopes that the Government of Israel will objectively assess the present situation and correctly understand the growing indignation of the world community. We urgently appeal to Israel to co-operate fully with endeavours towards a peaceful settlement of the problem.

58. Mr. de PINIÉS (Spain) (*interpretation from Spanish*): The Security Council is meeting today to consider the decision of the Israeli Government and Parliament to apply the laws, jurisdiction and administration of the State of Israel in the occupied Arab territory of the Golan Heights—a decision which is tantamount to outright annexation of the territory.

59. Yesterday, upon learning of these events, the Spanish Government issued a communiqué in which it rejected and condemned the decision of the Israeli authorities. I wish to repeat here the clear position of my Government that this action is a serious violation of international law, the principles of the Charter and the relevant resolutions of the Security Council and the General Assembly.

60. Whenever the international community has tried to lay a foundation for settlement of one aspect or another of the serious crisis in the Middle East, the determined, oft-declared will of Israel not to abide by

the decisions of the international community represented here has added more and more to our list of disappointments. Whoever might compile the history of the Middle East conflict on the basis of the consideration of United Nations resolutions—those of both the Security Council and the General Assembly—would undoubtedly end up with a catalogue of good intentions, on the one hand, and failures, on the other.

61. This scorn for the norms of co-existence among peoples constitutes a new and serious obstacle to the already difficult search for a just, comprehensive and lasting settlement of the Middle East problem.

62. After a decision such as this, we have little cause for optimism when to a decision of that kind are added the arrogant explanations that have been attributed to the Prime Minister of Israel.

63. My delegation has listened with particular attention to the various statements made in this debate and is really surprised that it could possibly be thought that in order for Israeli law to be applied to acts affecting individuals it is necessary to replace the law of the occupied territory by the law of the occupier. That is a violation, pure and simple, of the norms of international law. If Israel really had any scruples about the plight of those inhabitants and had abided by resolution 242 (1967) and withdrawn from the territories it was occupying, then it would not have had to inform us of such scruples to justify a completely unlawful act.

64. We are also surprised at the attempt to justify the occupation of heights in order to control a valley. In my delegation's view, that is a somewhat outmoded strategy not in keeping with modern military technology, airborne divisions, rockets and all the means of warfare which, unfortunately, are at the disposal of mankind today. Only a political settlement, based on respect for the right of all countries in the area to exist, and on respect for their borders after Israel's withdrawal from the occupied territories—one which does not lose sight of the rights of the Palestinian people to its own homeland—can deal satisfactorily with the grave problem of the Middle East, which is worsening from day to day.

65. My delegation believes that the Council must act speedily, clearly and unequivocally on this subject. Israel must be called upon immediately to abrogate the measures it has adopted, which certainly cannot be accepted by the Council. We are prepared to support a draft resolution containing this request in no uncertain terms. We must be well aware of the fact that action by the Council cannot be limited to calling on Israel to perform certain acts aimed at invalidating those designed to justify its annexationist policy.

66. My delegation believes that the Council, acting now as speedily as the case requires, must bear in mind fully its responsibilities as the guardian of

international peace and security, which have once again been threatened by Israeli actions, and must give serious consideration to the consequences of a possible rejection of its request with a view to future action by the Council.

67. My delegation hopes that, after the adoption of a resolution and a certain amount of time allowed to await the Israeli Government's reaction, if there is a negative response, necessary measures will be taken speedily by the Council to force the Government of Israel to rescind and revoke all the measures that it wishes to apply to the Golan Heights.

68. Mr. SLIM (Tunisia) (*interpretation from French*): The Tunisian delegation has had more than one opportunity to state before the Security Council that the escalation of Israeli aggression against the Arab countries in the region is the expression of a continuing and clearly conceived policy. The escalation of that aggression is premeditated and designed to maintain a permanent state of tension in that part of the world. To expect hegemonism and expansionism to come to an end is to cherish a mere illusion.

69. My delegation has on many occasions drawn the Council's attention to this strategy of hegemony and invasion, this practice of presenting the world with a *fait accompli* which may well recur in the future with an equal probability of its being extended to other countries.

70. How many times have we had to repeat that Israel has no scruples about justice and law when it comes to repeating daily violations of all those norms recognized by the community of nations? This is in fact the consistent behaviour of a country which continues to base its policies on the laws of force, terror and defiance alone. The new escalation of events that we are witnessing today does not tend, unfortunately, to disprove what we have said.

71. On 14 December, an indignant and outraged world learned that a further stage in this policy had been reached against a sovereign Member State of the United Nations. In a matter of hours, Israel decided quite simply to annex the Golan Heights, an integral part of Syrian territory, in a new attempt to destabilize the region, to rekindle the tension that had already reached white heat and to impose the Zionist vision of "Greater Israel".

72. For its part, Syria chose to come to the Council, responsible as it is for the maintenance of international peace and security, two foundations against which Israel has struck a further serious blow fraught with consequences. Therefore, it is our duty today not only to restate the law but also to see it is respected and fully implemented. This is the purport of the request made by Syria to the Council. This is what emerges quite clearly from the particularly cogent statement made this morning by the representative of Syria. The Council cannot fail to accede to his request.

73. The Council had devoted a lengthy debate to the question of the occupied Arab territories and those deliberations culminated in the adoption of a number of resolutions which are binding upon both the Council and the entire membership of the Organization. We do not feel that there is any reason to prolong this debate indefinitely, but we should draw from it the proper conclusions and live up to the obligation to discharge our commitments to make a response in keeping with the urgency of the situation. The Council cannot shirk its responsibilities in the face of this act of annexation, which is fully within its competence. This annexation has given rise to world-wide condemnation, within Israel as well and also in the camp of its reputedly indefectible allies.

74. No longer should any country be allowed to escape with impunity its essential obligations under the Charter in respect of international peace and security. The deliberate and typical act of violating United Nations resolutions and international law committed by Israel cannot be given the least semblance of legality, nor have we found anywhere any justification whatsoever for those acts which are an attack on two fundamental principles that have been affirmed and reaffirmed by the Council in all its resolutions on the Middle East, namely, the inadmissibility of the acquisition of 'territory by force and the applicability of the fourth Geneva Convention' to the occupied Arab territories and, thus, to the Syrian Golan Heights.

75. Israel's most recent steps are not an isolated incident. In complete disregard for the collective opinion of the civilized world, those measures are designed to strengthen a premeditated and systematic policy designed to transform fact into law.

76. The Council is therefore in a position fully to grasp the dimensions of the problem before us, in its essence and as it has developed, through the resolutions that supply the background of the crisis in the Middle East from its very inception. Confining ourselves to the context of the present crisis, we would first recall that the United Nations has never ratified the Israeli occupation of the Golan Heights; on the contrary, it has constantly reaffirmed that Israel, as the occupying Power, should withdraw from all the occupied territories, including Jerusalem. Further, we would recall that the Council, specifically in resolution 465 (1980), which was adopted unanimously, denounced any attempts to change the physical character, demographic composition, institutional structure or status of the occupied territories. Finally, we would point out that never has the population of the occupied territories—least of all that of the Golan Heights—shown the least sign of acceptance or resignation to domination, despite the vain attempts made by the occupying Israeli authorities to impose on Syrian nationals living in that territory an Israeli identity in order to assimilate them once and for all or to expel them from their homes and lands. The

machinery is perfectly clear. The way to improve the system is perfectly well established. For Israel it is a matter of gradually transforming the system of occupation into outright annexation. In fact the most recent steps taken by Israel are designed simply to give final legal form to the entire operation.

77. As we have frequently stated, this new violation is part of an overall plan based on two essential premises: expansionism and the *fait accompli*. First of all, it should be stated that repeated acts of violation seem to be Israel's peculiar method of exerting diplomatic pressure. Have we not become accustomed, whenever any sort of diplomatic action is undertaken in the Organization or outside it in connection with the Middle East, to seeing a further outbreak of hostilities and a further increase of tension? Must we give examples of this?

78. Last year, it was the unacceptable decision to annex Al-Quds. The whole world, although unanimous in its indignation and condemnation, was once again, of course, confronted with a *fait accompli*. Last June, the Government of Israel decided to send its bombers over Iraq to sow death and destruction. Once again a *fait accompli* was presented. As far as Lebanon is concerned, whenever it begins to staunch its wounds, Israel always reminds it that it is still being watched. The particularly violent and deadly aggressions and bombings which occurred during the summer against that martyred country are still fresh in our memories. That was also a *fait accompli*, which led to death and devastation. Today it is Syria. Whose turn will it be tomorrow? By such acts Israel intends to thwart any initiatives or imaginative efforts to restore comprehensive, just and lasting peace in the Middle East.

79. There can be no doubt that the international community is at one in considering that any unilateral step taken by the occupying authorities to impose their unspeakable practices is null and void, but how much longer should we merely criticize these practices by purely verbal condemnations? For how long should we simply give our moral support to the victims, without providing them with any effective help?

80. Have we wondered what would happen to the Organization if the Member States were finally to lose confidence in its ability to oppose blind policies based on outmoded concepts? Have we had occasion to wonder about the credibility of the Security Council and its capacity to have the law respected, to act justly with regard to victims and to protect the weak against the aggression of the powerful? All these are disquieting questions which will find their replies in the decision taken by the Council at the end of these deliberations.

81. To that end, a clear and firm resolution based on justice and law could prove to be a decisive and essential contribution to the achievement of a comprehensive peace. Even if such a resolution were initially

to be only a holding operation, the most important thing is that it should be effectively respected, which would indeed mark a milestone in the efforts for peace. Nevertheless, if the Israeli Government refuses to heed the injunctions of the Council, it will become our bounden duty to take those steps that are clearly laid down in the Charter.

82. In conclusion, allow me to state that, after Israel announced its decision, the Tunisian Government issued an official statement denouncing and condemning in the strongest terms that decision, which can only contribute to increasing tension in the Middle East and throughout the world, and calling upon all States to reject and resist that violation. Tunisia, which stands by Syria and gives it its active solidarity and its unfailing support, considers that Israel's decision to annex part of Syria's territory is completely null and void. We are convinced that the Council, in its wisdom, will with one voice take the same view.

83. Mr. OZORES TYPALDOS (Panama) (*interpretation from Spanish*): Mr. President, as this is the first time I have taken the floor at a formal meeting of the Council under your presidency, allow me to congratulate you on behalf of my delegation on the exemplary manner in which you have been conducting our proceedings. You have worked hard to get us through a most difficult and delicate stage, the election of a Secretary-General.

84. We should like also to thank Mr. Slim of Tunisia, who demonstrated his skills as a distinguished and expert diplomat while he was President, in the month of November.

85. The Council is meeting at the request of the Government of the Syrian Arab Republic after the Israeli Parliament approved a law whereby the legislation of that country is to be applied to a foreign territory occupied by force, that is, the Syrian Golan Heights. This irresponsible and dangerous action committed by the Tel Aviv authorities has not only been repudiated by the international community and the mass media but has been criticized within Israel by sizeable political sectors. There cannot be the slightest doubt that this is an act of outright annexation, violating the most elementary rules of international law, and that it adds to the instability of the already precarious situation in the Middle East.

86. My delegation therefore wishes to associate itself with all those who have raised their voices in protest, condemning an act which shows that the Israeli authorities are lacking in respect for the Organization and for its principal allies and friends and, above all, have demonstrated a very singular and curious desire to live within secure boundaries.

87. The Government of Panama hopes that the Knesset will reconsider and speedily correct its illegal

act and that the Government of Israel will return to its rightful owners all the territory it has occupied by force, for that is an essential condition for a just and lasting peace in the future.

88. Mr. LEPRETTE (France) (*interpretation from French*): Without any semblance of legal or political justification, the Israeli Government submitted a bill extending to the occupied territory of the Golan Heights the laws, administration and jurisdiction of Israel. That bill was passed by the Knesset the same day, namely, 14 December. Thus, coming after Israel's unilateral decision to consider Jerusalem the capital of Israel, a decision which was censured by the Security Council in resolution 478 (1980), the highest authorities of Tel Aviv are once again applying their policy of *fait accompli*, in disregard of international opinion.

89. The French Government shares the legitimate emotion which has been provoked throughout the world by Israel's attitude. It entirely disapproves of that unilateral initiative, which has been taken at a time of serious tension in the international situation. It has always opposed legislative or other measures taken by the Israeli authorities in the occupied territories, either for the purpose of integrating the part of Jerusalem occupied since 1967 or of creating new settlements. My Government considers, indeed, that such a policy runs counter to the rules of international law, according to which the occupying Power must preserve the demographic, economic and cultural character of the occupied regions.

90. The French Government firmly condemns this act, which is tantamount to annexation and is a direct attack on the sovereignty of Syria over a territory which belongs to it and was occupied by Israeli forces in 1967. This act is contrary to international law and to United Nations resolutions. It constitutes a violation of the principle of the non-acquisition of territory by force which is laid down in resolution 242 (1967) of the Council. My delegation therefore considers that this law, which cannot in any way modify the status of the Golan Heights, is completely null and void.

91. Finally, this decision seriously jeopardizes the search for a true peace in the Middle East on the basis of the principles acknowledged by the international community and with respect to the recognized rights of all the peoples and States of the region.

92. The French delegation would solemnly warn the Government of Israel against such procedures as have brought about the meeting of the Council. We would appeal to it to abide by the rules of international law and not to jeopardize the chances of a peace which must be sought in a climate of understanding rather than of provocation and confrontation.

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

94. Mr. ALLAGANY (Saudi Arabia): Mr. President, may I extend to you my sincere congratulations on your assumption of the presidency of the Security Council for the current month. The remarkable skill and high degree of diplomacy which you have displayed during your presidency in regard to the election of the Secretary-General has won you the highest esteem of the international community. We have high hopes that you will conduct the current proceedings of the Council with the same degree of skill and objectivity and in pursuance of the ideals and purposes of the Charter of the United Nations.

95. Before proceeding to the discussion of the main item on the agenda, I must also thank you, Mr. President and members of the Council, for having given me this opportunity to address the Council. May I also congratulate Mr. Taieb Slim of Tunisia on his presidency of the Council during the month of November.

96. I find myself in the peculiar situation of questioning the wisdom of this approach to the Council. We have repeatedly stated that, despite many setbacks, we continue to have strong beliefs and hopes in the Security Council and the United Nations. I would be less than candid if I did not admit that those beliefs and hopes have been severely shaken at times by the abuse of the veto prerogative of some of the permanent members. In fact, while preparing this short statement on the subject before the Council, I could not help feeling a sense of despair and frustration, for the question kept posing itself to me: is this exercise going to lead to anything more than a vetoed—or unvetoed—condemnation?

97. We have frequently heard in the past that the application of sanctions against Israel, or even its condemnation, is likely to exacerbate the situation and undermine the prospects of a negotiated settlement. Does it not occur to anyone that the creation of new *faits accomplis* by Israel in defiance of the Charter, the fourth Geneva Convention¹ and the General Assembly resolutions is more likely to exacerbate the situation, and not only to undermine a negotiated settlement, but to undermine the very existence of the United Nations and its role as an effective instrument for world peace and security?

98. Anyone who has followed the events in the Middle East in the last three decades will have foreseen this most recent development in the Israeli actions and the timing they have chosen for it. They had started to prepare public opinion for the eventuality of annexing the Golan Heights, illegally seized from Syria in 1967 and, gradually, illegally filled them with Jewish settlements since 1967. The General Assembly was apprised of the reports indicating the intention of the Israeli authorities to enact legislation applying Israeli laws to the occupied territory, which meant a *de facto* annexation of the territory.

99. The General Assembly, in paragraph 1 of resolution 35/122 E, having expressed grave concern at

these reports, condemned the persistence of Israel in changing "the physical character, demographic composition, institutional structure and legal status of the Syrian Arab Golan Heights"

and, in paragraph 3, determined that

"all legislative and administrative measures and actions which might be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan Heights are null and void, constitute a flagrant violation of international law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War and have no legal effect".

That resolution was opposed by only two Member States, Israel and the United States.

100. It would seem that with the more representative character of the United Nations and the experience it has gained over the past 35 years, one would have expected a greater degree of maturity and responsibility from the Organization. The organs of the United Nations cannot and must not be allowed to operate in conflict with one another. The Security Council must be a reflection of the will of the international community, represented in the General Assembly. The failure of the Council to implement Assembly resolutions or even, for that matter, its own resolutions, constitutes a clear challenge or total indifference to the will of the international community and an irresponsible undermining of the very existence of the United Nations.

101. Unfortunately, in the case of Israeli aggression, this has become the rule rather than the exception, which has undoubtedly encouraged Israel to flout the will of the international community and to proceed from one act of aggression to another in violation of the letter and the spirit of the Charter and the very letter and spirit of Council resolution 242 (1967).

102. I wish to recall to the attention of the Council the statement made by the representative of the United States shortly before the adoption of that resolution. He said:

"We have sought to assure acceptance of the political independence and territorial integrity of all States in the area: Arab States and Israel alike, all Members of the United Nations, all Members entitled to the protection of the Charter. . . . Above all, we have sought the conversion of the Armistice of 1949 into a permanent peace as contemplated in the General Armistice Agreements themselves.

"We have not changed our views or policies about the entire situation because of the unfortunate events which have occurred recently." [1358th meeting, paras. 85 and 86]

103. That was the premise which formed the basis for resolution 242 (1967). My Government sincerely hopes that the position taken by members of the Council in 1967 has not changed. Otherwise, this would amount to a breach of faith and diminution of the authority and prestige of the Security Council. It is very important that Israel understand that in no uncertain terms, for any wavering on this or any other issue will immediately be taken advantage of by Israel in pursuit of the short-sighted gains it has made and continues to make through aggression.

104. It seems to us on this occasion that there is unanimity in the international community and among members of the Council that Israel's action with regard to the Syrian Arab Golan Heights is a clear violation of Council resolutions 242 (1967) and 338 (1973). But is it not ironic that we had to wait until the long-foreseen annexation took place to understand this? Was not the establishment of Jewish settlements on the Syrian Arab Golan Heights also a clear violation of these resolutions? Was not the establishment of Jewish settlements on the West Bank, let alone the annexation of Jerusalem, also a violation of those resolutions?

105. The Council has repeatedly called upon Israel to refrain from further acts of aggression on the territories occupied by it since 1967 and has repeatedly taken note of Israel's persistent refusal to do so. Yet, the Council has not been able to agree on measures or to summon the will to give effect to its resolutions under Charter VII of the Charter. We submit that this is precisely what has encouraged Israel to continue its opportunistic acts of aggression. It has hitherto enjoyed complete immunity from the hand of international law and international justice. It would be another exercise in futility if the Council, on this occasion, failed to impose appropriate sanctions against the culprit State, which has premeditatedly and defiantly violated the provisions of the Charter, of the fourth Geneva Convention and of resolutions of the Security Council itself, thereby foreclosing any prospects for peace in the Middle East and gravely undermining peace and security in the region.

106. Mr. DORR (Ireland): The Security Council is meeting at the request of Syria to consider actions taken by the Israeli Government and Parliament on 13 and 14 December.

107. Ireland believes that those actions were both wrong and dangerous, and we believe that they should be declared formally by the Council, on behalf of the international community, to be unacceptable and invalid. The law adopted by the Israeli Parliament on 14 December decides to extend the jurisdiction of the Israeli State to the occupied territory of the Golan Heights. The word "annexation" is not formally used, but it is clear from all reports and, indeed, from the statements by Israeli leaders, that this in effect is what is involved.

108. The law, it appears, is exactly similar in its terms to the one adopted in the case of East Jerusalem, a law which was subsequently held by the courts in Israel to have extended Israeli sovereignty to the territory in question. It is true that these actions by Israel were legal, political and administrative, rather than actions of a military character. Nevertheless, we believe that they are a matter of grave international concern. In some ways they may be even more serious than certain military actions, because they threaten in an even more fundamental way the basic principles on which any hope of a comprehensive, just and lasting settlement in the Middle East must rest.

109. Ireland is well aware that the problem of the Middle East is complex, and we know that in such a complex issue right is not always on one side, nor wrong on the other. We try, therefore, in our approach to all aspects of the question to be fair and objective and to judge the actions of the parties involved on their merits. It is precisely because that is our approach that we find it necessary to reject the present Israeli decision and to declare it unacceptable.

110. For many years, we have held firmly to one basic approach, the need for a comprehensive peace settlement which would take account of all aspects of the Middle East problem and which, for that reason, would be stable and lasting. We believe that an essential basis for such a settlement must be the principles set out in resolutions 242 (1967) and 338 (1973). Taken in conjunction with other principles which will supplement and complete them, these principles remain fundamental to every effort to establish a comprehensive peace settlement.

111. The decision by Israel within the past few days goes flatly counter to one of those principles, that is, the inadmissibility of the acquisition of territory by force. For this reason, we consider that the Israeli decision, which in effect annexes the territory, is a challenge to the international community and to our hopes for a comprehensive settlement. It is important, therefore, that the decision be rejected formally and explicitly by the Council.

112. Our concern about the decision by Israel is increased because of the context in which it was taken. The decision to annex now a territory occupied for many years was gratuitous. It was taken in haste, and it was pressed through the Parliament in the course of one evening. Furthermore, the decision was accompanied by statements made by Israeli leaders which speak of the boundaries in the region as arbitrary and which claim that the Golan Heights will forever remain part of the land of Israel.

113. In his statement to the Council this morning, the representative of Israel offered a number of justifications for this action. He stated that Syria does not accept resolution 242 (1967) and that it refuses to recognize Israel or to make peace with it. He recalled

attacks by Syria directed against Israel from the Golan Heights in the period before 1967. He argued that Israel's action is not contrary to resolution 242 (1967), since that resolution lays down no specific boundaries. He also said that Israel wished to regularize the situation since it had become progressively more difficult to apply Syrian law in the area.

114. These points may indeed help to show the complexity of the situation in the Middle East, but nowhere in them or in any other argument advanced since the decision of the Knesset can we see any justification for what Israel has now done. On the contrary, we believe that the present decision, amounting in effect to annexation, was gratuitous and unjustified. Furthermore, it could be dangerous to Israel's own long-term interests. It aggravates tensions in the region, it flouts the basic principle on which any peace must ultimately be based and it may well evoke at some stage, if not a direct, then an indirect response which will further increase present dangers.

115. On 15 December, the Irish Minister for Foreign Affairs joined his counterparts of the Ten member States of the European Community in issuing a statement on the Israeli decision [S/14807]. That statement has already been referred to this morning by the representative of the United Kingdom [see 2316th meeting, para. 75]. It strongly deplored the Israeli decision and described it as tantamount to annexation. It declared that the Israeli action was contrary to international law and therefore invalid in the eyes of the Ten. It noted that the step taken by Israel prejudices the possibility of the implementation of resolution 242 (1967), and that it is bound to complicate further the search for a comprehensive peace settlement in the Middle East.

116. Speaking this afternoon in the Council on behalf of the Irish Government, I wish to reiterate that position. In the face of the many complexities of the Middle East situation, we judge any action according to whether it advances or sets back hopes for a settlement. Judged by that standard, we believe we can say with assurance that certain actions are wrong and dangerous. In our view, the recent Israeli decision was such an action. We believe that a formal action of this kind calls for a formal response from the Council and we are ready to join in a decision by the Council declaring the action to be null and void for the international community as a whole and calling urgently on Israel to rescind it.

117. The PRESIDENT: The next speaker is the representative of Viet Nam. I invite him to take a place at the Council table and to make his statement.

118. Mr. HA VAN LAU (Viet Nam) (*interpretation from French*): Mr. President, my first words of thanks are addressed to you and to the other members of the Council for allowing me to make a statement.

119. It is a special pleasure to congratulate you on your assumption of the presidency of the Security Council for December. Everyone is aware that the agenda for this month has contained extremely important and complex problems, but, thanks to your ability and your political wisdom, you have been able to conduct its proceedings successfully. I am sure that under your brilliant guidance the Council will likewise be able to resolve the problems before it this month.

120. Once again, the international community is confronted with a brutal violation by Israel of the principles of the Charter of the United Nations, an intolerable act of defiance of the General Assembly by the Zionist régime, just as the Assembly is in the midst of its debate on the situation in the Middle East. By declaring as under their "laws, jurisdiction and administration" the occupied territory of the Golan Heights, the Tel Aviv authorities have coolly committed an act which can only be called an act of sheer flagrant aggression, for the outright annexation of an integral part of the Arab land of Syria, in defiance of the relevant resolutions of the United Nations, constitutes a gross violation of the sovereignty and territorial integrity of the Syrian Arab Republic and of every norm of international law and morality, in particular of the principle of the inadmissibility of the acquisition of territory by force. By imposing their own legislation on the Syrian population in this occupied area, they have infringed the spirit and the letter of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.¹

121. Following successive acts of encroachment—the establishment of settlements, the confiscation of land, the diversion of waterways, the intensification of repression and the imposition of Israeli citizenship on native-born Syrians, all of these acts committed systematically in recent years in the Golan Heights region—and above all, following the decision to annex the Arab city of Jerusalem, the new legislative action by Tel Aviv shows to those who still harbour doubts Israel's clear determination to expand and annex. This is not limited to Palestinian and Syrian lands, but aims much further, to the fulfilment of the dream of a so-called Greater Israel stretching from the Nile to the Euphrates.

122. Clearly, this is a matter of a categorical proclamation, in word and deed, that Israel will never return the occupied lands to the Arab countries, that it will never return to the borders of June 1967, but rather will alter those borders at any cost to suit the aggressor and misuse the pretext of Israel's security needs as camouflage for the greediest of expansionist aims. When he placed the territory of the Golan Heights under Israeli legislation, did not the Tel Aviv Prime Minister state arrogantly that no people, no Power, no one will succeed in forcing Israel to return to the frontiers of 4 June 1967? This first change in the official boundary of Israel, in his view, will not be the only one, but will be followed by others of broader

scope. But will the Arab people and the international community which supports it permit Israel to persist in such an adventurist policy, which is fraught with danger for the peace and security of the region and the world?

123. During the debates at the present session of the General Assembly on the question of Palestine and on the situation in the Middle East many delegations, including my own, have denounced the recent strategic co-operation agreement between Washington and Tel Aviv and predicted a new outbreak of Israeli aggression. Events have proved this to be true. This act of annexation against Syria, which is clearly provocative in nature, would not have been possible without that fresh encouragement from Israel's overseas protectors.

124. The acts of aggression, intervention, terrorism and provocation of the Zionists against the Arab peoples of the region have thrived on the fertile soil of this co-operation and in the context of the intensified military presence of the United States in and around the Middle East, of the *Bright Star* manoeuvres and of other similar displays of military might. The Washington Government bears a heavy responsibility to the Arab people and to the peoples of Africa and the world because of its complicity, encouragement and protection so generously granted to the Israeli aggressors.

125. Because the annexation of the occupied territory of the Golan Heights constitutes an act of aggression, suitable sanctions should be applied to those responsible. My delegation believes that the Council must reply positively to the clear request made this morning by the representative of Syria. In the face of international indignation, there is talk of Washington's reacting in a certain way. But a question arises: Is this a purely verbal condemnation, or will the United States join the overwhelming majority of the international community and help the Council to take the necessary effective action? Any avoidance of its duty, any hesitation, will further reveal the true role of the United States as protector of the Israelis and its war-mongering imperialist policy which poses a serious threat to the peace and security of this trouble-spot and of the world.

126. The people of Viet Nam have always supported the just struggle of the Palestinian people, and it supports the efforts of the Arab Steadfastness Front to restore peace and security to the Middle East, on the basis of the realization of the inalienable rights of the Palestinian people. It also supports the Arab countries in defence of their sovereignty and territorial integrity against the attacks and manoeuvres of the Zionists and imperialists. In this spirit, and being linked by fraternal relations with the Syrian Arab Republic, the Socialist Republic of Viet Nam vigorously condemns this new act of aggression by Israel.

127. Together with the Arab countries, the Movement of Non-Aligned Countries and the forces of

peace and progress in the world, the people and Government of Viet Nam call on the Council to take effective action to repulse and frustrate these manoeuvres by the Zionists and to declare null and void the illegal decision by Israel, which can have no validity, no effect, either in the Golan Heights or elsewhere. My delegation asks that Israel be required to halt any manoeuvres aimed, directly or indirectly, at outright or potential annexations of occupied Arab territories, all of which must be returned without delay to their sovereign States, in accordance with the relevant resolutions of the General Assembly and the Security Council.

128. Last but not least, if Israel again obstinately disregards the resolution adopted, my delegation wishes to insist on the application of the global mandatory sanctions provided for in Chapter VII of the Charter.

129. As stated by the spokesman of my country's Ministry of Foreign Affairs on 14 December last:

"The Government of the Socialist Republic of Viet Nam vigorously condemns and opposes this act of aggression by the authorities of Israel and demands that Israel should immediately cancel this illegal decision and strictly respect the independence and territorial integrity of the Syrian Arab Republic. As a companion in struggle of the Syrian people, the Vietnamese people expresses its active solidarity and firm support for the persevering struggle of the Syrian and Palestinian peoples and the peoples of the other Arab countries against the Israeli Zionist aggressors, for the recovery of all the occupied Arab territories and of their fundamental national rights. The more it clings to its aggressive designs, the more Israel will encounter the vigorous response of the Arab peoples and the peoples of the world and will head for even more severe certain defeats."

130. My delegation has no illusions about a prompt settlement of this serious international problem, but we remain convinced that the struggle of the peoples concerned—more determined and more effective as a result of their own experiences and benefiting from international solidarity—will succeed in achieving their fundamental national rights, defending their sovereignty, preserving peace and security, and advancing towards a better future. No reactionary force can resist, still less reverse, the historical progress of the national liberation of the peoples, in the Middle East as everywhere else.

131. The PRESIDENT: The next speaker is Mr. Clovis Maksoud, Permanent Observer of the League of Arab States to the United Nations, to whom the Council has extended an invitation [2316th meeting] under rule 39 of the provisional rules of procedure. I invite him to take a seat at the Council table and to make his statement.

132. Mr. MAKSOUD: On behalf of the League of Arab States, I want to extend to you, Mr. President, our congratulations on your assumption of the presidency of the Security Council for the month of December and to express the pride that the third world in general, and the Arab people in particular, feel on the manner in which you have conducted the presidency during this month and the statesmanship which you have manifested and which has been widely recognized. I should like to take this opportunity to affirm how close are the relations between your country and the great continent to which your country belongs and the member States of the League of Arab States. I should also like to take this opportunity to express the appreciation of the League of Arab States of the presidency of Mr. Slim last month. Although his country is a member of the League of Arab States and although he represents the Arabs in the Council, I am sure that we all share in expressing this appreciation.

133. The ominous developments that have taken place in the wake of the legislative piracy by annexation of the occupied Syrian Arab territory of the Golan Heights constitute the most dangerous development that we have seen. They bring us closer to the brink of a confrontation which the Arabs, by resorting to the Council and to its mechanisms, are trying assiduously to avoid. Our faith in and our commitment to the Charter of the United Nations, the resolutions of the Organization and the principles of international law have rendered our faith in the Security Council and in United Nations mechanisms as vehicles for peace-making one of the fundamental criteria of our international relations. We are keen that that faith be rendered more and more credible by the resolution and firmness with which this lawless act by Israel is handled. What is crucial at this moment is that the annexation of the Golan Heights represents a sort of logical conclusion to the pattern of behaviour and ideology upon which the Zionist State is predicated. What this further represents is that Israel has always sought and is still seeking to create new *faits accomplis* in the occupied territories, thus establishing a physical and demographic precedent to its expansion and the realization of its expansionist and aggressive objectives.

134. Furthermore, what is perhaps more relevant at this moment is that Israel is trying to undermine the credibility and effectiveness of all United Nations resolutions, of the very mechanism of the United Nations, through non-compliance, through insults, through pre-emptive strikes against the diplomatic efforts of the Organization. It is, in fact, trying to create a sequence of acts of contempt for United Nations resolutions and international law in order to create a countervailing legitimacy; the legitimacy of conquest, the legitimacy of colonizing settlements, the legitimacy of occupation, the legitimacy of exclusivism. It is this countervailing legitimacy which Israel is seeking to impose by preventing the Organization from functioning in the various areas of Israel's

occupation, running loose without constraints, rendering itself unaccountable and unanswerable to any international authority.

135. It is this pattern of behaviour that epitomizes the looseness, the lawlessness, adopted by Israel, of which the annexation of the Golan Heights is but the latest manifestation.

136. By annexing Jerusalem, by establishing its colonial settlements in the occupied territories, by physically annexing more than 35 per cent of the West Bank, by disabling the Lebanese Government and thus preventing it from exercising full sovereignty over its whole territory, by its ability to strike at will, by rendering might the new right, Israel seeks at this juncture to render impotent the mechanism of the United Nations and to render irrelevant the diplomatic and political options available for resolving crises.

137. How long is the international community going to continue to witness this unravelling expansion without taking the necessary punitive measures to deter any aggressor from achieving his objectives? For how long will the Security Council be satisfied with deploring or censuring or condemning the acts of Israel, when the Council and the international community know full well that Israel's contempt for the United Nations is built into its system, inasmuch as it has taken a final decision to render all resolutions irrelevant and marginal?

138. It is this countervailing legitimacy that it is seeking to impose, the latest attempt being the act of legislative piracy it has committed in the Knesset, in order to exploit an international situation fraught with increased tension, with the cold war becoming more and more the doctrine of the day.

139. Israel thinks—and it has so interpreted it—that the strategic agreement with the United States is a means of extracting from the United States at least an abstention on its behaviour pattern if not a green light for it. We in the League of Arab States have been registering the various statements by the Secretary of Defense and other officials of the United States Government who, in the last 48 hours, upon learning of this annexationist development, have sought to distance the United States and at times disassociate it from this pattern of behaviour and to declare—boldly, we hope—that these acts are illegal and therefore do not receive the recognition of the United States.

140. We consider this to be a positive development, but it will definitely be insufficient if this development and the distancing and the disassociating from the behaviour and annexationist pattern of Israel are not matched by a consistency of performance with the present utterances, because the Arab world—and, I am sure, the entire world—can no longer acquiesce in Israel's ability to shape its methods and policies to the concerns of United States policies, to the detriment of the latter.

141. We are worried—and it is necessary to state this—that if the United States, at this juncture, while appreciably distancing itself from and censuring the latest annexationist move on the part of Israel in the Golan Heights, does not now signal to Israel its determination to see its condemnation to the end, to its logical conclusion, the credibility of denunciation would be diluted by the political capacity of Israel and its apologists, whether in Congress or in public opinion, to mobilize an attempt to render the United States position inconsistent with its action.

142. It is this discrepancy between United States utterance and performance that has clogged our communications and prevented Arab-American relations from being on a par with what we seek to achieve and with the understanding that has been our objective.

143. Thus, the whole debate in the Security Council is predicated, in a way, upon the intentions of the United States itself, the principal Power, whose policies in the Middle East have been built on three pillars: Council resolution 242 (1967), the Camp David accords and the strategic co-operation agreement, all three of which have set aside the core of the issue of the Middle East, namely, the rights of the Palestinian people.

144. But despite those three pillars, which in many ways are inimical to Arab national interests and which Israel has been able to interpret as license for it to strike at will, wherever it wants, we hope that at least on this occasion the United States will rejoin the international consensus and bring about international legitimacy, instead of allowing the discrepancy between utterance and performance to enable Israel to create new "facts", new colonial settlements, new annexations, in order to create in that region a new legitimacy which is colonial, annexationist and Fascist.

145. We therefore realize that, despite the attempts to deal with Israel, whether through the Camp David accords or through the strategic co-operation agreement, Israel has a pattern of interpreting any kind of agreement, any kind of treaty, any kind of relationship, in a manner that enables it to act freely on its own, because it considers itself unaccountable to anybody and feels that everybody should be accountable to it in its designs.

146. It shields itself with the notion that any questioning of Israel's policy, especially in the United Nations, any attempt at criticizing its behaviour, being sceptical about its objectives, criticizing and condemning its activities and its annexation would be construed and orchestrated as a form of anti-Semitism, or lingering anti-Semitism, and it therefore introduces by innuendo or openly new extraneous factors that have no relationship or relevance to the present debate.

147. That has been the pattern by which Israel seeks to circumvent the international will in the hope that it can impose its own will. We have seen that done in Jerusalem; we have seen it done in the settlements; we have seen it done in Baghdad; we have seen it done in Beirut, and it continues. It considers condemnation by the international community to be only a routine matter, which it can pre-empt by the blitzkrieg of intellectual and diplomatic terrorism that it conducts in order to shield and cover up its own acts of terrorism, such as those it has committed in the Golan Heights and everywhere else.

148. The League of Arab States, representing the consensus of the Arab nations, shares the assessment that the issues in the Middle East are complex but that they have been rendered complex by the permissiveness that Israel enjoys. They are symptoms that lie at the core of the issue—the Palestinians' right to national self-determination. If that issue is solved, then the stability, peace and security which this body seeks to achieve will be realized.

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

150. Mr. KRISHNAN (India): I should like to congratulate you, Sir, on your assumption of the office of the presidency of the Security Council for December. Although you have been at the United Nations for only a short while, we already have abundant evidence of your initiative, drive, high diplomatic skill and wisdom. We have no doubt that the Council will discharge its responsibilities effectively and with fairness during the current month.

151. My delegation is grateful to you and the members of the Council for inviting us to participate in the current debate on the decision of the Israeli Government to apply Israeli laws to the occupied Golan Heights. Our decision to participate in this debate has been dictated by our concern at the deteriorating situation in West Asia, compounded by the latest decision of the Israeli authorities to consolidate their occupation of Syrian territory by applying Israeli laws to the Golan Heights.

152. This morning we listened with great attention to the statement made by the representative of Syria. I should like to assure him of the full support and solidarity of the Government and people of India with the Government and people of Syria at this critical time.

153. The tragic irony of Israel's most regrettable and inadmissible action in respect of the Golan Heights, which have been under its illegal occupation since 1967, is that it came at the very moment when the General Assembly was debating the situation in the Middle East with a view to finding a solution. Israel's disregard for the purposes and principles of the

Charter of the United Nations and the norms of international law which forbid the use of force and the acquisition of territory by force has been demonstrated once again by its latest action. The annexation of the Golan Heights would inevitably lead to a further sharp deterioration of the situation in West Asia and pose a new and imminent threat to international peace and security.

154. The Council is familiar with Israel's record of defiance of United Nations resolutions, its intransigence towards its neighbours and its expansionist policies. Israel has continued to occupy Arab territories and deny to the people of Palestine their inalienable right to a State of their own. Threats of use of force, the actual use of force and the acquisition of territory by force appear to be the principles on which Israel's policies are based. In pursuit of its own vision of security and of secure boundaries, Israel has launched wars against its neighbours, caused untold suffering to the Arab population in neighbouring countries, occupied lands belonging to sovereign nations, established settlements and resorted to outright annexation of Arab lands. But Israel's recognition of the Golan Heights as temporarily occupied lands belonging to Syria was reason for optimism that Israel would be willing to withdraw from them sooner or later. The opposition within Israel itself to the earlier moves to annex the Golan Heights showed that any attempt to colonize the occupied lands would be universally condemned. We condemn the Israeli action and strongly support the Syrian demand that Israel should immediately revoke its decision to apply Israeli laws to the Golan Heights. The only laws which

can and should be applied in that area are Syrian laws and the only way in which those laws can be effectively applied is for Israel to abandon its aggression and occupation.

155. The Council's decision in relation to the Arab territories occupied during the 1967 war cannot but be dictated by earlier United Nations resolutions on the subject, particularly those of the Council that emphasize the inadmissibility of the acquisition of territory by war and call for Israel's withdrawal from the occupied territories. We therefore urge the Council not to hesitate to take an immediate decision to declare the Israeli action null and void and to ask Israel to rescind forthwith its decision to extend its laws, jurisdiction and administration in the occupied Syrian territory. In the event of Israel's failure to heed such a demand, we hope the Council will be ready to proceed to apply the measures under Chapter VII of the Charter of the United Nations to deal with the situation.

The meeting rose at 6.10 p.m.

NOTES

¹ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

² A Framework for Peace in the Middle East, Agreed at Camp David, and Framework for the Conclusion of a Peace Treaty between Egypt and Israel, signed in Washington, D.C., on 17 September 1978.

³ A/SPC/36/L.22.

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