

Chapter VIII

**CONSIDERATION OF QUESTIONS UNDER THE COUNCIL'S RESPONSIBILITY
FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY**

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INTRODUCTORY NOTE

The principles underlying the organization and presentation of the material presented in chapters VIII-XII of this *Supplement* are the same as for the previous volumes of the *Repertoire*. Those volumes should be consulted for a full statement of such principles.

Chapter VIII indicates the chain of proceedings on the substance of each of the questions included in the report of the Security Council to the General Assembly under the heading: "Questions considered by the Security Council under its responsibility for the maintenance of international peace and security". The range of questions covers broadly those which may be deemed to fall under chapters VI and VII of the Charter. In chapters X, XI and XII of the *Repertoire* is presented ancillary material from the Official Records bearing on relevant Articles of the Charter. References to the ancillary material are given at the appropriate points in the entries for each question in this chapter.

As an outline of the proceedings of the Council in respect of the questions included in its agenda, chapter VIII constitutes a framework within which the ancillary legal and constitutional discussion recorded in chapters X to XII may be considered. The chapter is, therefore, an aid to the examination of the deliberations of the Council expressly related to the provisions of the Charter within the context of the chain of proceedings on the agenda item.

The questions are dealt with in the chronological order of their inclusion in the agenda of the Council¹ and with regard to the Palestine question,² the situation in Southern Rhodesia,³ the complaint by the Government of Cyprus,⁴ which were included in the Council's agenda before the period under review, in the order of resumption of their

¹ For a tabulation of the data on submission, see chapter X, part III. As indicated in the editorial note, the questions included in the agenda of the Council during the years 1966 and 1968 appear under conventional short titles.

² *Repertoire of the Practice of the Security Council, 1946-1951*, pp. 325-344; *ibid.*, *Supplement 1952-1955*, pp. 110-118; *ibid.*, *Supplement 1956-1958*, pp. 93-105; *ibid.*, *Supplement 1959-1963*, pp. 150-154; *ibid.*, *Supplement 1964-1965*, pp. 139, 140.

³ *Ibid.*, *Supplement 1959-1963*, pp. 217-219; *ibid.*, *Supplement 1964-1965*, pp. 143-149.

⁴ *Ibid.*, *Supplement 1959-1963*, pp. 219, 220; *ibid.*, *Supplement 1964-1965*, pp. 108-127.

consideration by the Council. With certain exceptions, a summary of the case presented to the Council is given at the outset of each question, together with a summary of the contentions made in rebuttal.

The framework of the material for each question is provided by the succession of affirmative and negative decisions within the purview of this chapter.⁵ Decisions related to the subject matter of chapters I-VI of the *Repertoire* are, as a rule, omitted as not relevant to the purpose of this chapter or of the ancillary chapters X-XII. The decisions are entered in uniform manner. Affirmative decisions are entered under a heading indicative of the content of the decision, and negative decisions are entered under a heading indicative solely of the origin of the proposal or draft resolution. Affirmative decisions have been reproduced in full as constitutive of the practice of the Council, while negative decisions are indicated in summarized form. Where the negative decision relates to a draft resolution in connexion with which discussion has taken place concerning the application of the Charter, the text of the relevant parts of the draft resolution will in most instances be found in chapters X-XII.

As in the previous volumes of the *Repertoire*, an analytical table of measures adopted by the Council arranged broadly by type of measure has been included as part I of chapter VIII. This table should be regarded as of the nature of an index to chapter VIII; and no constitutional significance should be attached to the headings adopted in the compilation of this table or to the inclusion of particular measures under the individual headings. A new main heading has been added at the end of the table while the number of subheadings has been considerably expanded to include types of measures not previously adopted by the Council. In certain instances, subheadings have been modified with a view to broadening their scope so as to include thereunder measures which, although varying slightly in their formulation, are substantially similar.

⁵ In a number of cases, this sequence of affirmative and negative decisions has not occurred during the period under review due to decisions having been made by consensus obtained through informal consultations. See also chapter I, Cases 7, 11, 12, 14, 15, 17; and footnote 18 in chapter I.

Part I

ANALYTICAL TABLE OF MEASURES ADOPTED BY THE SECURITY COUNCIL

NOTE

As in the previous volumes of the *Repertoire*, the entries

in this tabulation are restricted to a reference to the question, the date of the decision and the serial number of the decision.

- **I. Preliminary measures for the elucidation of fact**
- II. Determination of the nature of the question**
- A. Determination of the existence of a dispute or situation the continuance of which is likely to endanger the maintenance of international peace and security.**
- B. Determination of the existence of a threat to the peace, breach of the peace, or act of aggression.**
 Situation in Southern Rhodesia:
 Decision of 9 April 1966 (resolution 221 (1966)), para. 1.
 Decision of 16 December 1966 (resolution 232 (1966)), preamble and para. 1.
 Decision of 29 May 1968 (resolution 253 (1968)), preamble.
- C. Finding of an action as a planned military attack.**
 (i) The Palestine question:
 Decision of 25 November 1966 (resolution 228 (1966)), preamble.
 (ii) Situation in the Middle East (I):
 Decision of 24 March 1968 (resolution 248 (1968)), preamble.
 Decision of 16 August 1968 (resolution 256 (1968)), preamble.
 Decision of 31 December 1968 (resolution 262 (1968)), preamble.
- D. Finding that any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States.**
 Question of safeguards to non-nuclear-weapon States parties to the Non-Proliferation Treaty.
 Decision of 19 June 1968 (resolution 255 (1968)), preamble.
- E. Determination that premeditated and repeated military attacks endangered the maintenance of the peace.**
 Situation in the Middle East (II):
 Decision of 16 August 1968 (resolution 256 (1968)), para. 3.
 Decision of 31 December 1968 (resolution 262 (1968)), para. 2.
- III. Injunctions to Governments and authorities involved in hostilities**
- A. Call for adherence to armistice agreement.**
 The Palestine question:
 Decision of 25 November 1966 (resolution 228 (1966)), preamble.
- B. Call for cessation of hostilities.**
 Situation in the Middle East (I):
 Decision of 6 June 1967 (resolution 233 (1967)), para. 1.
 Decision of 7 June 1967 (resolution 234 (1967)), para. 1.
 Decision of 9 June 1967 (resolution 235 (1967)), preamble and para. 2.
 Situation in the Middle East (II):
 Decision of 25 October 1967 (resolution 240 (1967)), para. 4 (first part).
 Decision of 24 March 1968 (resolution 248 (1968)), preamble.
 Decision: President's statement of 8 September 1968.
 Decision of 18 September 1968 (resolution 258 (1968)), para. 1.
- C. Call to refrain from actions in contravention of resolutions and decisions of the Security Council.**
 Situation in the Middle East (II):
 Decision of 24 March 1968 (resolution 248 (1968)), para. 4.
- D. Precautionary action.**
 Situation in the Middle East (II):
 Decision of 27 April 1968 (resolution 250 (1968)), preamble and para. 1.
- IV. Measures in connexion with injunctions to be taken by the Governments and authorities directly involved in hostilities**
- A. Withdrawal of fighting personnel.**
 Situation in the Middle East (I):
 Decision of 11 June 1967 (resolution 236 (1967)), para. 4.
- B. Co-operation of the parties to prevent recurrence of incidents or to lessen tension.**
 (i) Complaint by the United Kingdom:
 Decision: President's statement of 16 August 1966.
 (ii) The Palestine question:
 Decision of 25 November 1966 (resolution 228 (1966)), preamble.
- C. Call for ensuring the safety, welfare and security of inhabitants of areas under military occupation and facilitating the return of those who fled occupied areas.**
 Situation in the Middle East (I):
 Decision of 14 June 1967 (resolution 237 (1967)), para. 1.
- D. Respect for humanitarian principles governing treatment of prisoners of war and protection of civilian persons in times of war in accordance with the Geneva Convention of 1949.**
 Situation in the Middle East (I):
 Decision of 14 June 1967 (resolution 237 (1967)), preamble and para. 2.
 Situation in the Middle East (II):
 Decision of 24 March 1968 (resolution 248 (1968)), preamble and para. 4.
 Decision of 27 September 1968 (resolution 259 (1968)), preamble.
- E. Call for restraint by the parties.**
 Complaint by the Government of Cyprus:
 Decision of 16 March 1966 (resolution 220 (1966)), para. 2 (first part).
 Decision of 16 June 1966 (resolution 222 (1966)), para. 2 (first part).
 Decision of 15 December 1966 (resolution 231 (1966)), para. 2 (first part).
 Decision of 19 June 1967 (resolution 238 (1967)), para. 2 (first part).
 Decision: President's statement of 24 November 1967.
 Decision of 22 December 1967 (resolution 244 (1967)), para. 4.
 Decision of 18 March 1968 (resolution 247 (1968)), para. 2 (first part).
 Decision of 18 June 1968 (resolution 254 (1968)), para. 2 (first part).
 Decision of 10 December 1968 (resolution 261 (1968)), para. 2 (first part).
- F. Rescission of measures designed to change the status of a territory.**
 Situation in the Middle East (II):
 Decision of 21 May 1968 (resolution 252 (1968)), para. 3.
- V. Measures in connexion with injunctions to be taken by other Governments and authorities**
- A. Withholding of assistance including supply of arms which would enable a Government or régime to continue repressive actions in a Non-Self-Governing Territory.**

- Situation in Southern Rhodesia:
Decision of 9 April 1966 (resolution 221 (1966)), preamble, paras. 2, 3, 4.
3. Prevention of import and export of certain commodities and rendering of shipping and other transport facilities.
Situation in Southern Rhodesia:
Decision of 16 December 1966 (resolution 232 (1966)), para. 2 (a), (b), (c), (f).
Decision of 29 May 1968 (resolution 253 (1968)), para. 3 (a), (b), (c), (d), (e).
- C. Compliance with decisions of the Council in accordance with Articles 25 and 49 of the Charter.
Situation in Southern Rhodesia:
Decision of 16 December 1966 (resolution 232 (1966)), paras. 3 and 6.
Decision of 29 May 1968 (resolution 253 (1968)), para. 11.
- D. Non-interference in the domestic affairs of other States.
Complaint by the Democratic Republic of the Congo:
Decision of 14 October 1966 (resolution 226 (1966)), para. 2.
- E. Measures under Article 41.
Situation in Southern Rhodesia:
Decision of 16 December 1966 (resolution 232 (1966)), paras. 2 (a), (b), (c), (d), (e), (f), 5, 7 and 8.
Decision of 29 May 1968 (resolution 253 (1968)), paras. 3 (a), (b), (c), (d), (e), 4, 5 (a) and (b), 6, 7, 8, 9 and 10.
- F. Prevention of the use of territory as a base for interfering in the domestic affairs of other States.
Complaint by the Democratic Republic of the Congo:
Decision of 10 July 1967 (resolution 239 (1967)), para. 3.
Decision of 15 November 1967 (resolution 241 (1967)), para. 4.
- G. Withholding of commercial, industrial or public and private funds for investment purposes and supply of other economic or financial resources to a territory.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 4.
- H. Measures under Chapter VII in general.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), paras. 2, 13, 15 and 16.
- VI. Measures for settlement**
- A. Call for compliance with purposes and principles of the Charter.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), preamble, para. 1 (ii) second part, para. 2 (c).
- B. Calling for measures to prevent the violations of human rights and fundamental freedoms.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), preamble.
- C. Calling for measures to promote the granting of independence to colonial countries and peoples.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), preamble and para. 2 (second part).
- D. Procedures of pacific settlement noted, advised or recommended.
- Good offices, mediation and conciliation.
Complaint by the Government of Cyprus:
Decision of 22 December 1967 (resolution 244 (1967)), para. 3.
- E. Provisions bearing on issues of substance including terms of settlement.
1. Enunciation or affirmation of principles governing settlement.
 - (a) Inadmissibility of the acquisition of territory by war.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), preamble.
Decision of 21 May 1968 (resolution 252 (1968)), preamble.
 - (b) Obligation of Member States to act in accordance with Article 2 of the Charter.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), preamble.
 - (c) Withdrawal of armed forces.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), para. 1 (i).
 - (d) Assuring free uninterrupted international civil air traffic.
Situation in the Middle East (II):
Decision of 31 December 1968 (resolution 262 (1968)), preamble.
 - (e) Termination of claims or states of belligerency.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), para. 1 (ii) (first part).
 - (f) Acknowledgement of the right of a State to live in peace within secure and recognized boundaries.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), preamble and para. 1 (ii) (third part).
 - (g) Guaranteeing freedom of navigation through international waterways.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), para. 2 (a).
 - (h) Guaranteeing the territorial integrity or inviolability and political independence of States.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), para. 2 (c) (first part).
 2. Release of political prisoners:
Question of South West Africa:
Decision of 25 January 1968 (resolution 245 (1968)), para. 2 (second part).
Decision of 14 March 1968 (resolution 246 (1968)), preamble and para. 2.
 3. Calling upon administering authority of a Non-Self-Governing Territory to ensure that settlement reflects the views of the people.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 17.
 4. Declaring the invalidity of legislative and administrative measures and actions changing the legal status of a territory.
Situation in the Middle East (II):

- Decision of 21 May 1968 (resolution 252 (1968)), para. 2.
5. Call for settlement of refugee problems.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), para. 2 (b).
6. Establishment of demilitarized zone.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), para. 2 (c) (second part).
7. Prevention of use of territory as a base for interfering in the domestic affairs of other States.
Complaint by the Democratic Republic of the Congo:
Decision of 14 October 1966 (resolution 226 (1966)), para. 1.
8. Discontinuance of illegal trial.
Question of South West Africa:
Decision of 25 January 1968 (resolution 245 (1968)), preamble and para. 2 (first part).
9. Request that appropriate reparation be made.
Situation in the Middle East (II):
Decision of 31 December 1968 (resolution 262 (1968)), para. 4.
- F. Affirmation of the right of self-determination of the people of a former mandated Territory.
Question of South West Africa:
Decision of 14 March 1968 (resolution 246 (1968)), preamble.
- G. Expression of concern over development or aggravation of a situation.
- (i) Complaint by the Democratic Republic of the Congo:
Decision of 14 October 1966 (resolution 226 (1966)), preamble.
Decision of 15 November 1967 (resolution 241 (1967)), preamble.
- (ii) Complaint by the Government of Cyprus:
Decision: President's statement of 24 November 1967.
- (iii) Situation in the Middle East (II):
Decision of 16 August 1968 (resolution 256 (1968)), preamble.
Decision of 18 September 1968 (resolution 258 (1968)), preamble.
Decision of 31 December 1968 (resolution 262 (1968)), preamble.
- H. Deprecation of actions incompatible with the purposes and principles of the Charter.
- (i) The Palestine question:
Decision of 25 November 1966 (resolution 228 (1966)), para. 2.
- (ii) Situation in the Middle East (II):
Decision of 24 March 1968 (resolution 248 (1968)), para. 2.
Decision of 16 August 1968 (resolution 256 (1968)), para. 4 (first part).
Decision of 31 December 1968 (resolution 262 (1968)), para. 1 (first part).
- I. Deprecation of events affecting a situation.
- (i) Situation in the Democratic Republic of the Congo:
Decision of 14 October 1966 (resolution 226 (1966)), preamble.
- (ii) The Palestine question:
Decision of 25 November 1966 (resolution 228 (1966)), para. 1.
- (iii) Situation in the Middle East (I):
Decision of 6 June 1967 (resolution 233 (1967)), preamble.
Decision of 7 June 1967 (resolution 234 (1967)), preamble.
- Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), preamble.
Decision: President's statement of 4 April 1968 (first part).
- (iv) Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 12 (second part).
- J. Reaffirmation of the rights of peoples to freedom and independence and recognition of the legitimacy of struggles to secure their right.
Situation in Southern Rhodesia:
Decision of 16 December 1966 (resolution 232 (1966)), para. 4.
Decision of 29 May 1968 (resolution 253 (1968)), preamble.
- K. Condemnation of measures of political repression.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 1.
- L. Urging assistance to peoples in their struggle to achieve freedom and independence.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 13.
- M. Affirmation of obligations under the Charter.
Situation in the Middle East (II):
Decision of 18 September 1968 (resolution 258 (1968)), preamble.
- VII. Measures to promote the implementation of resolutions and decisions of the Security Council
- A. Establishment or employment of subsidiary organs
1. For observation or supervision in connexion with the ending of hostilities.
Situation in the Middle East (I):
Decision: President's statement of 9 July 1967 (second part).
2. For examination of reports on the implementation of Council resolutions and for seeking information on possible violations thereof.
- (a) From the Secretary-General:
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 20 (a).
- (b) From Member States and specialized agencies:
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 20 (b).
- B. Call upon the parties to co-operate fully with subsidiary organs.
- (i) Situation in the Middle East (I):
Decision: President's statement of 9 June 1967.
Decision of 11 June 1967 (resolution 236 (1967)) para. 5.
- Situation in the Middle East (II):
Decision of 25 October 1967 (resolution 240 (1967)), para. 4 (second part).

- Decision of 18 September 1968 (resolution 258 (1968)), para. 2 (second part).
Decision of 27 September 1968 (resolution 259 (1968)), para. 2.
- (ii) Complaint by the Government of Cyprus:
Decision: President's statement of 24 November 1967.
- (iii) Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 21.
- C. Determination of duration of stationing of United Nations Force and the mode of its financing.
Duration of stationing of the Force.
Complaint by the Government of Cyprus:
Decision of 16 March 1966 (resolution 220 (1966)), para. 3.
Decision of 16 June 1966 (resolution 222 (1966)), para. 3.
Decision of 15 December 1966 (resolution 231 (1966)), para. 3.
Decision of 19 June 1967 (resolution 238 (1967)), para. 3.
Decision of 22 December 1967 (resolution 244 (1967)), para. 2.
Decision of 18 March 1968 (resolution 247 (1968)), para. 3.
Decision of 18 June 1968 (resolution 254 (1968)), para. 3.
Decision of 10 December 1968 (resolution 261 (1968)), para. 3.
- D. Call for prevention of use of territory as a base for interfering in the domestic affairs of other States.
Complaint by the Democratic Republic of the Congo:
Decision of 14 October 1966 (resolution 226 (1966)), para. 1.
Decision of 10 July 1967 (resolution 239 (1967)), para. 3.
Decision of 15 November 1967 (resolution 241 (1967)), para. 4.
- E. Authorizations to the Secretary-General.
- To use his good offices for settlement of outstanding issues.
Complaint by the United Kingdom:
Decision: President's statement of 16 August 1966.
 - To follow implementation of resolutions and decisions of the Security Council.
Complaint by the Democratic Republic of the Congo:
Decision of 14 October 1966 (resolution 226 (1966)), para. 3.
Decision of 10 July 1967 (resolution 239 (1967)), para. 5.
Decision of 15 November 1967 (resolution 241 (1967)), para. 6 (second part).
 - To exert efforts to ensure implementation.
Situation in the Middle East (I):
Decision of 9 June 1967 (resolution 235 (1967)), para. 3.
 - To designate a Special Representative to promote agreement between the parties.
Situation in the Middle East (II):
Decision of 22 November 1967 (resolution 242 (1967)), para. 3.
 - To strengthen a subsidiary body.
Situation in the Middle East (II):
Decision: President's statement of 8 December 1967.
- F. Taking note of reports of the Secretary-General.
- Complaint by the Government of Cyprus:
Decision of 22 December 1967 (resolution 244 (1967)), preamble, noting the report.
 - The Palestine question:
Decision of 25 November 1966 (resolution 228 (1966)), preamble.
 - Situation in the Middle East (I):
Decision of 6 June 1967 (resolution 233 (1967)), preamble.
Decision of 11 June 1967 (resolution 236 (1967)), preamble.
Situation in the Middle East (II):
Decision of 25 October 1967 (resolution 240 (1967)), preamble.
Decision of 2 May 1968 (resolution 251 (1968)), preamble.
Decision: President's statement of 8 September 1968.
Decision of 27 September 1968 (resolution 259 (1968)), preamble.
Decision of 31 December 1968 (resolution 262 (1968)), preamble.
- G. Expression of concern over breakdown or violation of cease-fire.
Situation in the Middle East (II):
Decision of 25 October 1967 (resolution 240 (1967)), preamble.
Decision of 24 March 1968 (resolution 248 (1968)), para. 3 (first part).
Decision of 16 August 1968 (resolution 256 (1968)), preamble.
- H. Appreciation of Secretary-General's efforts in implementing resolutions.
Complaint by the Government of Cyprus:
Decision: President's statement of 24 November 1967.
- I. Request to Member States to co-operate in the implementation of resolutions and decisions of the Security Council.
The question of South West Africa:
Decision of 14 March 1968 (resolution 246 (1968)), preamble and para. 3.
- J. Condemnation of violations of cease-fire.
Situation in the Middle East (I):
Decision of 11 June 1967 (resolution 236 (1967)), para. 1.
Situation in the Middle East (II):
Decision of 25 October 1967 (resolution 240 (1967)), para. 1.
Decision of 24 March 1968 (resolution 248 (1968)), preamble and para. 2.
- K. Deprecation of refusal or failure to implement resolutions and decisions of the Security Council.
- Complaint by the Democratic Republic of the Congo:
Decision of 15 November 1967 (resolution 241 (1967)), preamble and paras. 1 and 2.
Decision of 10 July 1967 (resolution 239 (1967)), para. 2.
 - The question of South West Africa:
Decision of 14 March 1968 (resolution 246 (1968)), para. 1.
 - Situation in the Middle East (II):
Decision of 2 May 1968 (resolution 251 (1968)).
- L. Deprecation of refusal or failure to implement the resolutions of the General Assembly.
The question of South West Africa:

Decision of 25 January 1968 (resolution 245 (1968)), preamble and para. 1.

M. Measures to obtain compliance.

1. Reaffirmation of previous decisions.

(a) Of the Security Council:

- (i) Complaint by the Government of Cyprus:
 - Decision of 16 March 1966 (resolution 220 (1966)), para. 1.
 - Decision of 16 June 1966 (resolution 222 (1966)), para. 1.
 - Decision of 15 December 1966 (resolution 231 (1966)), para. 1.
 - Decision of 19 June 1967 (resolution 238 (1967)), para. 1.
 - Decision of 22 December 1967 (resolution 244 (1967)), para. 1.
 - Decision of 18 March 1968 (resolution 247 (1968)), para. 1.
 - Decision of 18 June 1968 (resolution 254 (1968)), para. 1.
 - Decision of 10 December 1968 (resolution 261 (1968)), para. 1.
 - (ii) Complaint by the Democratic Republic of the Congo:
 - Decision of 14 October 1966 (resolution 226 (1966)), preamble.
 - Decision of 10 July 1967 (resolution 239 (1967)), para. 1.
 - Decision of 15 November 1967 (resolution 241 (1967)), preamble.
 - (iii) The Palestine question:
 - Decision of 25 November 1966 (resolution 228 (1966)), preamble.
 - (iv) Situation in Southern Rhodesia:
 - Decision of 16 December 1966 (resolution 232 (1966)), preamble.
 - Decision of 29 May 1968 (resolution 253 (1968)), preamble.
 - (v) Situation in the Middle East (I):
 - Decision of 9 June 1967 (resolution 235 (1967)), preamble, para. 1.
 - Decision of 11 June 1967 (resolution 236 (1967)), para. 3.
 - Decision: President's statement of 9 July 1967.
 - Situation in the Middle East (II):
 - Decision of 25 October 1967 (resolution 240 (1967)), para. 3.
 - Decision of 24 March 1968 (resolution 248 (1968)), preamble.
 - Decision of 2 May 1968 (resolution 251 (1968)), preamble.
 - Decision of 16 August 1968 (resolution 256 (1968)), preamble and para. 1.
 - Decision of 18 September 1968 (resolution 258 (1968)), preamble and para. 2 (first part).
 - Decision of 27 September 1968 (resolution 259 (1968)), preamble.
 - (vi) The question of South West Africa:
 - Decision of 14 March 1968 (resolution 246 (1968)), preamble.
- (b) Of the General Assembly:**
- (i) Complaint by the Democratic Republic of the Congo:
 - Decision of 14 October 1966 (resolution 226 (1966)), preamble.

(ii) Situation in Southern Rhodesia:

Decision of 16 December 1966 (resolution 232 (1966)), para. 4 (first part).
Decision of 29 May 1968 (resolution 253 (1968)), preamble.

(iii) The question of South West Africa:

Decision of 25 January 1968 (resolution 245 (1968)), preamble.
Decision of 14 March 1968 (resolution 246 (1968)), preamble.

(iv) Situation in the Middle East (II):

Decision of 21 May 1968 (resolution 252 (1968)), preamble.

- 2. Request for compliance with previous resolution. Situation in the Middle East (I):
 - Decision: President's statement of 9 July 1967.
- 3. Expression of concern over threat posed by foreign interference to the independence and territorial integrity of a State.
 - Complaint by the Democratic Republic of the Congo:
 - Decision of 10 July 1967 (resolution 239 (1967)), preamble.
 - Decision of 15 November 1967 (resolution 241 (1967)), preamble.
- 4. Declaration of intention of consideration of further measures under the Charter.
 - (i) The question of South West Africa:
 - Decision of 14 March 1968 (resolution 246 (1968)), para. 5.
 - (ii) The situation in the Middle East (II):
 - Decision of 24 March 1968 (resolution 249 (1968)), para. 3 (third part).
- 5. Warning against failure to comply with Council's decision. Situation in the Middle East (II):
 - Decision of 16 August 1968 (resolution 256 (1968)), para. 4 (second part).
 - Decision of 31 December 1968 (resolution 262 (1968)), para. 3.
- 6. Expression of concern of non-implementation of specific measures.
 - (a) Requested by the Security Council:
 - (i) Situation in Southern Rhodesia:
 - Decision of 9 April 1966 (resolution 221 (1966)), preamble.
 - Decision of 29 May 1968 (resolution 253 (1968)), preamble.
 - (ii) Situation in the Middle East (I):
 - Decision of 7 June 1967 (resolution 234 (1967)), preamble.
 - Situation in the Middle East (II):
 - Decision of 27 September 1968 (resolution 259 (1968)), preamble.
 - (iii) The question of South West Africa:
 - Decision of 14 March 1968 (resolution 246 (1968)), preamble.
 - (b) Recommended by the General Assembly. The question of South West Africa:
 - Decision of 25 January 1968 (resolution 245 (1968)), preamble.
- 7. Request to Member States to co-operate with the Secretary-General. Situation in the Middle East (II):

- Decision of 27 September 1968 (resolution 259 (1968)), para. 3.
8. Request to member States or to all States to exert influence to induce compliance.
The question of South West Africa:
Decision of 25 January 1968 (resolution 245 (1968)), para. 3.
Decision of 14 March 1968 (resolution 246 (1968)), para. 4.
9. Request to the Secretary-General to exert efforts toward implementation of previous resolutions.
Situation in the Middle East (I):
Decision of 9 June 1967 (resolution 235 (1967)), para. 3.
10. Expression of concern over the failure of specific measures.
Situation in Southern Rhodesia:
Decision of 16 December 1966 (resolution 232 (1966)), preamble.
Decision of 29 May 1968 (resolution 253 (1968)), preamble.
11. Deploring of non-compliance with obligations under Article 25.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 12 (first part).
12. Censuring of defiance of resolutions of the Security Council.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 12 (second part).
13. Invoking of Article 41 of the Charter.
Situation in Southern Rhodesia:
Decision of 16 December 1966 (resolution 232 (1966)), preamble.
14. Invoking of Article 2.
Situation in Southern Rhodesia:
Decision of 16 December 1966 (resolution 232 (1966)), para. 7.
Decision of 29 May 1968 (resolution 253 (1968)), para. 14.
15. Invoking of Chapter VII.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), preamble.
16. Notice of possible further measures under the Charter.
The Palestine question:
Decision of 25 November 1966 (resolution 228 (1966)), para. 3.
- N. Authorization to the Secretary-General.
To dispatch a representative.
Situation in the Middle East (II):
Decision of 27 September 1968 (resolution 259 (1968)), para. 1 (first part).
- O. Call for measures by administering authority to end rebellion in a Non-Self-Governing Territory.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), para. 2 (first part).
- P. Call for co-operation with subsidiary organs.
Situation in Southern Rhodesia:
Decision of 29 May 1968 (resolution 253 (1968)), paras. 21 and 22.
- Q. Call for efforts to achieve objectives of the Security Council.
Complaint by the Government of Cyprus:
Decision of 16 March 1966 (resolution 220 (1966)), para. 2 (second part).
Decision of 16 June 1966 (resolution 222 (1966)), para. 2 (second part).
Decision of 15 December 1966 (resolution 231 (1966)), para. 2 (second part).
Decision of 19 June 1967 (resolution 238 (1967)), para. 2 (second part).
Decision of 22 December 1967 (resolution 244 (1967)), para. 5.
Decision of 18 March 1968 (resolution 247 (1968)), para. 2 (second part).
Decision of 18 June 1968 (resolution 245 (1968)), para. 2 (second part).
Decision of 10 December 1968 (resolution 261 (1968)), para. 2 (second part).
- R. Call for cessation of assistance to mercenaries or other armed personnel.
Complaint by the Democratic Republic of the Congo:
Decision of 15 November 1967 (resolution 241 (1967)), para. 3.
- S. Deprecation of loss of life and damage to property.
Situation in the Middle East (II):
Decision of 25 October 1967 (resolution 240 (1967)), para. 2.
Decision of 24 March 1968 (resolution 248 (1968)), para. 1.
Decision of 16 August 1968 (resolution 256 (1968)), para. 2.
Decision: President's statement of 8 September 1968.
- T. Deprecation of failure to comply with General Assembly resolution.
Situation in the Middle East (II):
Decision of 21 May 1968 (resolution 252 (1968)), preamble and para. 1.
- U. Request to Member States to co-operate in the implementation of resolutions and decisions of the Security Council.
Complaint by the Democratic Republic of the Congo:
Decision of 15 November 1967 (resolution 241 (1967)), para. 5.
- V. Affirmation of special United Nations responsibilities towards the people of a former mandated Territory.
Question of South West Africa:
Decision of 25 January 1968 (resolution 245 (1968)), preamble.
Decision of 14 March 1968 (resolution 246 (1968)), preamble.
- W. Deprecation of actions in defiance of the authority of the United Nations.
The question of South West Africa:
Decision of 14 March 1968 (resolution 246 (1968)), para. 1.
- VIII. Measures to ensure further consideration and to ascertain compliance
- A. Request for information on implementation of resolutions or developments in a situation.
1. From Members of the United Nations.
Situation in Southern Rhodesia:
Decision of 16 December 1966 (resolution 232 (1966)), para. 8.

- Decision of 29 May 1968 (resolution 253 (1968)), para. 18.
2. From members of specialized agencies.
- Situation in Southern Rhodesia:
- Decision of 16 December 1966 (resolution 232 (1966)), para. 8.
- Decision of 29 May 1968 (resolution 253 (1968)), para. 18.
3. From the Secretary-General.
- (i) The Palestine question:
- Decision of 25 November 1966 (resolution 228 (1966)), para. 4.
- (ii) Situation in Southern Rhodesia:
- Decision of 16 December 1966 (resolution 232 (1966)), para. 9.
- Decision of 29 May 1968 (resolution 253 (1968)), para. 19.
- (iii) Situation in the Middle East (I):
- Decision of 6 June 1967 (resolution 233 (1967)), para. 2.
- Decision of 7 June 1967 (resolution 234 (1967)), para. 2.
- Decision of 9 June 1967 (resolution 235 (1967)), para. 3 (second part).
- Decision of 14 June 1967 (resolution 237 (1967)), para. 3.
- Situation in the Middle East (II):
- Decision of 22 November 1967 (resolution 242 (1967)), para. 4.
- Decision of 24 March 1968 (resolution 248 (1968)), para. 5.
- Decision of 27 April 1968 (resolution 250 (1968)), para. 2.
- Decision of 21 May 1968 (resolution 252 (1968)), para. 4.
- Decision of 27 September 1968 (resolution 259 (1968)), para. 1 (second part).
- (iv) The question of South West Africa:
- Decision of 25 January 1968 (resolution 245 (1968)), para. 4.
- Decision of 14 March 1968 (resolution 246 (1968)), para. 6.
- Decision of 15 November 1967 (resolution 241 (1967)), para. 6 (first part).
- (iii) Complaint by the Government of Cyprus:
- Decision of 22 December 1967 (resolution 244 (1967)), para. 6.
- (iv) The question of South West Africa:
- Decision of 25 January 1968 (resolution 245 (1968)), para. 5.
- Decision of 14 March 1968 (resolution 246 (1968)), para. 7.
- C. Statement by the President that the Council would remain seized of the question.
- (i) Situation in the Middle East (II):
- Decision: President's statement of 4 April 1968, (second part).
- (ii) Situation in Czechoslovakia:
- Decision: President's statement of 24 August 1968.
- D. Adjournment of meeting for consultation among members.
- (i) Situation in Viet-Nam:
- Decision of 2 February 1966.
- (ii) Complaint by the United States (The Pueblo incident):
- Decision of 27 January 1968.
- (iii) Complaint by Haiti:
- Decision of 27 May 1968.
- (iv) Situation in Czechoslovakia:
- Decision of 24 August 1968.
- IX. Measures to safeguard against aggression**
- A. Recognition of responsibility of Security Council and its nuclear-weapon-State permanent members in case of nuclear aggression or threat of such aggression against a non-nuclear-weapon State.
- Question of safeguards to non-nuclear-weapon States parties to the Non-Proliferation Treaty.
- Decision of 19 June 1968 (resolution 255 (1968)), para. 1.
- B. Expression of support for intention to provide assistance to victims of nuclear aggression or objects of threat of such aggression.
- Question of safeguards to non-nuclear-weapon States parties to the Non-Proliferation Treaty.
- Decision of 19 June 1968 (resolution 255 (1968)), preamble and para. 2.
- C. Reaffirmation of the right of individual and collective self-defence recognized under Article 51 of the Charter.
- Question of safeguards to non-nuclear-weapon States parties to the Non-Proliferation Treaty.
- Decision of 19 June 1968 (resolution 255 (1968)), para. 3.
- B. Provision by express decision to consider the matter further
- (i) Situation in Southern Rhodesia:
- Decision of 16 December 1966 (resolution 232 (1966)), para. 10.
- Decision of 29 May 1968 (resolution 253 (1968)), para. 23.
- (ii) Complaint by the Democratic Republic of the Congo:
- Decision of 10 July 1967 (resolution 239 (1967)), para. 4.

Part II

SITUATION IN VIET-NAM

INITIAL PROCEEDINGS

By letter ⁶ dated 31 January 1966 addressed to the President of the Security Council, the representative of the United States requested that an urgent meeting of

the Security Council be called promptly to consider the situation in Viet-Nam. It was further stated in the letter that the United States Government had sought a peaceful settlement of this conflict on the basis of unconditional negotiations and the Geneva Agreements of 1954 but had no affirmative response from the Government of North Viet-Nam which set forth a number of preconditions unacceptable to the United States. It, therefore, concluded that it should now bring this problem with

⁶ S/7105, O.R., 21st yr., Suppl. for Jan.-March., 1966, pp. 105-107.

all its implications for peace formally before the Security Council. Moreover, the United States Government was firmly convinced that in the light of the Council's obligations under the Charter to maintain international peace and security and the failure so far of all efforts outside the United Nations to restore peace, the Council should address itself urgently to the situation and exert its endeavours to finding a prompt solution.

On the same date, a draft resolution⁷ was submitted by the representative of the United States according to which the Security Council would: (1) call for immediate discussions without preconditions among the appropriate interested Governments to arrange a conference looking towards the application of the Geneva Agreements of 1954 and 1962 and the establishment of a durable peace in South-East Asia; (2) recommended that the first order of business of such a conference be arrangements for a cessation of hostilities under effective supervision; (3) offer to assist in achieving the purposes of this resolution by all appropriate means, including the provision of arbitrators or mediators; (4) call upon all concerned to co-operate fully in the implementation of this resolution; (5) request the Secretary-General to assist as appropriate in the implementation of this resolution.

At the 1273rd meeting, the Security Council decided by 9 votes to 2, with 4 abstentions, to include the question in its agenda.⁸

Decision of 2 February 1966 (1273rd meeting):

Adjournment

After adoption of the agenda at the 1273rd meeting on 2 February 1966, the President (Japan) said that before proceeding to the consideration of the question included in the agenda, he would like to suggest to the Council that members hold informal and private consultations with a view to determining the most effective and appropriate way of conducting the debate in the future and that, for this purpose, the meeting should be adjourned until the exact date and time could be arranged for the next meeting.⁹ There being no objections, it was so decided.

The question remained on the list of matters of which the Security Council is seized.¹⁰

COMPLAINT BY THE GOVERNMENT OF CYPRUS

Decision of 16 March 1966 (1275th meeting):

- (i) *Reaffirming its previous resolutions, as well as the consensus of 11 August 1964;*
- (ii) *Urging the parties concerned to act with the utmost restraint and to make determined efforts with a view to achieving the objectives of the Security Council;*

(iii) *Extending once more the stationing of the United Nations Force in Cyprus established under the Security Council resolution of 4 March 1964 for a period of three months ending 26 June 1966*

On 10 March 1966, the Secretary-General submitted to the Security Council his report¹¹ on the United Nations Operation in Cyprus, covering developments from 9 December 1965 to 10 March 1966. The Secretary-General recommended to the Council that despite the reservations which he had to make as a result of the financial situation of UNFICYP, the Force in Cyprus should be extended for a period of six months after 26 March 1966. He informed the Council that his efforts, subsequent to the resignation of Mr. Galo Plaza from the position of United Nations Mediator in Cyprus, towards achieving a resumption of the mediation function had, thus far been unavailing due primarily to the widely differing and firmly held views in the matter of the three Governments most directly concerned. In this connexion, he referred to his note of 4 March 1967¹² by which he had informed the Council that he had broadened the scope of activity of this Special Representative in Cyprus, without prejudice to the mediation function as envisaged in resolution 186 (1964), authorizing him to employ his good offices and make such approaches to the parties in or outside Cyprus as might seem to be productive, in the sense of achieving, in the first instance, discussions at any level of problems and issues of either a purely local or broader nature.

At the 1274th meeting on 15 March 1966, the Security Council adopted,¹³ without objection, the provisional agenda and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion.¹⁴ The Council considered the question at the 1274th and 1275th meetings held on 15 March and 16 March 1966.

At the 1274th meeting, a joint draft resolution was submitted by the representatives of Argentina, Japan, Mali, Netherlands, New Zealand, Nigeria, Uganda and Uruguay.¹⁵

At the 1275th meeting on 16 March 1966, the representative of the USSR said that his Government had no objection to the stationing of the United Nations Force in Cyprus on condition that its extension was made in accordance with the provisions of the Security Council resolution 186 (1964), namely, that UNFICYP would retain its present functions and would continue to be financed on a voluntary basis.¹⁶

At the same meeting, the joint draft resolution was unanimously adopted.¹⁷ It read as follows:¹⁸

"The Security Council,

"Noting from the report of the Secretary-General of 10 March 1966 that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,

⁷ S/7106, *OR*, 21st yr., *Suppl. for Jan.-March, 1966*, p. 107.

⁸ 1273rd meeting, para. 27.

⁹ 1273rd meeting, para. 28.

¹⁰ For retention of the item, see the Secretary-General's summary statement on matters of which the Security Council is seized chapter II, p. 51, No. 141. Subsequently, by letter dated 26 February 1966 (S/7168), the President (Japan) transmitted to the Secretary-General the text of a letter of the same date addressed by him to the members of the Security Council, in which he reported on the informal and private consultations with a number of members of the Council.

¹¹ S/7191, *OR*, 21st yr., *Suppl. for Jan.-March 1966*, pp. 204-233.

¹² S/7180, *OR*, 21st yr., *Suppl. for Jan.-March 1966*, p. 191.

¹³ 1274th meeting, preceding para. 28.

¹⁴ 1274th meeting, para. 29.

¹⁵ S/7205, the same text as resolution 220 (1966); 1274th meeting, para. 30.

¹⁶ 1275th meeting, para. 36.

¹⁷ 1275th meeting, para. 37.

¹⁸ Resolution 220 (1966).

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 26 March 1966,

"Noting that the basic problem, according to the Secretary-General's report, remains unsolved,

"1. *Reaffirms* its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965 and the consensus expressed by the President at the 1143rd meeting on 11 August 1964;

"2. *Urges* the parties concerned to act with the utmost restraint and to make determined efforts with a view to achieving the objectives of the Security Council;

"3. *Extends* once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a period of three months ending 26 June 1966, in the firm hope that by the end of this period substantial progress towards a solution will have been achieved."

Decision of 16 June 1966 (1286th meeting):

- (i) *Reaffirming its previous resolutions, as well as the consensus of 11 August 1964;*
- (ii) *Urging the parties concerned to act with the utmost restraint and to make determined efforts with a view to achieving the objectives of the Security Council;*
- (iii) *Extending the stationing in Cyprus of the United Nations Peace-keeping Force for a period of six months ending 26 December 1966*

On 10 June 1966, the Secretary-General submitted to the Security Council his report¹⁹ on the United Nations Operation in Cyprus, covering developments from 11 March to 10 June 1966. The Secretary-General informed the Council that the situation regarding the resumption of the mediation function had remained unchanged; he recommended the continuance of UNFICYP for a further period of six months ending 26 December 1966 and subsequently informed the Council, on 16 June 1966, that all the parties concerned also wished this extension.²⁰

The Security Council considered the report of the Secretary-General at its 1286th meeting on 16 June 1966, at which meeting the provisional agenda was adopted without objection²¹ and the representatives of Cyprus, Greece and Turkey were invited to participate in the Council's discussion.²²

At the same meeting the representative of the Netherlands submitted a draft resolution jointly sponsored with Argentina, Japan, Jordan, Mali, New Zealand, Nigeria and Uganda.²³

Subsequently, the draft resolution was adopted unanimously.²⁴ It read as follows:²⁵

"*The Security Council,*

"*Noting* from the report of the Secretary-General of 10 June 1966 that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,

"*Noting* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 26 June 1966,

"1. *Reaffirms* its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, and 220 (1966) of 16 March 1966, and the consensus expressed by the President at the 1143rd meeting on 11 August 1964;

"2. *Urges* the parties concerned to act with the utmost restraint and to make determined efforts with a view to achieving the objectives of the Security Council;

"3. *Extends* the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a period of six months ending 26 December 1966, in the firm hope that by the end of this period substantial progress towards a solution will have been achieved so as to render possible a withdrawal or substantial reduction of the Force."

After the vote, the representative of the USSR stated that he had voted in favour of the eight-Power draft resolution adopted by the Council with the understanding that the present functions of UNFICYP and the voluntary basis of financing it would be maintained.²⁶

Decision of 15 December 1966 (1338th meeting):

- (i) *Reaffirming its previous resolutions, as well as the consensus of 11 August 1964;*
- (ii) *Urging the parties concerned to act with utmost restraint and to continue co-operative efforts to achieve the objectives of the Security Council;*
- (iii) *Extending once more the stationing in Cyprus of the United Nations Peace-keeping Force for a further period of six months ending 26 June 1967*

On 8 December 1966, the Secretary-General submitted to the Security Council his report²⁷ on the United Nations operation in Cyprus, covering developments from 11 June to 5 December 1966. The Secretary-General recommended to the Council that the mandate of UNFICYP be extended for a period of six months ending 26 June 1967. He also informed the Council that the situation regarding the mediation function had remained unchanged since his last report.

¹⁹ S/7350, *OR*, 21st yr., *Suppl. for April-June 1966*, pp. 154-197.

²⁰ S/7350/Add.1, *ibid.*, p. 198.

²¹ 1286th meeting, preceding para. 6.

²² 1286th meeting, para. 6.

²³ S/7358, same text as resolution 220 (1966); 1286th meeting, para. 10.

²⁴ 1286th meeting, para. 17.

²⁵ Resolution 222 (1966).

²⁶ 1286th meeting, para. 93.

²⁷ S/7611 and Add. 1, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 110-157.

At the 1338th meeting on 15 December 1966, the Security Council adopted without objection the provisional agenda²⁸ and invited the representatives of Cyprus, Greece and Turkey to participate in the Council's discussion.²⁹

At the same meeting, the representative of Argentina submitted a draft resolution jointly sponsored with the representatives of Jordan, Japan, Mali, Nigeria, Uganda and Uruguay.³⁰

The representative of the USSR stated that his Government had no objection to the extension of the presence of the United Nations Force in Cyprus for a further period of six months, provided that the present functions of UNFICYP were retained and their financing was continued on a voluntary basis.³¹

Subsequently, the seven-Power draft resolution was adopted unanimously.³² It read as follows:³³

"The Security Council,

"Noting from the report of the Secretary-General of 8 December 1966 that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 26 December 1966,

"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March and 222 (1966) of 16 June 1966, and the consensus expressed by the President at the 1143rd meeting, on 11 August 1964;

"2. Urges the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council;

"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period of six months ending 26 June 1967, in the expectation that by then sufficient progress towards a solution will make possible a withdrawal or substantial reduction of the Force."

Decision of 19 June 1967 (1362nd meeting):

- (i) *Reaffirming its previous resolutions, as well as the consensus of 11 August 1964;*
- (ii) *Urging the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council;*
- (iii) *Extending once more the stationing in Cyprus of the United Nations Peace-keeping Force for a*

further period of six months ending 26 December 1967

On 13 June 1967, the Secretary-General submitted to the Security Council his report³⁴ on the United Nations Operation in Cyprus, covering developments from 6 December 1966 to 12 June 1967. In his report, the Secretary-General stated that the situation in the island during the period under review had differed little, if at all, from that of previous reporting periods; basic issues which were at the root of the Cyprus problem continued to be unresolved; the situation regarding a resumption of the mediation efforts remained unchanged; and there was general agreement that if it were not for the interposition of the Force as a buffer in areas of direct confrontation, the renewal of armed strife would appear to be inevitable. He reiterated an observation which he had set forth in an earlier report³⁵ that it was necessary to balance against the undoubted need for the continued presence of the Force in Cyprus the danger that excessive confidence in the indefinite continuation of that presence may be a factor in reducing the sense of urgency of the contending parties about seeking solutions for the underlying differences which had originally caused violence to erupt in the island in 1963 and 1964. The Secretary-General trusted that all interested parties would bear in mind that the Force could not remain in Cyprus indefinitely; for the time being, however, he recommended to the Security Council, with the agreement of the parties concerned, the extension of the mandate of the UNFICYP for a further period of six months up to 26 December 1967.³⁶

At the 1362nd meeting on 13 June 1967, the Security Council adopted, without objection, the provisional agenda³⁷ and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion of the item.³⁸

At the same meeting, the representative of Argentina submitted a draft resolution, jointly sponsored with the representatives of Brazil, Ethiopia, India, Japan, Mali and Nigeria,³⁹ which, he noted, fundamentally reproduced resolution 231 (1966) of 15 December 1966.

Subsequently, the representative of the USSR stated that it was the Security Council, exclusively, in accordance with the Charter of the United Nations, that had been vested with authority to adopt decisions on questions connected with the use of armed forces on behalf of the United Nations. If the Security Council was unable to adopt the decision it ought to under the Charter, there was nothing to preclude the General Assembly, at its regular sessions or at special or emergency session, in those cases which did not brook of postponement, to convene in accordance with the rules of procedure, and consider questions related to the maintenance of international peace and security, and, within the limits of its competence under the Charter of the United Nations, to make recommendations to the States concerned or to the Security Council. The representative of the USSR stressed further that the Soviet Union did not recognize

²⁸ 1338th meeting (PV), p. 7-10.

²⁹ 1338th meeting (PV), p. 7-10.

³⁰ S/7635, same text as resolution 231 (1966).

³¹ 1338th meeting (PV), p. 16.

³² 1338th meeting (PV), p. 17.

³³ Resolution 231 (1966).

³⁴ S/7969, *OR*, 22nd yr., *Suppl. for April-June 1967*, pp. 183-241.

³⁵ S/7001, *OR*, 20th yr., *Suppl. for Oct.-Dec. 1965*, pp. 438-486.

³⁶ S/7969, *OR*, 22nd yr., *Suppl. for April-June 1967*, p. 239-241.

³⁷ 1362nd meeting (PV), p. 2.

³⁸ 1362nd meeting (PV), p. 2.

³⁹ S/7996, same text as resolution 238 (1967).

any decisions that violated the spirit and meaning of the United Nations Charter, especially connected with such a responsible sphere of the United Nations activities as utilization of United Nations armed forces. Regarding the seven-Power draft resolution before the Council, he stated that his Government would not object to the extension of the stationing of United Nations forces in Cyprus for a further period of six months on the understanding that this was made in accordance with the provisions of resolution 186 (1964), namely, that the present functions of UNFICYP were to be retained and they would continue to be financed on a voluntary basis.⁴⁰

At the same meeting, the seven-Power draft resolution was adopted unanimously.⁴¹ It read as follows:⁴²

"The Security Council,

"Noting from the report of the Secretary-General of 13 June 1967 that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 26 June 1967,

"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, and the consensus expressed by the President at the 1143rd meeting on 11 August 1964;

"2. Urges the parties concerned to act with the utmost restraint and to continue determined co-operatives of the Security Council;

"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period of six months ending 26 December 1967, in the expectation that by then sufficient progress towards a solution will make possible a withdrawal or substantial reduction of the Force."

Decision of 24 November 1967 (1383rd meeting):

Statement by the President expressing the consensus of the Council that: the parties concerned be called upon to show the utmost moderation and restraint and refrain from any act which might aggravate the situation in Cyprus and constitute a threat to peace; the parties concerned further be requested to assist and co-operate in keeping the peace and arriving at a permanent settlement in accordance with Security Council resolution 186 of 4 March 1964

By letter⁴³ dated 24 November 1967, the representative of Cyprus requested the President of the Security Council to convene an immediate emergency meeting of the Security Council as a matter of the utmost urgency, in view of the clear threat of the imminent invasion of the territory of the Republic of Cyprus by Turkish forces.

The question was considered by the Security Council at its 1383rd meeting on 24 November 1967, at which the Council adopted⁴⁴ the agenda and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion.⁴⁵

At the same meeting, the representative of Cyprus* stated that his country was under imminent threat of attack and invasion by the navy, military forces and air force of Turkey. He held that the cause of the threatening attitude of Turkey with regard to the invasion of Cyprus was not the events which had occurred in a Turkish Cypriot village; rather, Turkey insisted on having the partition of Cyprus by the use of force. Having referred to the obligations ensuing from Article 2, paragraph 4, of the United Nations Charter, the representative of Cyprus appealed to the Security Council to protect the territorial integrity, the sovereignty and political independence of Cyprus from the threat of invasion by Turkey.⁴⁶

The representative of Turkey* stated that the sovereignty and territorial integrity of Cyprus were in danger because the Greek and Greek Cypriot attack on the two Turkish Cypriot villages, a detailed account of the preparation and the initiation of which had been provided in the Secretary-General's report to the Council,⁴⁷ was the initiation of the process which would have ultimately put an end to the independence of Cyprus by completing its union with Greece. In the view of the Turkish Government, the only element which threatened the peace on the island, endangered the security of life of the Turkish community, and posed the most direct impediment to the effective functioning of UNFICYP in Cyprus was the presence of the illegal Greek Army of occupation which had been brought to the island with the collusion of the Greek Cypriot Administration: hence, the most important question before the Council was the removal of the element of ever-present threat posed by the illegal presence of the Greek forces in Cyprus. With respect to the immediate action which the Council might feel disposed to take concerning the situation under consideration, the Turkish Government believed that the following three points should be considered: (a) the condemnation of the inhuman crimes perpetrated against the Turkish community; (b) the payment of compensation to the inhabitants of the two villages; and (c) the provision of effective guarantees for the security of the two Turkish villages.⁴⁸

The representative of Greece* referred to the "provocative acts" of the Turkish Government which had preceded the incidents before the Council and stated that at the present moment, preparations seemed to have been completed in Turkey for the launching of an attack, armed forces and military air forces having been massed along the coast facing Cyprus, as well as along the frontier between Turkey and Greece. The Council was confronted by a threat of the use of force, which was about to be put into effect, and therefore the immediate task of the

⁴⁰ 1362nd meeting (PV), pp. 12-15.

⁴¹ 1362nd meeting (PV), p. 21.

⁴² Resolution 238 (1967).

⁴³ S/8262, OR, 22nd yr., Suppl. for Oct.-Dec. 1967, p. 248.

⁴⁴ 1383rd meeting (PV), p. 2-5.

⁴⁵ 1383rd meeting (PV), p. 2-5.

⁴⁶ 1383rd meeting (PV), pp. 6-11.

⁴⁷ S/8248, OR, 22nd yr., Suppl. for Oct.-Dec. 1967, pp. 215-236.

⁴⁸ 1383rd meeting (PV), pp. 12-20.

Security Council was to prevent the use of force and to put an end to threat of its use.⁴⁹

Subsequently, at the suggestion of the President of the Security Council, the meeting was recessed to allow members of the Council to consult with one another regarding what should be done about the problem before them.⁵⁰

At the resumed 1383rd meeting held on the same day, the President read out the following statement as representing the consensus of the views of the members of the Council:⁵¹

"The Council has now acquainted itself with the position of the parties directly concerned. It is gravely concerned in view of the tense and dangerous situation with regard to Cyprus. The Council notes with satisfaction the efforts undertaken by the Secretary-General to help maintain peace in the region and calls upon all the parties concerned to show the utmost moderation and restraint and to refrain from any act which might aggravate the situation in Cyprus and constitute a threat to the peace. The Security Council further requests all concerned urgently to assist and co-operate in keeping the peace and arriving at a permanent settlement in accordance with Security Council resolution 186 (1964) of 4 March 1964."⁵²

Decision of 22 December 1967 (1386th meeting):

- (i) *Reaffirming its previous resolutions, as well as expressions of consensus;*
- (ii) *Extending the stationing of the United Nations Peace-keeping Force in Cyprus for a period of three months ending 26 March 1968;*
- (iii) *Inviting the parties promptly to avail themselves of the good offices offered by the Secretary-General;*
- (iv) *Calling upon all the parties concerned to continue to show the utmost moderation and restraint and refrain from any act which might aggravate the situation;*
- (v) *Urging the parties concerned to undertake a new determined effort to achieve the objectives of the Security Council with a view to keeping the peace and arriving at a permanent settlement*

On 8 December 1967, the Secretary-General submitted to the Security Council his report⁵³ on the United Nations Operation in Cyprus, covering developments from 13 June to 8 December 1967, which the Council considered at its 1385th and 1386th meetings, held on 20 and 22 December 1967. In his report, the Secretary-General noted that towards the end of the period under review, the situation in Cyprus had undergone a serious deterioration due to the incidents of 15/16 November 1967 at Agios Theodoros and Kophinou. He drew attention to the continuing precariousness of the situation and recommended to the Security Council that the mandate of UNFICYP be extended for another period, whether of six or of three months, as one obvious step for the maintenance of peace in Cyprus. Having informed the Council that the situation regarding a resumption of the mediation

function had remained unchanged since his last report, the Secretary-General emphasized that his good offices continued to be available to the parties concerned and to the Security Council.

At the 1385th meeting on 20 September 1967, the Security Council adopted, without objection, the provisional agenda⁵⁴ and invited the representatives of Cyprus, Greece and Turkey to participate in the discussion.⁵⁵

At the same meeting, the President drew the attention of the Council to the communication⁵⁶ dated 12 December 1967 from the representative of Turkey in which it was requested that Mr. Osman Örek be given an opportunity to address the Council as the representative of the Turkish community in Cyprus.⁵⁷ The Security Council decided,⁵⁸ in view of the past precedents⁵⁹ and on the same basis as before, to give a hearing to Mr. Örek, under rule 39 of the provisional rules of procedure of the Security Council.⁶⁰

Subsequently, the representative of Cyprus* stated that it would serve the cause of peace if there were a complete withdrawal of Greek and Turkish troops from Cyprus accompanied by a guarantee against external attack. He was prepared to discuss, within the framework of the United Nations, any constructive proposal aimed at reducing tensions and removing the causes of friction which, in turn, would pave the way to a peaceful solution. However, the Cypriot Government would not consent to any new bilateral effort between Greece and Turkey with regard to the Cyprus problem which was not a dispute between Greece and Turkey but a problem that concerned the people of Cyprus.⁶¹

The representative of Turkey* held that the mandate of the UNFICYP, as spelled out in Security Council resolution 186 (1964) of 4 March 1964, had given it more authority than it had chosen to exercise. Such implementation of the mandate of the Peace-keeping Force had stemmed from a strict interpretation of the concept of sovereignty; however, if a Government invited a peace-keeping force, it thereby voluntarily and inevitably limited its sovereignty to the extent that it could no longer act in such a way as to make it impossible for that force to keep the peace. The representative of Turkey submitted the following as the minimum functions which the UNFICYP had to be called upon to perform, either through a clarification of its existing mandate or under new and broader functions which might be assigned to it, through agreement between the parties, with a clear call from the Security Council: the UNFICYP (1) should be instructed and allowed formally to observe and report to the Secretary-General and thereby to the Council any influx of arms into or from the island; (2) should be in a position to inform the Council instantly of any troop concentrations; (3) should be called upon to observe and supervise the disarming of all forces on the island

⁴⁹ 1385th meeting (PV), p. 6.

⁵⁰ 1385th meeting (PV), p. 6.

⁵¹ S/8293, OR, 22nd yr., Suppl. for Oct.-Dec. 1967, p. 318.

⁵² 1385th meeting (PV), p. 6.

⁵³ 1385th meeting (PV), p. 11.

⁵⁴ See, *Repertoire of the Practice of the Security Council, Supplement 1964-1965*, under Chapter VIII, pp. 111 and 125. See also: *Ibid.*, under chapter III, Case 6.

⁵⁵ See chapter III, Case 2, of this *Supplement*.

⁵⁶ 1385th meeting (PV), pp. 16, 17, 21, 22.

⁴⁹ 1383rd meeting (PV), pp. 26-30.

⁵⁰ 1383rd meeting (PV), pp. 66-70.

⁵¹ 1383rd meeting (PV), p. 71.

⁵² Decision of 24 November 1967, OR, 22nd yr., *Resolutions and Decisions of the Security Council, 1967*, p. 11.

⁵³ S/8286, OR, 22nd yr., Suppl. for Oct.-Dec. 1967, pp. 266-315.

illegally constituted after December 1963, and should take into custody the arms so abandoned; (4) should have complete and unhindered freedom of access to all parts of the island; (5) should ensure the safety and freedom of all citizens on all roads. Further, it was to be understood that neither before nor after the measures of disarmament was the UNFICYP intended to supplant the authority of either the Greek-Cypriot Government or the Turkish community in areas under their respective control.⁶²

The representative of Greece* stated that the threat of invasion of Cyprus by Turkey still existed and that the Secretary-General's report contained three certain important elements which would make it possible to take positive steps in the right direction, namely (i) the speedy withdrawal of foreign troops and all armed forces other than United Nations forces, (ii) positive demilitarization of Cyprus under United Nations supervision and the preparation of practical arrangements to safeguard the security of the Cypriot population, and (iii) prompt and urgent action with a view to seeking a lasting solution to the problem of Cyprus.⁶³

At the 1386th meeting of the Security Council, on 23 December 1967, the President (Nigeria) read out the text of a draft resolution which had been agreed upon by the members of the Council in the course of consultations.⁶⁴

Subsequently, the representative of France stated that he would have no objection to a short extension of the mandate of the UNFICYP within the framework of the resolution 186 (1964) of 4 March 1964. However, he drew the attention of the three Governments concerned to the need to make every effort, during the short extension of the Force's mandate, to achieve a concerted and lasting resolution of the Cyprus question.⁶⁵

The representative of the USSR "stressed" that a decision to send the United Nations armed forces into any particular country had to be taken only as a most extreme measure, only after careful weighing of all the circumstances, and bearing in mind that the use of foreign troops—including even United Nations troops—to settle conflicts, and even the very presence of those forces on foreign soil, might lead to interference in the domestic affairs of States, to international implications, and to an aggravation of tension. The prerequisite for the application of such an extreme measure as the use of United Nations armed forces had to be, in all circumstances, the scrupulous observance of all the provisions of the United Nations Charter concerning the question of the use of force for the maintenance or restoration of international peace. The USSR Government would oppose the transformation of UNFICYP into a kind of police force which would be using arms against the one or the other of the two communities in Cyprus because that would be a flouting of the Charter, an interference in internal affairs of Cyprus, and would lead to adverse consequences for the United Nations. Although, in his view, any further stationing of United Nations troops on Cyprus was not justified, he would not prevent the extension of UNFICYP on the island for an additional

three-month period, provided that the extension was in keeping with the desires of the Governments concerned, and provided also that the extension was carried out in accordance with the provisions of resolution 186 (1964), namely, with the maintenance of the present functions of the UNFICYP and the optional method of financing the troops.⁶⁶

At the same meeting, the draft resolution was voted upon and adopted unanimously.⁶⁷ It read as follows:⁶⁸

"The Security Council,

"Noting the appeals addressed by the Secretary-General to the Governments of Greece, Turkey and Cyprus on 22 November, 24 November and 3 December and the report of the Secretary-General of 8 December 1967;

"Noting the replies of the three Governments concerned to the appeal of the Secretary-General of 3 December in which the Secretary-General proffered his good offices, and their replies to his previous appeals;

"Noting from the said report of the Secretary-General that circumstances continue to require the presence of the United Nations Peace-keeping Force in Cyprus for a further period;

"Noting that the Government of Cyprus has agreed that it is necessary to continue the Force beyond 26 December 1967;

"1. Reaffirms its resolution 186 (1964) of 4 March 1964 and its subsequent resolutions as well as its expressions of consensus on this question;

"2. Extends the stationing in Cyprus of the United Nations Peace-keeping Force established under the Council's resolution 186 (1964), for a period of three months ending on 26 March 1968;

"3. Invites the parties promptly to avail themselves of the good offices proffered by the Secretary-General and requests the Secretary-General to report on the results to the Council as appropriate;

"4. Calls upon all the parties concerned to continue to show the utmost moderation and restraint and refrain from any act which might aggravate the situation;

"5. Urges the parties concerned to undertake a new determined effort to achieve the objectives of the Security Council with a view, as requested in the Council's consensus of 24 November 1967, to keeping the peace and arriving at a permanent settlement in accordance with Security Council resolution 186 (1964) of 4 March 1964;

"6. Decides to remain seized of this question and to reconvene for its further consideration as soon as circumstances and developments so require."

Decision of 18 March 1968 (1398th meeting):

- (i) *Reaffirming its previous resolutions, as well as the consensus of 11 August 1964 and 24 November 1967;*
- (ii) *Urging the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council;*

⁶² 1385th meeting (PV), pp. 27-32.

⁶³ 1385th meeting (PV), pp. 33-36.

⁶⁴ 1386th meeting (PV), pp. 2-5.

⁶⁵ 1386th meeting (PV), pp. 7-10.

⁶⁶ 1386th meeting (PV), pp. 15-17.

⁶⁷ 1386th meeting (PV), p. 18-20.

⁶⁸ Resolution 244 (1967).

(iii) *Extending once more the stationing in Cyprus of the United Nations Peace-keeping Force, for a further period of three months ending 26 June 1968*

On 9 March 1968, the Secretary-General submitted to the Security Council his report⁶⁹ on the United Nations Operation in Cyprus, covering the developments from 9 December 1967 to 8 March 1968. The Secretary-General recommended to the Council the extension of the stationing of the United Nations Force in Cyprus for another period of three months, noting that the Governments concerned had given their agreement to a further extension.

The Security Council considered the report of the Secretary-General at its 1398th meeting, held on 18 March 1968, when the provisional agenda was adopted without objection,⁷⁰ and the representatives of Cyprus, Greece and Turkey were invited to participate in the discussion.⁷¹

Subsequently, the President (Senegal) announced that consultations among members of the Security Council had resulted in agreement on the text of a draft resolution.⁷²

At the same meeting, the representative of the USSR stated that he would not oppose the extension of the mandate of UNFICYP for a further three-month period, since this was in keeping with the desire of the Government of Cyprus and the other parties concerned and on condition that the extension would be carried out in accordance with the provisions of resolution 186 (1964), that is, retaining the present mandate of the United Nations Force in Cyprus and under the existing system of financing it on a voluntary basis.⁷³

At the same meeting, the President put to the vote the above-mentioned draft resolution and stated that if there was no objection, he would consider that the draft resolution had been unanimously adopted. There being no objection, the draft resolution was adopted unanimously.⁷⁴ It read as follows:⁷⁵

"The Security Council,

"Noting from the report of the Secretary-General of 9 March 1968 (S/8446) that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island;

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 26 March 1968;

"Noting, from the observations in the report, the new conditions prevailing in the island,

"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December

1966, 238 (1967) of 19 June and 244 (1967) of 22 December 1967, and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 24 November 1967;

"2. Urges the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council by availing themselves in a constructive manner of the present auspicious climate and opportunities;

"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period of three months ending 26 June 1968, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."

Decision of 18 June 1968 (1432nd meeting):

(i) *Reaffirming its previous resolutions, as well as the consensus of 11 August 1964 and 24 November 1967;*

(ii) *Urging the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council;*

(iii) *Extending once more the stationing in Cyprus of the United Nations Peace-keeping Force for a further period ending 15 December 1968*

On 11 June 1968, the Secretary-General submitted to the Security Council his report⁷⁶ covering the developments from 8 March to 7 June 1968. Having noted that despite the relaxation of tension and improved relations between the two communities, the situation remained unstable in the island, he recommended that the Council extend the stationing of the UNFICYP for a further period of six months until 26 December 1968.

The Security Council considered the report of the Secretary-General at its 1432nd meeting on 18 June 1968, at which meeting the provisional agenda was adopted without objection⁷⁷ and the representatives of Cyprus, Greece and Turkey were invited to participate in the discussion.⁷⁸

At the same meeting, the President (United States) stated that pursuant to consultations which had been held among the members of the Council, and in accordance with the requests of several of those members, a draft resolution had been prepared.⁷⁹

The representative of the USSR, stated that he would not hinder an extension of the presence of those forces for an additional period of six months in view of the fact that this was in accordance with the wishes of the Government of Cyprus and of the interested parties, and on condition that the extension should be made in accordance with the provisions of resolution 186 (1964), that is, with the strict preservation of the present functions of the United Nations Force in Cyprus and of the present system of financing it through voluntary contributions.⁸⁰

Subsequently, the President stated that if there was no objection, he would consider that the draft resolution

⁶⁹ S/8446, *OR*, 23rd yr., *Suppl. for Jan.-March 1968*, pp. 217-254.

⁷⁰ 1398th meeting (PV), p. 2.

⁷¹ 1398th meeting (PV), p. 2.

⁷² 1398th meeting (PV), pp. 3-5.

⁷³ 1398th meeting (PV), p. 36.

⁷⁴ 1398th meeting (PV), pp. 38-40.

⁷⁵ Resolution 247 (1968).

⁷⁶ S/8622, *OR*, 23rd yr., *Suppl. for April-June 1968*, pp. 189-212.

⁷⁷ 1432nd meeting (PV), pp. 2-5.

⁷⁸ 1432nd meeting (PV), pp. 2-5.

⁷⁹ S/8639 adopted without change as resolution 254 (1968).

⁸⁰ 1432nd meeting (PV), p. 31.

before the Council had been adopted unanimously. There being no objection, the draft resolution was unanimously adopted.⁸¹ It read as follows:⁸²

"The Security Council,

"Noting from the report of the Secretary-General of 11 June 1968 (S/8622) that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island, it is necessary to continue the Force beyond 26 June 1968,

"Noting, from the observations in the report, the encouraging recent developments in the island,

"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966), of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, 238 (1967) of 19 June and 244 (1967) of 22 December 1967, and 247 (1968) of 18 March 1968, and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 24 November 1967;

"2. Urges the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council by availing themselves in a constructive manner of the present auspicious climate and opportunities;

"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1968, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."

Decision of 10 December 1968 (1459th meeting):

- (i) *Reaffirming its previous resolutions, as well as consensus of 11 August 1964 and 24 November 1967;*
- (ii) *Urging the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council;*
- (iii) *Extending once more the stationing in Cyprus of the United Nations Peace-keeping Force for a further period ending 15 June 1969*

On 4 December 1968, the Secretary-General submitted to the Security Council his report⁸³ covering the developments from 8 June to 2 December 1968. Noting that the improved conditions on the island had made it possible to reduce the strength of the Force by about 25 per cent, but that the promising efforts of the parties in Cyprus to reach a peaceful settlement of their differences might be jeopardized by the uncertainties that might arise if the United Nations presence in Cyprus were to be withdrawn

or radically changed at this stage, the Secretary-General recommended that the Council extend the stationing of UNFICYP for a further period of six months until 15 June 1969.

The Security Council considered the report of the Secretary-General at its 1459th meeting on 10 December 1968, at which meeting the provisional agenda was adopted without objection and the representatives of Cyprus, Greece and Turkey were invited to participate in the discussions.⁸⁴

At the same meeting, the President (Ethiopia) stated that pursuant to consultations which had been held among the members of the Council, and in accordance with the request of some of those members, a draft resolution had been prepared.⁸⁵

The representative of the USSR stated that he would not impede the extending of the period for the stationing of United Nations troops in Cyprus by six months, taking into account the fact that this would accord with the desire of the Government of Cyprus and other interested parties, and on the understanding that the extension would take place in accordance with the provisions of resolution 186 (1964), that is, maintaining the present functions of the United Nations troops in Cyprus and the existing method of their financing on a voluntary basis.⁸⁶

Subsequently, the President put to the vote the draft resolution before the Council and it was adopted unanimously.⁸⁷ The text read as follows:⁸⁸

"The Security Council,

"Noting from the report of the Secretary-General of 4 December 1968 (S/8914) that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 15 December 1968,

"Noting, from the observations in the report, the encouraging recent developments in the island,

"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, 238 (1967) of 19 June and 244 (1967) of 22 December 1967, and 247 (1968) of 18 March and 254 (1968) of 18 June 1968, and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 24 November 1967;

"2. Urges the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council by availing themselves in a constructive manner of the present auspicious climate and opportunities;

⁸⁴ 1459th meeting (PV), pp. 2-5.

⁸⁵ 1459th meeting (PV), p. 6.

⁸⁶ 1459th meeting (PV), p. 26.

⁸⁷ 1459th meeting (PV), p. 26.

⁸⁸ Resolution 261 (1968).

⁸¹ 1432nd meeting (PV), p. 32.

⁸² Resolution 254 (1968).

⁸³ S/8914, *OR*, 23rd yr., *Suppl. for Oct.-Dec. 1968*, pp. 136-157.

"3. *Extends* once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1969, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."

SITUATION IN SOUTHERN RHODESIA

Decision of 9 April 1966 (1277th meeting):

- (i) *Determining that the resulting situation in Southern Rhodesia constituted a threat to the peace;*
- (ii) *Calling upon the Portuguese Government not to permit oil to be pumped through the pipeline from Beira to Southern Rhodesia;*
- (iii) *Calling upon the Portuguese Government not to receive at Beira oil destined for Southern Rhodesia;*
- (iv) *Calling upon all States to ensure the diversion of any of their vessels reasonably believed to be carrying oil destined for Southern Rhodesia which may be en route for Beira;*
- (v) *Calling upon the Government of the United Kingdom to prevent, by the use of force if necessary, the arrival at Beira of vessels reasonably believed to be carrying oil destined for Southern Rhodesia, and empowering the United Kingdom to arrest and detain the tanker known as the "Joanna V" upon her departure from Beira in the event her oil cargo is discharged there*

By letter ⁸⁹ dated 7 April 1966, the representative of the United Kingdom requested the convening that afternoon of an emergency meeting of the Security Council to consider the situation in Southern Rhodesia, in connexion with the arrival at Beira of an oil tanker destined for Southern Rhodesia and the approach to the same port of a second tanker, also believed destined for Southern Rhodesia. The letter expressed the concern of the United Kingdom Government that this might result in substantial supplies of oil reaching Southern Rhodesia, in contravention of the oil embargo it had imposed in conformity with Security Council resolution 217 (1966) of 20 November 1966. The letter also stated that during the meeting, the United Kingdom would make proposals to meet the situation.

In a second letter ⁹⁰ dated 8 April 1966, the representative of the United Kingdom, having drawn the attention of the President of the Council to rule 2 and Article 28 of the Charter, expressed dissatisfaction that the Council had not been convened the day before, in spite of the formal and urgent request he had made in his letter of 7 April. He also regretted that no relevant formal explanation had been given by the President and, in the circumstances, insisted that the meeting of the Council be convened without further delay.

At the 1276th meeting on 9 April 1966, the Council adopted the agenda and considered the question at the 1276th and 1277th meetings, both held on 9 April 1966. The representatives of Algeria and Sierra Leone,⁹¹

Kenya ⁹² and Greece ⁹³ were invited to take part in the discussion.

At the same meeting, the representative of the United Kingdom referred to a procedural question concerning the urgency of the request for the convening of the meeting, and objected to the fact that such a request for an emergency meeting of the Council had not been accepted. ⁹⁴ He then drew the attention of the Council to a draft resolution ⁹⁵ which his delegation had submitted and stated that what he was doing was not to raise a new subject, but to report a serious challenge to the authority of the United Nations, on which both the Security Council and the General Assembly had pronounced themselves within recent months. His delegation was seeking the authority of the Council to respond to that challenge with vigorous and immediate action. The United Kingdom Government, pursuant to Council resolution 217 (1965), had taken action with regard to the oil embargo against Southern Rhodesia. But as the Council was meeting, an oil tanker, the *Joanna V*, with a full cargo of oil, was in the port of Beira, while another tanker, the *Manuela*, also with a full cargo of oil, had been close to Beira and could put in at that port very soon. Other tankers might follow, and would surely do so, unless the Council acted now. If the oil carried by such ships were pumped through the pipeline to the refinery at Umtali, which had been closed since December 1965, the normal system of supply of petroleum products to Southern Rhodesia would resume. Moreover, if the oil from these and other tankers reached Rhodesia, the oil embargo effected by the Council would be severely prejudiced, the illegal régime in Salisbury encouraged, and the United Nations purposes most seriously frustrated. His delegation therefore came to the Council to seek its help and authority to prevent this from happening. If the Council failed to take the required action, it would be helping the illegal régime and reduce the authority of the United Nations, which no Council member wished to do.⁹⁶

At the same meeting, the representative of Uganda introduced the following amendment,⁹⁷ submitted jointly with Mali and Nigeria, to the revised United Kingdom draft resolution: (1) after the first preambular paragraph, insert the following paragraphs: "*Noting* that economic measures have failed to produce the desired political results; *Deeply concerned* at the reports that oil had been reaching Southern Rhodesia;" (2) in operative paragraph 1, delete the words "the resulting situation" and insert "the situation prevailing in Southern Rhodesia," and after the word "peace" add "and security"; (3) after operative paragraph 3, insert the following paragraph: "*Calls upon* the Government of South Africa to take all measures necessary to prevent the supply of oil to Southern Rhodesia;" (4) Delete operative paragraph 5, and replace it by the following paragraph: "*Calls upon* the Government of the United Kingdom to prevent by all means including the use of force, the transportation

⁹² 1277th meeting, para. 1.

⁹³ 1277th meeting, para. 127.

⁹⁴ For the procedural discussion, see chapter I, Case 1.

⁹⁵ S/7236/Rev.1. For the consideration of the provisions of article 39, see chapter XI, Case 1; for the consideration of the applicability of article 42, see chapter XI, Case 7.

⁹⁶ 1276th meeting, paras. 13, 14, 19 and 20.

⁹⁷ S/7243, OR, 21st yr., Suppl. for April-June 1966, pp. 32-33.

⁸⁹ S/7235, 1276th meeting, para. 10.

⁹⁰ S/7238, OR, 21st yr., Suppl. for April-June 1966, pp. 30-31.

⁹¹ 1276th meeting, para. 8.

into Southern Rhodesia of oil or other merchandise and empowers the United Kingdom to take measures necessary for the immediate implementation of this resolution;" and (5) add the following two paragraphs at the end of the draft resolution: "*Calls upon* all States to apply measures for the complete interruption of economic relations and of communications with the settler minority régime and any other means in conformity with Articles 41 and 42 of the Charter," and "*Calls upon* the United Kingdom Government to employ measures including the use of force to bring down the settler minority régime in Southern Rhodesia and to implement forthwith resolution 1514 (XV) of the General Assembly".

In submitting the amendments which, he observed, had been produced in close collaboration with African Members of the United Nations, the representative of Uganda stated that the sponsors had no intention of going against the United Kingdom draft resolution, as the amendments were designed to strengthen the hand of the United Kingdom in dealing with the situation in Southern Rhodesia.

At the 1277th meeting on 9 April 1966, the representative of the United Kingdom stated that as the amendments proposed contained important proposals, he could not comment on them without consultation with his Government. That did not mean that the proposals could not be considered at some other time. He believed, however, that the Council should at that stage adopt a practical action which carried the support of all members, namely, to stop the ships. The Council could subsequently pursue the important matters envisaged in the amendments.⁹⁸

At the same meeting, the Council voted upon the draft resolution and the amendments before it. The first three amendments were not adopted,⁹⁹ the vote being 7 in favour, none against, with 8 abstentions. The last two amendments were also not adopted,¹⁰⁰ the vote being 6 in favour, none against, with 9 abstentions. The revised draft resolution was adopted¹⁰¹ by 10 votes in favour, none against, with 5 abstentions.¹⁰² It read as follows:¹⁰³

"The Security Council,

"Recalling its resolutions 216 (1965) of 12 November 1965 and 217 (1965) of 20 November 1965 and in particular its call to all States to do their utmost to break off economic relations with Southern Rhodesia, including an embargo on oil and petroleum products,

"Gravely concerned at reports that substantial supplies of oil may reach Southern Rhodesia as the result of an oil tanker having arrived at Beira and the approach of a further tanker which may lead to the resumption of pumping through the Companhia do Pipeline Moçambique Rodésias pipeline with the acquiescence of the Portuguese authorities,

⁹⁸ 1277th meeting, paras. 149-153.

⁹⁹ 1277th meeting, paras. 174-176.

¹⁰⁰ 1277th meeting, paras. 177-178.

¹⁰¹ 1277th meeting, para. 179.

¹⁰² Subsequently, in communications addressed to the Secretary-General, Portugal and South Africa expressed their reservations concerning the validity of the resolution. See, respectively, S/7271, *O.R.*, 21st yr., *Suppl. for April-June 1966*, pp. 59-62, and S/7392, *ibid.*, *Suppl. for July-Sept. 1966*, pp. 16-17. For reply of the Secretary-General to the communication from Portugal, see S/7373, *ibid.*, *Suppl. for April-June 1966*, pp. 208-209.

¹⁰³ Resolution 221 (1966).

"Considering that such supplies will afford great assistance and encouragement to the illegal régime in Southern Rhodesia, thereby enabling it to remain longer in being,

"1. Determines that the resulting situation constitutes a threat to the peace;

"2. Calls upon the Portuguese Government not to permit oil to be pumped through the pipeline from Beira to Southern Rhodesia;

"3. Calls upon the Portuguese Government not to receive at Beira oil destined for Southern Rhodesia;

"4. Calls upon all States to ensure the diversion of any of their vessels reasonably believed to be carrying oil destined for Southern Rhodesia which may be en route for Beira;

"5. Calls upon the Government of the United Kingdom of Great Britain and Northern Ireland to prevent, by the use of force if necessary, the arrival at Beira of vessels reasonably believed to be carrying oil destined for Southern Rhodesia, and empowers the United Kingdom to arrest and detain the tanker known as the *Joanna V* upon her departure from Beira in the event her oil cargo is discharged there."

Decision of 23 May 1966 (1285th meeting):

Rejection of the joint draft resolution submitted by Mali, Nigeria and Uganda

By letter¹⁰⁴ dated 10 May 1966, the representatives of Algeria, Burundi, Cameroon, Chad, Congo (Brazzaville), Dahomey, Democratic Republic of the Congo, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Kenya, Liberia, Libya, Malawi, Mali, Mauritania, Morocco, Niger, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia requested that the Council be convened immediately to examine the situation in Southern Rhodesia. In the letter, it was further stated that the racist régime in Southern Rhodesia was still holding out, and that the measures adopted by the Council had proved ineffective in bringing it down. As a result of the violation of the embargo on oil and petroleum products, the Council had decided to authorize the use of force to ensure the observance of the embargo, thus making use of the provisions found only in Chapter VII of the Charter to ensure observance of its oil embargo against Southern Rhodesia. However, that use of force covered only one relatively minor sector, while substantial quantities of oil and petroleum products were entering Rhodesia through other sectors, in violation of the embargo, and preparations were said to be in progress for a permanent supply system through those sectors. Furthermore, it was regrettable that no effort had been made by the administering Power to open negotiations with the leaders of the African political parties with a view to establishing in Southern Rhodesia a Government consistent with the aspirations of the people of Zimbabwe. Any arrangements arrived at between the United Kingdom and the Salisbury racist régime, during any negotiations envisaged by the parties, which excluded the genuine representatives of the Zimbabwe people and which failed to guarantee the rights of the majority, would only aggravate an already explosive

¹⁰⁴ S/7285 and Add.1 and 2, *O.R.*, 21st yr., *Suppl. for April-June 1966*, pp. 80-81.

situation and would thus lead to a racial conflict that would envelop all southern Africa. The situation thus constituted a threat to international peace and security and the Security Council should examine, under Chapter VII of the Charter, the necessary measures to establish majority rule in Southern Rhodesia in accordance with the Declaration¹⁰⁶ set forth in General Assembly resolution 1514 (XV) of 14 December 1960.

On 11 May 1966, Mali, Nigeria and Uganda submitted a joint draft resolution¹⁰⁶ whereby the Council would (1) determine that the situation in Southern Rhodesia continued to constitute a threat to international peace and security;¹⁰⁷ (2) call upon all States to apply measures with a view to the complete severance of economic relations and communications with Southern Rhodesia in accordance with Article 41 of the Charter;¹⁰⁸ (3) invite the Portuguese and South African Governments, in particular, to take forthwith the necessary measures under Article 41 of the Charter to sever economic relations and communications with Southern Rhodesia; (4) call upon all States, and particularly the Portuguese and South African Governments, to take all necessary measures to prevent the supply of oil and petroleum products to Southern Rhodesia; (5) call upon the United Kingdom to take the measures provided for in Chapter VII of the Charter in order, by the use of air, sea or land forces,¹⁰⁹ to prevent any supplies, including oil and petroleum products, from reaching Southern Rhodesia; (6) reaffirm the inalienable rights of the people of Southern Rhodesia to freedom and independence in accordance with the Declaration contained in General Assembly resolution 1514 (XV), and recognize the legitimacy of their struggle to secure the enjoyment of their rights as set forth in the Charter of the United Nations; (7) call upon the United Kingdom to hold consultations with the leaders of African political parties with a view to the establishment of a régime consistent with the aspirations of the people of Zimbabwe; (8) draw the attention of the United Kingdom Government to the harmful consequences which the present negotiations might entail for the establishment of a régime based on universal suffrage; and (9) call upon the United Kingdom Government to take all necessary measures, including the use of force, to abolish the racist minority régime in Southern Rhodesia and to ensure the immediate application of General Assembly resolution 1514 (XV).

At the 1278th meeting on 17 May 1966, the Council included the item in its agenda,¹¹⁰ and considered the question at the 1278th to 1285th meetings, held between 17 and 23 May 1966. The representatives of Algeria, India, Pakistan, Senegal, Sierra Leone and Zambia were invited to take part in the discussion.¹¹¹

¹⁰⁶ Declaration on the Granting of Independence to Colonial Countries and Peoples.

¹⁰⁶ S/7285/Add.1, *OR*, 21st yr., *Suppl. for April-June 1966*, pp. 82-83.

¹⁰⁷ For the consideration of the provisions of Article 39, see chapter XI, Case 2.

¹⁰⁸ For the consideration of the applicability of Article 41, see chapter XI, Case 4.

¹⁰⁹ For the consideration of the applicability of Article 42, see chapter XI, Case 8.

¹¹⁰ 1278th meeting, preceding para. 3.

¹¹¹ 1278th meeting, para. 4.

At the same meeting, the representative of Zambia* stated that the rebellion in Southern Rhodesia continued to threaten the peace and security of Zambia, Africa and the world. In asking the convening of the meeting, his Government was convinced that the Council would take a firm hand, and call for concrete and effective measures to quell the rebellion in Southern Rhodesia at the earliest date. Since Zambia was the only democratic African State having a common border with the colony of Southern Rhodesia and since the necessary trade measures which had to be taken had created great hardships in the economic life of Zambia, the rebellion was of foremost concern to the Zambian nation, which was not prepared to tolerate indefinitely the racist minority régime in Southern Rhodesia. The United Kingdom Government had created a climate suitable for the birth of the illegal racist régime, and, after its establishment, had undertaken the dubious policy of "economic sanctions" known from the start to be futile and ineffective as a weapon against a racist minority colonialist régime. The United Kingdom Government should stop shirking its responsibility and duty in Southern Rhodesia and should take immediate measures, as it had done in other colonies, by using force to quell the rebellion in Southern Rhodesia. In calling for the use of military action, Zambia was not motivated by a desire to destroy lives in Southern Rhodesia. It was rather guided by a genuine desire to avoid a more dangerous situation which would lead to a greater loss of human life. Immediately after the liquidation of the rebels, the United Kingdom Government should suspend the 1961 constitution, release all political leaders who had been detained, and call a constitutional conference in which representatives of all political parties should take part, with a view to making a new constitutional arrangement on the basis of universal adult franchise and fixing the earliest possible date for independence. In the joint draft resolution before the Council the United Kingdom was called upon to use force, as was necessary, to quell the rebellion in Southern Rhodesia, and all States were called upon to sever all economic relations with the rebel minority régime. In connexion with the use of force by the United Kingdom, the Government of Zambia was prepared, should it be necessary, to accommodate the British military presence which would have as its objective the liquidation of the racist minority régime.¹¹²

At the 1280th meeting on 18 May 1966, the Secretary-General in a statement made in reply to a question by the representative of Nigeria, reported that he had received a request from Salisbury to allow a member of the illegal régime in Southern Rhodesia to participate in the debate of the Council under Article 32 of the Charter. He observed that since the Security Council had labelled the régime in Southern Rhodesia as illegal, and since it had been the policy of the Secretariat not to enter into correspondence with illegal régimes, he did not reply to the various telegrams he had received from Salisbury.¹¹³

At the 1280th meeting on 18 May 1966, the representative of the United Kingdom stated that in pursuance of the Council's November 1965 resolution, his Government had prohibited all exports to Southern Rhodesia,

¹¹² 1278th meeting, paras. 8, 10, 17, 21, 22, 24.

¹¹³ 1280th meeting, paras. 3-8. Also see chapter III, Case 4.

including capital and arms, denied Commonwealth preferences to that Territory and banned all imports from it. While acknowledging the Council's response to its appeal, his Government felt that no one should underrate the efforts it had pursued. His Government had constantly maintained that Southern Rhodesia had been its responsibility. To achieve the purposes it had publicly declared, it had taken the lead, faced the costs and undertaken the action against Southern Rhodesia. The United Kingdom understood the eagerness of those who advocated the use of force, but it had set itself to achieve its declared purpose if possible without bloodshed. As to the informal talks in London, the representative of the United Kingdom stated that they were designed merely to see whether a basis for negotiations existed, without commitment on either side. His Government had declared that it would not accept a settlement which condoned an illegal act and which failed to fulfil the principles it had laid down, including the safeguarding of British responsibilities for African interests. The various decisions which his Government had taken—which included comprehensive economic sanctions and the policy of keeping the door open to a return to constitutional rule—were deliberately planned to achieve the objectives it had set itself from the start. To have taken the extreme step of resorting to the use of force, as had been urged during the Council discussion, would have entailed grave dangers. If it should prove impossible to achieve a just settlement through the talks being pursued, then a new situation would arise, and the matter should be further considered.¹¹⁴

At the 1281st meeting on 18 May 1966, the representative of the United States noted that the proper procedure for the Council to follow at that stage of its discussion was to remain seized of the question of Southern Rhodesia and then to follow closely the progress of the talks then going on in London and to determine whether or not they showed the proper solution of the Rhodesia question. He added that the Council obviously had the right to expect the United Kingdom to keep it adequately informed, so that, being seized of the matter, it could determine in the light of the circumstances what further appropriate steps might be required to achieve the goal which all Council members supported.¹¹⁵

At the 1282nd meeting on 19 May 1966, the representative of Japan held that since Southern Rhodesia had been under British administration, the primary responsibility lay with Britain. It was evident that the United Kingdom Government intended to carry out that responsibility. It was therefore difficult to see how any decision the Council might adopt could be fully implemented without the complete endorsement of the United Kingdom. The Council should call upon all, and especially the immediate neighbouring States, to carry out its resolution 217 (1965) with increasing vigour and faithfulness.¹¹⁶

At the 1284th meeting on 20 May 1966, the President, speaking as the representative of the Netherlands, expressed the view that both the adoption and the rejection of the draft resolution before the Council would have harmful effects. The question arose, therefore,

whether the better course of wisdom would not be for the Council to postpone further consideration of the issue and action upon the draft resolution to a time when there would be more clarity about the possibility of a peaceful settlement. In the meantime, the Council would continue to follow the situation closely.¹¹⁷

At the 1285th meeting on 23 May 1966, the representative of Nigeria stated that nothing that had been stated during the discussion had made the African delegations feel that they were wrong in considering that the measures taken so far against Southern Rhodesia were inadequate. They felt therefore that the Security Council should take a stand, and demonstrate that the only way to make sanctions effective was to make them mandatory. For that reason, the African delegations, having given careful consideration to the suggestions that had been made, had come to the conclusion that the Council should proceed to vote on the draft resolution.¹¹⁸

At the same meeting, the Council voted upon the joint draft resolution which was not adopted.¹¹⁹ The vote was 6 in favour, 1 against and 8 abstentions.

Decision of 16 December 1966 (1340th meeting):

- (i) *Determining that the present situation in Southern Rhodesia constitutes a threat to international peace and security;*
- (ii) *Deciding that all States Members of the United Nations shall prevent:*
 - (a) *The import into their territories of certain commodities originating in Southern Rhodesia;*
 - (b) *Any promotion of the export of these commodities from Southern Rhodesia;*
 - (c) *Shipment in vessels or aircraft of their registration of any of these commodities from Southern Rhodesia;*
 - (d) *Any promotion of the sale or shipment to Southern Rhodesia of arms, military equipment and materials for the manufacture of arms in Southern Rhodesia;*
 - (e) *Any promotion of supply to Southern Rhodesia of all other aircraft and motor vehicles; the shipment in vessels and aircraft of their registration of any such goods destined for Southern Rhodesia; and any promotion of the manufacture or assembly of aircraft or motor vehicles in Southern Rhodesia;*
 - (f) *Participation in the supply of oil or oil products to Southern Rhodesia;*

notwithstanding any contracts entered into or licences granted before the date of the present resolution;

- (iii) *Reminding Member States that the failure to implement the present resolution shall constitute a violation of Article 25 of the United Nations Charter;*

...

- (v) *Calling upon all States not to render financial or other economic aid to the illegal racist régime in Southern Rhodesia;*

...

- (vii) *Urging, having regard to the principles stated in Article 2 of the United Nations Charter, States*

¹¹⁴ 1280th meeting, paras. 21-22, 30-31, 43, 57, 58 and 61.

¹¹⁵ 1281st meeting, para. 25.

¹¹⁶ 1282nd meeting, paras. 58-59.

¹¹⁷ 1284th meeting, paras. 78-79.

¹¹⁸ 1285th meeting, paras. 7-8.

¹¹⁹ 1285th meeting, para. 33.

not Members of the United Nations to act in accordance with the provisions of the second paragraph of the present resolutions;

- (viii) Calling upon States Members of the United Nations or members of the specialized agencies to report to the Secretary-General the measures each has taken in accordance with the provisions of the second paragraph of the present resolution;
- (ix) Requesting the Secretary-General to report to the Council on the progress of the implementation of the present resolution, the first report to be submitted not later than 1 March 1967;

...

By letter ¹²⁰ dated 5 December 1966, the representative of the United Kingdom requested the President of the Security Council to convene an early meeting of the Council at which the United Kingdom Government would propose certain additional measures to be taken against the illegal régime in Southern Rhodesia. The letter recalled a statement by the representative of the United Kingdom before the Council in May that if a just settlement was not achieved through the talks which were then pursued by his Government, a new situation would arise.¹²¹ It added that since the rebellion in Southern Rhodesia had not been brought to an end, and following consultations with other Commonwealth Governments, the United Kingdom had requested the convening of the meeting.

By letter ¹²² dated 7 December 1966, the Deputy Secretary-General of the Organization of African Unity transmitted to the Secretary-General, for the information of the Security Council, the text of the resolution on Southern Rhodesia adopted by the Assembly of Heads of State and Government at its session held at Addis Ababa from 5 to 9 November 1966.¹²³

At the 1331st meeting on 8 December 1966, the Security Council adopted ¹²⁴ its agenda and considered the question at the 1331st to 1333rd and 1335th to 1340th meetings held between 8 and 16 December 1966. The representatives of Algeria, India, Pakistan, Senegal and Zambia were invited to take part in the discussion.¹²⁵

At the 1331st meeting, the representative of the United Kingdom introduced a draft resolution ¹²⁶ under which, after reaffirming its previous resolution on the question and invoking Articles 39 ¹²⁷ and 41 ¹²⁸ of the Charter, the Security Council would, in part, (a) decide that all States Members of the United Nations shall prevent:

- (i) the import into their territories of asbestos, iron ore,

chrome, pig-iron, sugar, tobacco, copper, meat and other products originating in Southern Rhodesia; (ii) any promotion of the export of those commodities from Southern Rhodesia and any dealings in their territories in any of these commodities, including in particular any transfer of funds for that purpose to Southern Rhodesia; (iii) shipment in vessels or aircraft of their registration of any of those commodities from Southern Rhodesia; (iv) any promotion of the sale or shipment to Southern Rhodesia of arms, military aircraft and equipment for the manufacture of arms in Southern Rhodesia; (b) call upon all States Members of the United Nations to carry out this decision of the Security Council in accordance with Article 25 ¹²⁹ of the United Nations Charter; (c) urge, having regard to the principles stated in Article 2 of the Charter, States not Members of the United Nations to act in accordance with the provisions of paragraph 1 above; and (d) call upon States Members of the United Nations or of the specialized agencies to report to the Secretary-General the measures taken by each in accordance with the provisions of paragraph 1 above.

In introducing the draft resolution, the representative of the United Kingdom reviewed the aims which his Government had set itself and the actions it had taken since the illegal declaration of independence on 11 November 1965, and asserted that it had sought to bring the rebellion to an end by peaceful means. He then asked the Council to place upon all Member States the obligation to carry out with the same intensity the measures which had been taken by the United Kingdom since the illegal declaration of independence. The United Kingdom representative subsequently explained the two main issues which were explored in the informal talks with the illegal régime: the way in which the rebel régime could be replaced by a broad-based and legal representative government with whom an independent constitution could be agreed; and the constitutional provisions needed to give effect to the six principles which should be the basis of the future independent constitution of Southern Rhodesia. However, the recalcitrant attitude of the rebel régime diminished any hope of its willingness to end the rebellion on just and equitable terms. A final and decisive round of informal talks had taken place in the previous week on a British warship, *H.M.S. Tiger*, off Gibraltar. A working document had been jointly prepared by the British Prime Minister, Mr. Wilson, and Mr. Smith, containing proposals for an immediate political advancement for the Rhodesian Africans, including guarantees of unimpeded progress towards majority rule and a broadly representative legal government which, however, had been rejected by the Smith régime, and that fact had created a new situation. The dangers to peace and stability in the whole region of central and southern Africa thus became acute. The Council could not permit the situation to deteriorate further, and should invoke certain measures under Articles 39 and 41 of the Charter. The United Kingdom draft resolution proposed that the Council should take decisions pursuant to those Articles, which would then become binding upon Member States by virtue of Article 25. As to the use of force, the United Kingdom had held that it was easy to start to use force, but often very difficult to see just where it would lead or how it would be possible to control or stop it. The

¹²⁰ S/7610, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, p. 109.

¹²¹ See para. 15 above.

¹²² S/7614, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 159-160.

¹²³ The Organization of African Unity resolution, in part, condemned the current talks between the United Kingdom Government and the illegal régime in Southern Rhodesia as a conspiracy aimed at recognizing its independence; demanded the United Kingdom to bring about the downfall of that régime by any means, including the use of force; and called for mandatory and comprehensive sanctions under Chapter VII of the Charter.

¹²⁴ 1331st meeting (PV), pp. 2-5.

¹²⁵ 1331st meeting (PV), pp. 2-5.

¹²⁶ S/7621, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 169-170.

¹²⁷ For the consideration of the provisions of Article 39, see chapter XI, Case 3.

¹²⁸ For the consideration of the provisions of Article 41, see chapter XI, Case 5.

¹²⁹ For the consideration of the provisions of Article 25, see chapter XII, Case 9.

economic measures proposed in the United Kingdom draft resolution were more certain of success and far more susceptible of proper control.¹³⁰

At the 1332nd meeting on 9 December 1966, the representative of Zambia* stated that the solution of the question of Southern Rhodesia had been purposefully delayed by the United Kingdom Government. The British policy of economic sanctions had failed and the talks between the United Kingdom and the rebels, in addition to being illegal, were not in the interests of the majority in Southern Rhodesia and were designed as delaying tactics to circumvent the issue. The United Kingdom draft resolution proposed yet another ineffective formula: the so-called mandatory selective sanctions. It sought to tackle only half of the problem, as it was directed mainly at the export industries of Southern Rhodesia and at the imports of arms and ammunition and did not include oil, which was the vital element in the whole issue of sanctions. Zambia would support the draft resolution only if it included complete embargo on oil coming from all sources, including South Africa, Mozambique and overseas sources, and a mandatory prohibition on all imports and exports. The United Kingdom, moreover, must bring to a halt all financial operations with or for the Smith régime and close its banks in Southern Rhodesia.¹³¹

At the same meeting, the representative of Argentina observed that the time had passed for appeals to those who had failed to abide by the Council resolution 217 (1965) and that the Council should go beyond that stage and call for binding measures on all Members, in accordance with their obligations under the Charter. In the view of his delegation, the situation in Southern Rhodesia had become a threat to peace.¹³²

At the 1333rd meeting on 12 December 1966, the representative of Senegal said that his delegation had no faith in the effectiveness of the measures proposed in the United Kingdom draft resolution, for the reasons that their selective character weakened and invalidated them, and their mandatory character was an illusion.¹³³

At the 1335th meeting on 13 December 1966, the representative of Uganda introduced amendments¹³⁴ to the United Kingdom draft resolution, which had been jointly submitted by Mali, Nigeria and Uganda. As subsequently revised¹³⁵ the amendments read as follows:

"(1) After the first preambular paragraph, insert the following:

Deeply concerned that the Council's efforts so far and the measures taken by the administering Power have failed to bring the rebellion in Southern Rhodesia to an end,

"(2) Before operative paragraph 1, insert the following two paragraphs and renumber paragraph 1 as paragraph 3:

¹³⁰ 1331st meeting, paras. 4-5, 16-17, 23-27.

¹³¹ 1332nd meeting, paras. 4-7, 42.

¹³² 1332nd meeting, paras. 52 and 53.

¹³³ 1333rd meeting, paras. 33 and 38.

¹³⁴ S/7630 and Corr. 1, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 178-179.

¹³⁵ S/7630/Rev. 1, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 180-181. 1338th meeting (PV), pp. 62-66.

1. *Determines* that the present situation in Southern Rhodesia constitutes a threat to international peace and security;

2. *Deploras*:

(a) The refusal of the United Kingdom to use every means including force to bring about the downfall of the Ian Smith régime in Southern Rhodesia;

(b) The action of States, notably Portugal and South Africa, which have been rendering support to the rebel régime in contravention of Security Council resolution 217 of 20 November 1965;

"(3) Amend sub-paragraph (a) of former operative paragraph 1 as follows:

In the third line, insert between 'leather' and 'originating' the following: 'coal and all manufactured goods'.

"(4) After sub-paragraph (d) of former operative paragraph 1, insert the following sub-paragraph:

(e) Participation in their territories or territories under their administration or in land or air transport facilities or by their nationals or vessels of their registration in the supply of oil or oil products to Southern Rhodesia.

"(5) After former operative paragraph 1 (now paragraph 3), insert the following five paragraphs:

4. *Calls upon* the United Kingdom to withdraw all offers previously made to the illegal régime and to make a categorical declaration that it will only grant independence to Southern Rhodesia under majority rule;

5. *Invites* the Government of the United Kingdom to prevent by all means the transport to Southern Rhodesia of oil or oil products;

6. *Reminds* Member States that the failure or refusal by any of them to implement the present resolution shall constitute a violation of Article 25 of the United Nations Charter;

7. *Reaffirms* the inalienable rights of the people of Southern Rhodesia to freedom and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960; and recognizes the legitimacy of their struggle to secure the enjoyment of their rights as set forth in the Charter of the United Nations;

8. *Calls upon* all States not to render financial or other economic aid to the illegal racist régime in Southern Rhodesia;.

"(6) After former operative paragraph 4 (now paragraph 11), insert the following two paragraphs:

12. *Requests* the Secretary-General to report to the Council on the progress of the implementation of the present resolution, the first report to be submitted not later than 1 March 1967;

13. *Decides* to keep this item on its agenda for further action as appropriate in the light of developments."

In introducing the amendments, the representative of Uganda stated that they constituted the minimum proposals to improve on the United Kingdom draft resolution. Some of the amendments would enlarge the list of items contained in the United Kingdom draft resolution so as to include, in addition to oil and oil products,

which were vital to the success of the sanctions, coal and manufactured goods originating in Southern Rhodesia. The other amendments constituted exhortations and requests to the United Kingdom as the administering Power to declare positively that there would be no "talks about talks" with the rebel régime, that there would be no further offers of independence, and that whatever promises had been made to it, had now been withdrawn. He also stated that the only effective measure to be taken by the Security Council in dealing with the question under the circumstances was a total banning of oil regardless of origin and whether or not it would involve a confrontation with South Africa. As a Member of the United Nations, South Africa had to abide by the Charter, and the sanctions imposed by the Security Council being mandatory, South Africa, under Article 25 of the Charter, had to obey the rules. The call upon all States not to render any sort of financial or economic aid to the illegal racist régime was directed particularly to banks operating a lucrative trade in Southern Rhodesia, as it was felt that the co-operation of all financial interests from all parts of the world was essential for the success of the sanctions.¹³⁶

At the 1339th meeting on 16 December 1966, the representative of the United Kingdom introduced the following addition¹³⁷ to the United Kingdom draft resolution:

"1. (e) Any activities by their nationals or in their territories which promote or are calculated to promote the supply to Southern Rhodesia of all other aircraft and motor vehicles and of equipment and materials for the manufacture, assembly or maintenance of aircraft and motor vehicles in Southern Rhodesia: the shipment in vessels and aircraft of their registration of any such goods destined for Southern Rhodesia: and any activities by their nationals or in their territories which promote or are calculated to promote the manufacture or assembly of aircraft or motor vehicles in Southern Rhodesia."

At the 1340th meeting on 16 December 1966, after the representative of the United Kingdom stated that useful consultations among Council members had shown that many of the three-Power amendments were acceptable, the Council proceeded to vote¹³⁸ on the revised draft resolution and the revised amendments before it.

The first amendment, to replace the second preambular paragraph in the United Kingdom draft resolution, was adopted by 14 votes to none, with 1 abstention.

The amendment to insert a new operative paragraph 1 was adopted by 14 votes to none, with 1 abstention.

The amendment to insert a new sub-paragraph 2 (a) received 6 votes in favour, none against and 9 abstentions, and was not adopted having failed to obtain the necessary majority.

The amendment to insert a new sub-paragraph 2 (b) received 7 votes in favour, none against and 8 abstentions, and was not adopted, having failed to obtain the necessary majority.

The third amendment, to include "coal and all manufactured goods" in former paragraph 1, received 8 votes

in favour, none against and 7 abstentions, and was not adopted, having failed to obtain the necessary majority.

The fourth amendment, to include a new sub-paragraph (f) relating to oil and oil products, was adopted by 14 votes to 2, with 1 abstention.

The amendment to include a new operative paragraph 4, received 7 votes in favour, none against with 8 abstentions, and was not adopted, having failed to obtain the necessary majority.

The amendment to include a new paragraph 5 received 7 votes in favour, none against and 8 abstentions, and was not adopted, having failed to obtain the necessary majority.

The amendment to include a new paragraph 6 was adopted by 14 votes in favour to none against, with 1 abstention.

The amendment to include a new paragraph 7 was adopted by 12 votes to none, with 3 abstentions.

The amendment to include a new paragraph 8 was adopted by 14 votes to none with 1 abstention.

The amendment to include a new operative paragraph 12 was adopted by 14 votes to none, with 1 abstention.

The amendment to include a new operative paragraph 13 was adopted by 14 votes to none, with 1 abstention.

The United Kingdom draft resolution, as amended, was adopted by 11 votes to none, with 4 abstentions.

The resolution¹³⁹ read as follows:

"The Security Council,

"Reaffirming its resolutions 216 (1965) of 12 November 1965, 217 (1965) of 20 November 1965 and 221 (1966) of 9 April 1966, and in particular its appeal to all States to do their utmost to break off economic relations with Southern Rhodesia,

"Deeply concerned that the Council's efforts so far and the measures taken by the administering Power have failed to bring the rebellion in Southern Rhodesia to an end,

"Reaffirming that to the extent not superseded in the present resolution, the measures provided for in resolution 217 (1965) of 20 November 1965, as well as those initiated by Member States in implementation of that resolution, shall continue in effect,

"Acting in accordance with Articles 39 and 41 of the United Nations Charter,

"1. Determines that the present situation in Southern Rhodesia constitutes a threat to international peace and security;

"2. Decides that all States Members of the United Nations shall prevent:

"(a) The import into their territories of asbestos, iron ore, chrome, pig-iron, sugar, tobacco, copper, meat and meat products and hides, skins and leather originating in Southern Rhodesia and exported therefrom after the date of the present resolution;

"(b) Any activities by their nationals or in their territories which promote or are calculated to promote the export of these commodities from Southern Rhodesia and any dealings by their nationals or in their territories in any of these

¹³⁶ 1335th meeting, paras. 3, 8, 10, 15, 19 and 20.

¹³⁷ S/7621/Rev.1, 1339th meeting (PV), pp. 3-20.

¹³⁸ 1340th meeting (PV), pp. 56-80.

¹³⁹ Resolution 232 (1966).

commodities originating in Southern Rhodesia and exported therefrom after the date of the present resolution, including in particular any transfer of funds to Southern Rhodesia for the purposes of such activities or dealings;

- “(c) Shipment in vessels or aircraft of their registration of any of these commodities originating in Southern Rhodesia and exported therefrom after the date of the present resolution;
- “(d) Any activities by their nationals or in their territories which promote or are calculated to promote the sale or shipment to Southern Rhodesia of arms, ammunition of all types, military aircraft, military vehicles, and equipment and materials for the manufacture and maintenance of arms and ammunition in Southern Rhodesia;
- “(e) Any activities by their nationals or in their territories which promote or are calculated to promote the supply to Southern Rhodesia of all other aircraft and motor vehicles and equipment and materials for the manufacture, assembly, or maintenance of aircraft and motor vehicles in Southern Rhodesia; the shipment in vessels and aircraft of their registration of any such goods destined for Southern Rhodesia; and any activities by their nationals or in their territories which promote or are calculated to promote the manufacture or assembly of aircraft or motor vehicles in Southern Rhodesia;
- “(f) Participation in their territories or territories under their administration or in land or air transport facilities or by their nationals or vessels of their registration in the supply of oil or oil products to Southern Rhodesia;

“notwithstanding any contracts entered into or licences granted before the date of the present resolution;

“3. *Reminds* Member States that the failure or refusal by any of them to implement the present resolution shall constitute a violation of Article 25 of the United Nations Charter;

“4. *Reaffirms* the inalienable rights of the people of Southern Rhodesia to freedom and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960 and recognizes the legitimacy of their struggle to secure the enjoyment of their rights as set forth in the Charter of the United Nations;

“5. *Calls upon* all States not to render financial or other economic aid to the illegal racist régime in Southern Rhodesia;

“6. *Calls upon* all States Members of the United Nations to carry out this decision of the Security Council in accordance with Article 25 of the United Nations Charter;

“7. *Urges*, having regard to the principles stated in Article 2, of the United Nations Charter, States not Members of the United Nations to act in accordance with the provisions of paragraph 2 of the present resolution;

“8. *Calls upon* States Members of the United Nations or members of the specialized agencies to report to the

Secretary-General the measures each has taken in accordance with the provisions of paragraph 2 of the present resolution;

“9. *Requests* the Secretary-General to report to the Council on the progress of the implementation of the present resolution, the first report to be submitted not later than 1 March 1967;

“10. *Decides* to keep this item on its agenda for further action as appropriate in the light of developments.”

Decision of 29 May 1968 (1428th meeting):

...

Acting under Chapter VII of the United Nations Charter;

...

(ix) *Requesting all States Members of the United Nations or of the specialized agencies to take all possible further action under Article 41 of the Charter to deal with the situation in Southern Rhodesia, not excluding any of the measures provided in that Article;*

...

(xi) *Calling upon all States Members of the United Nations to carry out these decisions of the Security Council in accordance with Article 25 of the United Nations Charter and reminding them that failure or refusal by any one of them to do so would constitute a violation of that Article;*

(xii) *Deploing the attitude of States that have not complied with their obligations under Article 25 of the Charter, and censuring in particular those States which have persisted in trading with the illegal régime in defiance of the resolutions of the Security Council, and which have given active assistance to the régime;*

...

(xiv) *Urging, having regard to the principles stated in Article 2 of the United Nations Charter, States not Members of the United Nations to act in accordance with the provisions of the present resolution;*

...

(xvi) *Calling upon all States Members of the United Nations, and in particular those with primary responsibility under the Charter for the maintenance of international peace and security, to assist effectively in the implementation of the measures called for by the present resolution;*

(xvii) *Considering that the United Kingdom as the administering Power should ensure that no settlement is reached without taking into account the views of the people of Southern Rhodesia, and in particular the political parties favouring majority rule, and that it is acceptable to the people of Southern Rhodesia as a whole;*

(xviii) *Calling upon all States Members of the United Nations or of the specialized agencies to report to the Secretary-General by 1 August 1968 on measures taken to implement the present resolution;*

(xix) *Requesting the Secretary-General to report to the Security Council on the progress of the implementation of this resolution, the first report to be made not later than 1 September 1968;*

(xx) *Deciding to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a committee of the Security Council to undertake the following tasks and to report to it with its observations:*

(a) *To examine such reports on the implementation of the present resolution as are submitted by the Secretary-General;*

(b) *To seek from any State Member of the United Nations or of the specialized agencies such further information regarding the trade of that State (including information regarding the commodities and products exempted from the prohibition contained in operative paragraph 3 (d) above) or regarding any activities by any nationals of that State or in its territories that may constitute an evasion of the measures decided upon in this resolution as it may consider necessary for the proper discharge of its duty to report to the Security Council;*

(xxi) *Requesting the United Kingdom, as the administering Power, to give maximum assistance to the committee, and to provide the committee with any information which it may receive in order that the measures envisaged in this resolution and resolution 232 (1966) may be rendered fully effective;*

(xxii) *Calling upon all States Members of the United Nations, or of the specialized agencies, as well as the specialized agencies themselves, to supply such further information as may be sought by the Committee in pursuance of this resolution;*

(xxiii) *Deciding to maintain this item on its agenda for further action as appropriate in the light of developments*

By letter¹⁴⁰ dated 12 March 1968, the representatives of Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Democratic Republic of), Dahomey, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia requested an urgent meeting of the Security Council to examine the situation in Southern Rhodesia (Zimbabwe). The letter stated that it was by then obvious that the selective mandatory sanctions of resolution 232 (1966) of 16 December 1966 had failed, as had been demonstrated by "the recent tragic assassination of political prisoners by the racist régime in Rhodesia". It added that more such assassinations were also planned and expected. No effort had been made in the meantime by the administering Power to enter into negotiations with leaders of the African political parties with a view to establishing a Government meeting the legitimate aspirations of the people of Zimbabwe. Having regard to those facts and the recent deterioration of the situation, the representatives of African Member States believed that it was incumbent upon the Council to examine the continuing grave situation which still constituted a threat to international peace and security, and to envisage the necessary measures and action under Chapter VII of the Charter with a view to enabling the people of Southern Rhodesia (Zimbabwe) to exercise their right to self-determination in accordance with General Assembly resolution 1514 (XV).

At the 1399th meeting on 19 March 1968, the Council decided¹⁴¹ to include the question in its agenda. It was considered at the 1399th, 1400th, 1408th, 1413th, 1415th and 1428th meetings held between 19 March and 29 May 1968. The representatives of Jamaica and Zambia were invited to take part in the discussion.¹⁴²

At the 1399th meeting, the representative of Algeria noted that although many countries had demonstrated their determination to implement the sanctions called for by the Security Council, some non-African neighbours of Rhodesia continued to have fruitful relations with that Territory. That situation was one of the direct consequences of the so-called policy of economic boycott, which in fact was fragmentary and allowed those countries not only to increase greatly their commercial relations but also to undertake clandestine trade. One of the essential conditions for a successful policy of sanctions was the economic isolation of Southern Rhodesia from its immediate neighbours, a policy which the United Kingdom would be capable of carrying out and which the Security Council would not hesitate to follow. The United Kingdom had, however, shown a certain diffidence in a policy that might imply a confrontation with the colonialist minority. This attitude explained why the United Kingdom brought the Southern Rhodesian question to the Security Council in 1965 and asked for the application of selective sanctions, an act that had already offered the United Kingdom a chance of watering down its own responsibilities. The United Kingdom attitude consisted thereafter in a calculated delay in the search for a solution likely to enable the people of Zimbabwe freely to choose its own destiny, in accordance with the principle of self-determination. The United Kingdom had, in effect, given assurances to the Salisbury régime which was actually strengthening its position. The constantly provocative attitude of Ian Smith was based only on the conviction, shared by all, that in no circumstances would force be used for the re-establishment of law. However, the sole problem confronting the Council was to know whether or not the United Kingdom, with international support for its legally recognized responsibility, would refuse much longer to consider the elimination of the minority racist régime of Salisbury, regardless of the means to be applied. The Security Council must enjoin the United Kingdom and the community of nations to treat those responsible for the Salisbury murders as international criminals. Some means to establish the effectiveness of total sanctions should be considered. A last and serious warning must be addressed to South Africa and to Portugal. All Member States must be asked to implement all the measures provided for in Article 41 of the Charter. Finally, the international community should consider all necessary measures for the defence of Zambia, in order to prevent an attack on it by the illegal régime on the pretext that it was serving as a sanctuary for the Rhodesian movement.¹⁴³

At the same meeting, the representative of the United Kingdom stated that he could not accept the assertion that by adopting selective sanctions, the United Kingdom had sought to minimize its responsibilities. Neither had the United Kingdom sought to delay the search for a solution, nor given assurances to the illegal régime in Southern Rhodesia. His Government shared the view that all the people of Southern Rhodesia had the right to be consulted and to participate in the government of their country and that the illegal régime in Southern Rhodesia should be brought to an end. The first and overriding duty of the Security Council was to make clear in unmistakable and unanimous terms its condemna-

¹⁴⁰ S/8454, *O.R.*, 23rd yr., *Suppl. for Jan.-Mar. 1968*, pp. 258-259.

¹⁴¹ 1399th meeting (PV), pp. 2-5.

¹⁴² 1399th meeting (PV), pp. 2-5.

¹⁴³ 1399th meeting (PV), pp. 8-11, 15, 17, 18-20.

tion of the recent illegal executions in Southern Rhodesia, and to demand that no more illegal hangings be carried out. The Council should then proceed to consider the entire question of what further action could be taken to restore the situation in Rhodesia, to end the rebellion and to prepare for the advance to free, democratic government. The Council should not run away from its responsibility by resorting to sweeping declarations and demands that could not be met. There were effective measures still to be taken. The Council had a duty not to decide that one of the weapons of international enforcement—the sanctions—had proved useless, and to embark on a detailed and thorough consultation on effective and practicable measures which could still be feasible. The Council needed to convince everyone, including particularly the illegal régime in Southern Rhodesia, that there would be no escape from the situation created by their illegal actions except by a return to the road of legality, democratic advance and free government which had been abandoned on 11 November 1965.¹⁴⁴

In the course of the discussion, several statements were made¹⁴⁵ with regard to the censure of the Governments of Portugal and South Africa, and the assistance to the national liberation movement of the Zimbabwe people, enabling it to exercise its right to self-determination. A draft resolution¹⁴⁶ including, in part, provisions concerning those measures was introduced¹⁴⁷ at the 1413th meeting on 18 April 1968 by the representative of Ethiopia. It was jointly sponsored by Algeria, India, Pakistan and Senegal, and under its operative paragraphs, the Council, acting under Chapter VII of the Charter, would, in part, (a) call upon the Government of the United Kingdom to take immediately all requisite measures to stop the political executions in Southern Rhodesia; (b) call upon all States to sever all economic and other relations with Southern Rhodesia;¹⁴⁸ (c) censure the Governments of Portugal and South Africa for their assistance to the illegal régime in Southern Rhodesia; (d) decide to take effective action against these Governments should they persist in defying the decisions of the Security Council; (e) urge the United Kingdom as the administering Power to take urgently all necessary measures, including the use of force,¹⁴⁹ to bring an end to the rebellion in Southern Rhodesia, and enable the people to exercise their right to self-determination; and (f) call upon all Member States and in particular those with primary responsibility under the Charter for the maintenance of international peace and security, to assist effectively in the implementation of the measures called for in the resolution.

¹⁴⁴ 1399th meeting (PV), pp. 23-26, 28-32.

¹⁴⁵ For texts of relevant statements, see:

1399th meeting (PV): Ethiopia, pp. 34-48;

1400th meeting (PV): Canada, pp. 13-16; Denmark, pp. 28-31; India, pp. 3-13; Jamaica*, pp. 22-28; United States, pp. 31-36; USSR, pp. 36-52;

1408th meeting (PV): Brazil, pp. 32-35; China, pp. 41-43; Hungary, pp. 2-10; Pakistan, pp. 36-41; Senegal, pp. 46-51; Zambia*, pp. 11-31; see also *annex*, pp. 1-2;

1428th meeting: USSR, pp. 11-25.

¹⁴⁶ S/8545 and Corr.1, *O.R.*, 23rd yr., *Suppl. for April-June 1968*, pp. 120-121.

¹⁴⁷ 1413th meeting (PV): pp. 11-15.

¹⁴⁸ For the consideration of the applicability of Article 41, see chapter XI, Case 6.

¹⁴⁹ For the consideration of the applicability of Article 42, see chapter XI, Case 10.

At the 1415th meeting on 23 April 1968, the representative of the United Kingdom introduced a draft resolution¹⁵⁰ which, he stated, was the result of joint consultations among Council members, and was designed to give effect to comprehensive mandatory economic sanctions. Its main purpose was to impose a total ban on imports from, and exports to, Southern Rhodesia. The draft resolution, he noted, represented the widest area on which agreement could be reached.

At the 1428th meeting on 29 May 1968, the Council had before it a draft resolution¹⁵¹ the text of which, as stated by the President (United States),¹⁵² had been arrived at in extensive consultations.

At the same meeting, the representative of the USSR submitted an amendment¹⁵³ to the text of operative paragraph 15 of that draft resolution, according to which Member States of the United Nations and of the specialized agencies would be requested to extend assistance to Zambia with a view to helping her meet possible economic losses in carrying out the decisions of the Security Council under the proposed draft resolution. Under the USSR amendment, such material losses should be compensated only by those States which, having failed to take the necessary measures against the illegal racist régime in Southern Rhodesia, and, in particular, the measures provided for in relevant Security Council and General Assembly resolutions, bore the political responsibility for the continued existence of that illegal régime.

The Council proceeded then to vote upon the draft resolution and the USSR amendment before it. The USSR amendment was not adopted.¹⁵⁴ There were seven votes in favour, none against and eight abstentions.

A separate vote was then taken¹⁵⁵ on operative paragraph 15 of the draft resolution, which was adopted by thirteen votes in favour, none against, and two abstentions.

The draft resolution, as a whole, was subsequently adopted unanimously.¹⁵⁶ It read as follows:¹⁵⁷

"The Security Council,

"Recalling and reaffirming its resolutions 216 (1965) of 12 November 1965, 217 (1965) of 20 November 1965, 221 (1966) of 9 April 1966, and 232 (1966) of 16 December 1966,

"Taking note of resolution 2262 (XXII) adopted by the General Assembly on 3 November 1967,

"Noting with great concern that the measures taken so far have failed to bring the rebellion in Southern Rhodesia to an end,

"Reaffirming that, to the extent not superseded in this resolution, the measures provided for in resolutions 217 (1965) of 20 November 1965, and 232 (1966) of 16 December 1966, as well as those initiated by

¹⁵⁰ S/8554, *O.R.*, 23rd yr., *Suppl. for April-June 1968*, pp. 133-136.

¹⁵¹ S/8601, same text as resolution 253 (1968).

¹⁵² The President of the Council during May (United Kingdom) had invoked, at the beginning of the meeting, rule 20 of the provisional rules of procedure of the Security Council, and invited the representative of the United States, next in the alphabetical order, to replace him in the presidential chair at that meeting. See chapter I, part III, Case 19.

¹⁵³ S/8603, 1428th meeting (PV), pp. 23-25.

¹⁵⁴ 1428th meeting (PV), p. 26.

¹⁵⁵ 1428th meeting (PV), pp. 26, 27.

¹⁵⁶ 1428th meeting (PV), p. 27.

¹⁵⁷ Resolution 253 (1968).

Member States in implementation of those resolutions, shall continue in effect,

"Gravely concerned that the measures taken by the Security Council have not been complied with by all States and that some States, contrary to resolution 232 (1966) of the Security Council and to their obligations under Article 25 of the Charter of the United Nations, have failed to prevent trade with the illegal régime in Southern Rhodesia,

"Condemning the recent inhuman executions carried out by the illegal régime in Southern Rhodesia which have flagrantly affronted the conscience of mankind and have been universally condemned,

"Affirming the primary responsibility of the Government of the United Kingdom to enable the people of Southern Rhodesia to achieve self-determination and independence, and in particular their responsibility for dealing with the prevailing situation,

"Recognizing the legitimacy of the struggle of the people of Southern Rhodesia to secure the enjoyment of their rights as set forth in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV) of 14 December 1960,

"Reaffirming its determination that the present situation in Southern Rhodesia constitutes a threat to international peace and security,

"Acting under Chapter VII of the United Nations Charter,

"1. Condemns all measures of political repression, including arrests, detentions, trials and executions which violate fundamental freedoms and rights of the people of Southern Rhodesia, and calls upon the Government of the United Kingdom to take all possible measures to put an end to such actions;

"2. Calls upon the United Kingdom as the administering Power in the discharge of its responsibility to take urgently all effective measures to bring to an end the rebellion in Southern Rhodesia, and enable the people to secure the enjoyment of their rights as set forth in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV);

"3. Decides that, in furtherance of the objective of ending the rebellion, all States Members of the United Nations shall prevent:

"(a) The import into their territories of all commodities and products originating in Southern Rhodesia and exported therefrom after the date of this resolution (whether or not the commodities or products are for consumption or processing in their territories, whether or not they are imported in bond and whether or not any special legal status with respect to the import of goods is enjoyed by the port or other place where they are imported or stored);

"(b) Any activities by their nationals or in their territories which would promote or are calculated to promote the export of any commodities or products from Southern Rhodesia; and any dealings by their nationals or in their territories in any commodities or products originating in Southern Rhodesia and exported therefrom after the date of this resolution, including in particular any transfer of funds to Southern Rhodesia for the purposes of such activities or dealings;

"(c) The shipment in vessels or aircraft of their registration or under charter to their nationals, or the carriage (whether or not in bond) by land transport facilities across their territories of any commodities or products originating in Southern Rhodesia and exported therefrom after the date of this resolution;

"(d) The sale or supply by their nationals or from their territories of any commodities or products (whether or not originating in their territories, but not including supplies intended strictly for medical purposes, educational equipment and material for use in schools and other educational institutions, publications, news material and, in special humanitarian circumstances, food-stuffs) to any person or body in Southern Rhodesia or to any other person or body for the purposes of any business carried on in or operated from Southern Rhodesia, and any activities by their nationals or in their territories which promote or are calculated to promote such sale or supply;

"(e) The shipment in vessels or aircraft of their registration, or under charter to their nationals, or the carriage (whether or not in bond) by land transport facilities across their territories of any such commodities or products which are consigned to any person or body in Southern Rhodesia, or to any other person or body for the purposes of any business carried on in or operated from Southern Rhodesia;

"4. Decides that all States Members of the United Nations shall not make available to the illegal régime in Southern Rhodesia or to any commercial, industrial or public utility undertaking, including tourist enterprises, in Southern Rhodesia any funds for investment or any other financial or economic resources and shall prevent their nationals and any persons within their territories from making available to the régime or to any such undertaking any such funds or resources and from remitting any other funds to persons or bodies within Southern Rhodesia except payments exclusively for pensions or for strictly medical, humanitarian or educational purposes or for the provision of news material and in special humanitarian circumstances, food-stuffs;

"5. Decides that all States Members of the United Nations shall:

"(a) Prevent the entry into their territories, save on exceptional humanitarian grounds, of any person travelling on a Southern Rhodesia passport, regardless of its date of issue, or on a purported passport issued by or on behalf of the illegal régime in Southern Rhodesia; and

"(b) Take all possible measures to prevent the entry into their territories of persons whom they have reason to believe to be ordinarily resident in Southern Rhodesia and whom they have reason to believe to have furthered or encouraged, or to be likely to further or encourage, the unlawful actions of the illegal régime in Southern Rhodesia or any activities which are calculated to evade any measure decided upon in this resolution or resolution 232 (1966) of 16 December 1966;

"6. Decides that all States Members of the United Nations shall prevent airline companies constituted in their territories and aircraft of their registration or under charter to their nationals from operating to or from Southern Rhodesia and from linking up with

any airline company constituted or aircraft registered in Southern Rhodesia;

"7. *Decides* that all States Members of the United Nations shall give effect to the decisions set out in operative paragraphs 3, 4, 5 and 6 of this resolution notwithstanding any contract entered into or licence granted before the date of this resolution;

"8. *Calls upon* all States Members of the United Nations or of the specialized agencies to take all possible measures to prevent activities by their nationals and persons in their territories promoting, assisting or encouraging emigration to Southern Rhodesia, with a view to stopping such emigration;

"9. *Requests* all States Members of the United Nations or of the specialized agencies to take all possible further action under Article 41 of the Charter to deal with the situation in Southern Rhodesia, not excluding any of the measures provided in that Article;

"10. *Emphasizes* the need for the withdrawal of all consular and trade representation in Southern Rhodesia, in addition to the provisions of operative paragraph 6 of resolution 217 (1965);

"11. *Calls upon* all States Members of the United Nations to carry out these decisions of the Security Council in accordance with Article 25 of the United Nations Charter and reminds them that failure or refusal by any one of them to do so would constitute a violation of that Article;

"12. *Deplores* the attitude of States that have not complied with their obligations under Article 25 of the Charter, and censures in particular those States which have persisted in trading with the illegal régime in defiance of the resolutions of the Security Council, and which have given active assistance to the régime;

"13. *Urges* all States Members of the United Nations to render moral and material assistance to the people of Southern Rhodesia in their struggle to achieve their freedom and independence;

"14. *Urges*, having regard to the principles stated in Article 2 of the United Nations Charter, States not Members of the United Nations to act in accordance with the provisions of the present resolution;

"15. *Requests* States Members of the United Nations, the United Nations Organization, the specialized agencies, and other international organizations in the United Nations system to extend assistance to Zambia as a matter of priority with a view to helping her solve such economic problems as she may be confronted with arising from the carrying out of these decisions of the Security Council;

"16. *Calls upon* all States Members of the United Nations, and in particular those with primary responsibility under the Charter for the maintenance of international peace and security, to assist effectively in the implementation of the measures called for by the present resolution;

"17. *Considers* that the United Kingdom as the administering Power should ensure that no settlement is reached without taking into account the views of the people of Southern Rhodesia, and in particular the political parties favouring majority rule, and that it is acceptable to the people of Southern Rhodesia as a whole;

"18. *Calls upon* all States Members of the United Nations or of the specialized agencies to report to the Secretary-General by 1 August 1968 on measures taken to implement the present resolution;

"19. *Requests* the Secretary-General to report to the Security Council on the progress of the implementation of this resolution, the first report to be made not later than 1 September 1968;

"20. *Decides* to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a committee of the Security Council to undertake the following tasks and to report to it with its observations:

"(a) To examine such reports on the implementation of the present resolutions as are submitted by the Secretary-General;

"(b) To seek from any States Members of the United Nations or of the specialized agencies such further information regarding the trade of that State (including information regarding the commodities and products exempted from the prohibition contained in operative paragraph 3 (d) above) or regarding any activities by any nationals of that State or in its territories that may constitute an evasion of the measures decided upon in this resolution as it may consider necessary for the proper discharge of its duty to report to the Security Council;

"21. *Requests* the United Kingdom, as the administering Power, to give maximum assistance to the committee, and to provide the committee with any information which it may receive in order that the measures envisaged in this resolution and resolution 232 (1966) may be rendered fully effective;

"22. *Calls upon* all States Members of the United Nations, or of the specialized agencies, as well as the specialized agencies themselves, to supply such further information as may be sought by the Committee in pursuance of this resolution;

"23. *Decides* to maintain this item on its agenda for further action as appropriate in the light of developments."

THE PALESTINE QUESTION

Decision of 3 August 1966 (1295th meeting):

Rejection of the joint draft resolution submitted by Jordan and Mali

By letter ¹⁵⁸ dated 21 July 1966, the permanent representative of Syria requested the President of the Security Council that an urgent meeting of the Council be convened to consider "the grave situation arising from the act of aggression committed by Israel against Syrian territory on the afternoon of 14 July 1966", which seriously threatened peace and security in the area and which was the subject of his letter, ¹⁵⁹ of 18 July 1966.

¹⁵⁸ S/7419, OR, 21st yr., Suppl. for July-Sept. 1966, pp. 38-39.

¹⁵⁹ S/7412, *ibid.*, pp. 30-32. In the letter the representative of Syria stated that at 1710 hours local time, a number of Israel jet fighters and bombers had violated the Syrian airspace, shelled seven Syrian areas situated on the site of the Jordan River development scheme, hit mechanical and engineering equipment, destroyed bulldozers with napalm bombs, wounded nine civilians and killed one. It was stated further in the letter that Syria could not be held responsible for the activities of the Palestinian Arab organization El Fatah and El Essefa striving to liberate their conquered and

By letter ¹⁶⁰ dated 22 July 1966, addressed to the President of the Security Council, the permanent representative of Israel requested that an urgent meeting of the Security Council be convened to consider the following complaints of Israel against Syria:

- "1. Repeated acts of aggression committed by Syrian armed forces and by armed saboteur groups operating from Syrian territory against citizens and territory of Israel, in violation of the Israel-Syrian General Armistice Agreement.
- "2. Declarations by official spokesmen of the Syrian Government against the people, territorial integrity and political independence of Israel and openly inciting to war against Israel, in violation of the United Nations Charter and the Israel-Syrian General Armistice Agreement."

At the 1288th meeting on 25 July 1966, the Security Council had before it a provisional agenda ¹⁶¹ which, under the general heading "The Palestine question", listed as sub-items (a) and (b) the letters submitted by Syria and Israel respectively.

Following a brief procedural discussion, the agenda was adopted.¹⁶² It was also decided ¹⁶³ that the Secretary-General be requested to obtain two reports for the Council from the Chief of Staff of the United Nations Truce Supervision Organization covering the two complaints on the agenda. The Security Council considered the question at its 1288th to 1295th meetings, held between 25 July to 3 August 1966. The representatives of Syria, Israel and Iraq were invited ¹⁶⁴ to take part in the discussion.

At the 1288th meeting on 25 July 1966, the representative of Syria* stated that the situation on the demarcation line between Israel and the neighbouring Arab States had deteriorated as a result of a series of attacks perpetrated by the regular Israel forces against Israel's neighbours. These acts culminated in an aerial attack on Syria which took place on 14 July 1966. It was needless to prove that this aggression was premeditated because that same place had been attacked several times before by Israeli regular forces. The question of Israel's attack on Syria could not be described as a simple matter of a localized frontier incident. The behaviour of Israel had threatened more than once to engulf the whole Middle East area; it was for the Council to consider this grave situation and to prevent the alarming dimensions that the situation would certainly assume if it were to remain unchecked.¹⁶⁵

The representative of Israel* referred to his letter to the President of the Security Council dated 14 July 1966 ¹⁶⁶

and stated that the recent incidents and Israel's reaction to them could not be regarded in isolation from their background. For a long time, the Israel border area had been kept in a state of tension and turmoil by gun-fire directed at civilian activities from Syrian military positions, and by the penetration into Israel of squads of saboteurs and terrorists under cover of darkness. In the past few months, there had been ten cases of sabotage raids and laying of land mines; there had been ninety-three instances of the Syrian armed forces opening fire on Israel farmers working their fields with tractors and agricultural implements, on Israel fishing-boats on Lake Tiberias, and on vehicles passing along the roads. In addition, there had been a number of cases of crops and plantations being deliberately set aflame. In this course of constant harassment, Israel had suffered sixteen casualties and extensive damage to property, equipment and installations. From whichever neighbouring country the saboteur groups had actually crossed into Israel, all the information indicated that Syria was the source, the training ground, the principal supplier and the main political patron of the El-Fatah organization. The action on 14 July was taken reluctantly, after Israel had become convinced that all its efforts through United Nations and diplomatic channels had failed to deter Syrian aggression. The action itself was as brief and as limited as possible and the Israel Government had immediately assumed full responsibility for it. There would be no incidents in the border area if there was an unconditional and effective cease-fire and a complete halt to armed raiding into Israel territory.¹⁶⁷

At the 1290th meeting on 28 July 1966, the Council had before it two reports ¹⁶⁸ of the Secretary-General relating to sub-items (a) complaint by Syria, and (b) complaint by Israel, of the agenda.

At the 1291st meeting on 29 July 1966, the representatives of the United States, the United Kingdom and France maintained that reliance on the United Nations machinery had been called for and that it was for the two parties to use it properly. They should be encouraged to co-operate to the fullest extent with the efforts of the Chief of Staff of the United Nations Truce Supervision Organization in Palestine to secure the stabilization of the unconditional cease-fire in the area and to secure agreement concerning the problems of cultivation in the demilitarized zone. Furthermore, the plenary meetings of the Mixed Armistice Commission should be resumed, since only in the Commission the parties must try to engage in a direct exchange of views.¹⁶⁹

At the 1292nd meeting, 29 July 1966, the representative of Jordan introduced ¹⁷⁰ a draft resolution ¹⁷¹ jointly

occupied territory. Unless proven that an infiltration or an act of sabotage, according to the terminology of the Israel representative, emanated from Syria, no blame could logically be attached to Syria. For the consideration of the provisions of Article 2 (4), see in Chapter XII, Case I.

¹⁶⁰ S/7423, *OR*, 21st yr., *Suppl. for July-Sept.*, 1966, pp. 39-40.

¹⁶¹ S/Agenda/1288/Rev.1.

¹⁶² 1288th meeting, para. 45. For discussion on the adoption of the agenda, see chapter II, Case 4.

¹⁶³ 1288th meeting, para. 58.

¹⁶⁴ 1288th meeting, paras. 46-47.

¹⁶⁵ 1288th meeting, paras. 84, 86, 94, 116, 119.

¹⁶⁶ S/7411, *OR*, 21st yr., *Suppl. for July-Sept.* 1966, pp. 28-30. In the letter, the representative of Israel referred to four incidents along the Israel-Syrian border which had taken place on 13 and 14 July 1966, and a number of previous incidents carried out

from Syria. After the incidents of the last two days, planes of the Israel Air Force had been ordered to take strictly limited action regarded as appropriate in the circumstances. They had carried out a brief attack to the south-east of Almajor on Syrian tractors and mechanical equipment, a type of target which had been under constant Syrian attack in the same Israel area. The planes had carried out their mission and returned safely to their base. This action had been meant to impress upon the Syrian authorities the gravity with which the Israel Government viewed continual Syrian violence against the Israel population.

¹⁶⁷ 1288th meeting, paras. 129, 134, 137, 138, 167.

¹⁶⁸ S/7432 and Add.1, *OR*, 21st yr., *Suppl. for July-Sept.* 1966, pp. 46-48; S/7433, *ibid.*, pp. 48-53.

¹⁶⁹ 1291st meeting, paras. 13, 29, 39, 40.

¹⁷⁰ 1292nd meeting, para. 32.

¹⁷¹ S/7437, *OR*, 21st yr., *Suppl. for July-Sept.* 1966, pp. 59-60.

sponsored with Mali and stated that it would be noted that the sponsors had been careful not to depart from the Council's usual practice in similar cases of aggression. They had deliberately used basically the texts of previous Security Council resolutions dealing with Israel acts of aggression. According to the draft resolution, the Security Council would recall its resolutions 111 (1956) of 19 January 1956 and 171 (1962) of 9 April 1962, and in particular the provisions in these two resolutions relevant to the maintenance of the armistice and the settlement of the disputes through the intermediary of the Mixed Armistice Commission (fourth preambular paragraph); (1) condemn Israel's wanton attack of 14 July 1966 as a flagrant violation of the cease-fire provisions of Security Council resolution 54 (1948) of 15 July 1948, of the terms of the General Armistice Agreement between Israel and Syria and of Israel's obligations under the Charter of the United Nations; (2) deplore the losses, human and otherwise, caused by the Israel air attack for which Israel must assume full responsibility; (3) reaffirm resolutions 111 (1956) and 171 (1962) and deplore the resumption by Israel of aggressive acts unequivocally condemned by these resolutions; (4) remind Israel that the Security Council had already condemned military action in breach of the General Armistice Agreement, and had called upon Israel to take effective measures to prevent such action; (5) reiterate its call on Israel to comply with its obligations under the Charter, in default of which the Council would have to consider what further measures should be invoked; and would (6) call upon the Governments of Israel and Syria to co-operate with the Chief of Staff in carrying out his responsibilities under the General Armistice Agreement and the pertinent resolutions of the Security Council, and urge that all steps necessary for reactivating the Mixed Armistice Commission and for making full use of the mixed armistice machinery be promptly taken.¹⁷²

At the same meeting, the representatives of New Zealand and Argentina maintained that any resolution adopted should be aimed at ensuring that both Israel and Syria made every effort to abide by the terms of the Armistice Agreement and at the fullest use of those United Nations bodies which were at their disposal.¹⁷³

At the 1293rd meeting on 1 August 1966, the representative of the Netherlands stated that the attention of the Security Council should be directed primarily to bringing about in the region an atmosphere which was most likely to induce both parties to adhere to the Armistice Agreement. No useful purpose would be served by a pronouncement that would be contested and could most likely aggravate tensions. In view of this, the joint draft resolution before the Council did not correspond to the prerequisite for the solution of the current discord. It might be true that its wording conformed essentially to the text of previous resolutions adopted by the Council. Those resolutions had been adopted, however, as a consequence of the situation existing at the time of their adoption, and any attempt to make the interpretation of circumstances conform to the wording of a resolution, as seemed to be the case with the draft before the Council, should be regretted. Full use should be made of the Israel-Syrian Armistice Com-

mission by the two parties, and their Governments should be told in unequivocal terms that they were expected to lend complete co-operation to the efforts of the Chief of Staff of the UNTSO to settle local problems and to refrain from any further action which might endanger the force in the area.¹⁷⁴

At the 1295th meeting on 3 August 1966, the representative of Argentina stated that the following ideas which had been mentioned in one form or another by all the members of the Council should be carefully considered by the parties to the dispute: the Council's concern over the incidents and loss of life which had helped to aggravate the tensions in the area; the wish of the other Members of the United Nations that acts of aggression should be avoided, that the parties should refrain from acts of provocation, and that the terms of the General Armistice Agreement should be respected; the general consensus that armed retaliation, which was an act of aggression, could not be accepted as the right of any State; the measures provided for in operative paragraph 6 of the draft resolution; the Council's support of the efforts being made by the Chief of Staff of the UNTSO.¹⁷⁵

The representative of Japan observed that he failed to discover in the draft resolution sufficient evidence of constructive and positive elements that would help the parties concerned to get at the root of their differences and would achieve a lasting solution of this long debated problem.¹⁷⁶

At the 1295th meeting on 3 August 1966, the Jordan-Mali draft resolution was voted upon and not adopted,¹⁷⁷ the result of the vote being 6 votes in favour, none against, with 9 abstentions.

Decision of 4 November 1966 (1319th meeting):

Rejection of the six-Power draft resolution

By letter¹⁷⁸ dated 12 October 1966, addressed to the President of the Security Council, the permanent representative of Israel requested that an urgent meeting of the Council be convened to consider "acts of aggression committed by armed groups operating from Syrian territory against the citizens and territory of Israel" and "threats by Syria against the territorial integrity and political independence of Israel and open Syrian incitement to war against Israel".

In a letter¹⁷⁹ dated 13 October 1966, to the President of the Security Council, the permanent representative of Syria stated that the Israel letter contained a number of false allegations against Syria, which were groundless and without foundation. The first incident of 7/8 October at the Romema quarter in the Israel sector of Jerusalem took place more than 100 miles away from the nearest point of the Syrian demarcation line. The responsibility of the Syrian Government was therefore refuted. It was stated further in the letter that the Damascus radio did not only broadcast news of events taking place inside the occupied territory of Palestine, but it also broadcasted all information concerning the struggle of all subjugated

¹⁷² 1292nd meeting, para. 32.

¹⁷³ 1292nd meeting, para. 88, 99.

¹⁷⁴ 1293rd meeting, paras. 14-16, 18, 19.

¹⁷⁵ 1295th meeting, paras. 17-23.

¹⁷⁶ 1295th meeting, para. 29.

¹⁷⁷ 1295th meeting, para. 76.

¹⁷⁸ S/7540, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 28, 29.

¹⁷⁹ S/7544, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 31, 32. For the consideration of the provisions of Article 2 (4), see in chapter XII, Case 2.

people for their liberty and independence, wherever they might be. The Syrian Government rejected categorically that Syria was the source of the two organizations "El-Fatah" and "El-Assefa". The Government of Syria further denied as completely unfounded Israel's attempt to attribute to Syria the responsibility for the incident of 8/9 October, as well as all similar incidents. It was apparent that Israel was using these so-called raids as a pretext to embark upon fresh acts of aggression against Syria. Israel alone would be held responsible for any expansion of the conflict and for jeopardizing the peace in the Middle East.

At the 1305th meeting on 14 October 1966, the provisional agenda¹⁸⁰ listed under the general heading "The Palestine question":

"Letter dated 12 October 1966 from the Permanent Representative of Israel addressed to the President of the Security Council (S/7540)."

After a procedural discussion, the agenda was adopted¹⁸¹ and the Security Council considered the question at its 1305th and 1307th to 1310th, 1312th to 1317th and 1319th meetings held between 14 October and 4 November 1966. The representatives of Israel, Syria, the United Arab Republic and Saudi Arabia were invited¹⁸² to take part in the discussions.

At the 1307th meeting on 14 October 1966, the representative of Israel* contended that in the recent incident on 7 October, in the Romema quarter in Jerusalem, demolition charges had exploded underneath two buildings causing damage and injuring four civilians. Twenty-four hours later, a jeep carrying border police rushing to the scene of the explosion in the village of Shaar Hag Golan had been blown up by a mine killing four members of the police patrol and wounding two others. The tracks of three men wearing rubber-soled shoes had led towards Syrian territory. Other incidents had been perpetrated in the northern part of the country near the Syrian frontier. On some occasions, the raiders had struck in the Dead Sea area near Arad and Sodom. They had come through Jordanian territory. But their point of origin and their centre of training and indoctrination had been Syria. Since January 1965, there had been sixty-one incidents which formed a single, organized system of violence. Syria was committed, by its membership in the United Nations, to respect the political independence and territorial integrity of Israel, to abstain from the threat or use of force against it and to seek a settlement of all disputes concerning Israel by peaceful means, including solemn condemnation of the hostile acts, the illicit infiltrations and the incitement of war practised and supported by the Syrian Government. The border must be respected as a barrier against any arbitrary crossing whether of troops or of people calling themselves a popular army. The representative suggested that both parties reaffirm their intention to abstain from the use or threat of force against each other's political independence and territorial integrity.¹⁸³

The representative of Syria* stated that his Government had repeatedly rejected the Israel accusation that

the activities of the El-Assefa organization had been planned, organized, equipped or directed by Syria. There were more than one and a quarter million Arab refugees living across all the demarcation lines between the Arab States and Israel whose rights to their homeland had been reaffirmed time and time again in the United Nations resolutions. How could Syria be held responsible for their behaviour towards their homeland? What the Council had been witnessing was but a link in a long, well-known chain of aggressive Israel actions, coupled with continuous hostile designs. The United Nations records proved that Israel alone had always been the cause of the great crisis that had upset the whole area. For Syria's part, it was determined not to upset the peace, but was equally determined to stop the aggressor.¹⁸⁴

At the 1309th meeting on 20 October 1966, the representative of Israel* stated that in the three days since the Council had last met, there had been further attacks and threats against Israel, and a new Syrian Government formed that week had openly pledged to carry on a people's war against Israel. The two incidents dealt with in the Secretary-General's report¹⁸⁵ of 17 October 1966 were links in a sequence of such sabotage attacks since 1965. They were part of a single pattern and originated from Syria. Syria was the only Government which extolled these acts. Not only that, radio Damascus was the only media which carried El-Fatah communiqués relating to their guerrilla activities regularly. The representative stated further that the armistice machinery had functioned normally with full Israel co-operation. The difficulty of holding plenary meetings of the Commission was mainly caused by Syrian attempts to place on the agenda questions over which the Commission had no competence. He further pointed out that armistice machinery was designed to operate within the context of a certain inter-State relationship established between the two signatory countries by the General Armistice Agreement of 1949, which created a very specific set of mutual obligations between the two Member States. Should one repudiate these obligations and be unwilling to respect them, the armistice machinery could not be expected to remedy that situation. It was implied in the Secretary-General's report that the two incidents of hit-and-run guerilla war type before the Council, could not fall within the competence of this armistice machinery. The crux of the problem was a question of governmental attitude and policy. Did the Syrian Government accept its responsibility, under the Armistice Agreement, to prevent any illegal act?¹⁸⁶

The representative of Syria* maintained that on the question of co-operation with the Mixed Armistice Commission, the position of his Government had always been one of full co-operation with United Nations machinery and more specifically, with the Mixed Armistice Commission. On the other hand, the Security Council had on previous occasions reminded Israel authorities to co-operate with the Mixed Armistice Commission. Therefore, it was Israel which should be reminded of its obligations towards the General Armistice Agreement. The representative reiterated that the United Nations Truce Supervision Organization and the Mixed

¹⁸⁰ S/Agenda/1305. For discussion on the adoption of the agenda see chapter II, Case 7.

¹⁸¹ 1305th meeting, para. 131.

¹⁸² 1305th meeting, paras. 134-135.

¹⁸³ 1307th meeting, paras. 19, 20, 22, 31, 37, 38, 42, 45, 51, 52.

¹⁸⁴ 1307th meeting, paras. 66-68, 84.

¹⁸⁵ S/7553, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 40-44.

¹⁸⁶ 1309th meeting, paras. 120, 123, 130, 132-133, 136, 144-146.

Armistice Commission were the proper machinery to investigate these incidents.¹⁸⁷

At the 1310th meeting on 28 October 1966, the representative of the United States introduced¹⁸⁸ a draft resolution,¹⁸⁹ submitted jointly with the United Kingdom, under which the Council would: (1) deplore the incidents which had been subject of the debate; (2) remind the Government of Syria to fulfil its obligations by taking all measures to prevent the use of its territory as a base of operation for acts constituting a violation of the General Armistice Agreement; (3) call upon the two parties for strict adherence to Article III, paragraph 3, of the Syrian-Israel General Armistice Agreement providing that no warlike act should be conducted from the territory of one of the parties against other parties; (4) call upon the Governments of Syria and Israel to co-operate fully with the United Nations machinery, including the Israel-Syria Mixed Armistice Commission, for the effective implementation of the General Armistice Agreement in order to prevent incidents and to facilitate the work of United Nations Truce Supervision Organization personnel in their tasks of observation and investigation on both sides of the Armistice Demarcation line; (5) express the intention to consider further as soon as possible in the interest of the promotion of lasting peace in the Middle East what steps could be taken on the broader question of the Arab-Israel relations; and would (6) request the Secretary-General to follow the implementation of this resolution and to take such measures as might be necessary to ensure that the Mixed Armistice Commission and the United Nations Truce Supervision Organization in Palestine could effectively fulfil the functions assigned to them.

At the 1316th meeting on 3 November 1966, the representative of Uganda introduced¹⁹⁰ a draft resolution,¹⁹¹ submitted jointly with Argentina, Japan, Netherlands, New Zealand and Nigeria, according to which the Security Council would: (1) deplore the incidents which had been the subject of the debate; (2) invite the Government of Syria to strengthen its measures for preventing incidents that constituted a violation of the General Armistice Agreement; (3) invite the Government of Israel to co-operate fully with the Israel-Syria Mixed Armistice Commission; (4) call upon the Governments of Syria and Israel to facilitate the work of the personnel of the United Nations Truce Supervision Organization in Palestine on both sides of the armistice demarcation line; (5) urge the Governments of Syria and Israel to refrain from any action that might increase the tension in the area; and would (6) request the Secretary-General to report to the Security Council as appropriate.

At the 1319th meeting on 4 November 1966, the six-Power draft resolution was voted upon and failed of adoption,¹⁹² the result of the vote being 10 votes in favour, 4 against, with 1 abstention, one of the negative votes being that of a permanent member.

After the vote, the President, speaking as the representative of the United States, stated that the United States

and the United Kingdom would not press for a vote on their draft resolution.¹⁹³

Decision of 25 November 1966 (1328th meeting):

- (i) *Censuring Israel for the large-scale military action in violation of the United Nations Charter and of the General Armistice Agreement between Israel and Jordan;*
- (ii) *Emphasizing to Israel that actions of military reprisal could not be tolerated and if they were repeated, the Council would have to consider more effective steps as envisaged in the Charter*

By letter¹⁹⁴ dated 15 November 1966 to the President of the Security Council, the representative of Jordan requested, pursuant to his letter¹⁹⁵ of 14 November 1966, an urgent meeting of the Council to consider the act of aggression committed by the Israel armed forces against the citizens and territory of Jordan on 13 November 1966.

At the 1320th meeting on 16 November 1966, the provisional agenda under the general heading "The Palestine question" listed:

"Letter dated 15 November 1966 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/7587)."

The agenda was adopted¹⁹⁶ and the Security Council considered the question at its 1320th to 1328th meetings between 16 and 28 November 1966. The representative of Israel was invited to take part in the discussion.¹⁹⁷

At the 1320th meeting on 16 November 1966, the Secretary-General presented to the Security-Council the information on the matter before it based on some early reports received from the United Nations Military Observers. He stated that the investigations were continuing and that the Chief of Staff of the United Nations Truce Supervision Organization in Palestine would transmit his report to the parties and to the Secretary-General as soon as investigations were completed.¹⁹⁸

At the same meeting, the representative of Jordan stated that at approximately 6 a.m. on 13 November 1966, Israel armed forces crossed the demarcation line in brigade strength, supported by a squadron of jets, heavy artillery, tanks and army personnel carriers. They started shelling the police post of Rujm el Madfa'a, which resulted in demolishing the police post and wounding members of the police force. The invading forces after penetrating into Jordan, split into two columns consisting of tanks and army personnel carriers. The first column proceeded in the direction of As-Samu and the second

¹⁸⁷ 1309th meeting, paras. 165, 167.

¹⁸⁸ 1310th meeting, para. 62.

¹⁸⁹ S/7568, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 58-59.

¹⁹⁰ 1316th meeting, para. 24.

¹⁹¹ S/7575/Rev.1, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, p. 69.

¹⁹² 1319th meeting, para. 55.

¹⁹³ S/7587, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, p. 78.

¹⁹⁴ S/7586, *ibid.*, pp. 76-77. In the letter, the representative drew attention of the Council to a grave situation resulting from an act of aggression committed by Israel armed forces on 13 November 1966, which crossed the armistice demarcation line, their objective having been to destroy Arab villages and hamlets south of Hebron. The matter was, at the request of the Government of Jordan, before the Mixed Armistice Commission and the Government was reserving its right to call for an urgent meeting of the Security Council to consider further action. For the consideration of the provisions of Article 2 (4), see in chapter XII, Case 3.

¹⁹⁵ 1320th meeting, preceding para. 2.

¹⁹⁶ 1320th meeting, para. 2.

¹⁹⁷ 1320th meeting, paras. 5-14. For the report of the Secretary-General, see: S/7593 and Add.1, *OR*, 21st yr., *Suppl. for Oct.-Dec. 1966*, pp. 88-94.

column moved in a north-east direction towards Kherbit el Markaz. These locations were over six kilometres inside Jordan. As soon as the first column reached As-Samu, they started shelling, dynamiting, destroying the villages and killing Jordanian farmers. The Mirage jets subjected the villages of As-Samu, Rafaat and the police post of Rujm el Madfa'a to bombardment from the air. The village of Tawawani was also the target of heavy shelling by Israel artillery. As a result of the air bombardment and shelling by heavy artillery, the losses in life and property were very heavy, including a number of civilians and soldiers either being wounded or killed and a great number of houses and buildings demolished, thus rendering more than 1,000 farmers homeless. This had been a well-planned, deliberate and clearly admitted act of aggression. This attack on Jordan was a manifestation of complete defiance of the Security Council's authority, and called for the Council's consideration, in addition to condemnation of Israel, of further measures under the Charter to maintain and restore peace. Chapter VII of the Charter was the only answer in this specific case.¹⁹⁹

The representative of Israel* said that his delegation wished to focus the attention of the Council on the complicated security problem with which Israel was confronted by the policies and actions of hostile neighbours. No constructive purpose could be served in disapproving a specific action without regard to the difficulties that prompted it. Recently organized terrorism and sabotage across the Jordan border became bolder and more frequent, involving certain villages on the Jordan side of the border which served as bases of operation and staging posts for terrorist and saboteur groups. The local inhabitants had harboured and assisted the saboteurs without any serious interference from the Jordanian security authorities. On 13 November, an army vehicle on a regular patrol was blown up by a mine, killing three of its occupants and wounding the other six. That incident took place in the border sector adjacent to the southern Hebron Hills and it was evident that the perpetrators had come from and returned to the same villages. The Israel Government had reason to believe that that incident was the first in a fresh series of attacks planned to take place in the locality. For this reason, it decided to carry out a local action directed at the villages involved, in the hope that it might serve as a warning and deterrent to their inhabitants. This defensive action was carried out by a relatively small and mobile task force which was under strict instructions to take every measure for the avoidance of casualties. This situation was forced upon Israel by the neighbouring States. It had been suggested that Israel should confine itself to the United Nations machinery on the spot, when it was attacked. However the United Nations observers were not in a position to intercept intruders, and that machinery had never been intended to cope with hit-and-run guerilla raids. What the Government sought above all from the Council was a firm reaffirmation of those Charter principles and those Armistice provisions upon which peace in the Middle East region so vitally depended.²⁰⁰

At the 1322nd meeting on 17 November 1966, the representative of Argentina stated that the time had come for

the Security Council to adopt recommendations or measures to avert a recurrence of incidents with a view to preventing the worsening of the situation in the Middle East, with special emphasis on the need to supply the United Nations machinery operating in the area with necessary means to perform their task more effectively.²⁰¹

The representative of Japan observed that the action of Israel could not by any means possibly be condoned. Even if a terrorist incident preceded it, the Government of Israel should have resorted to peaceful means.²⁰²

The representative of New Zealand contended that the Council's concern was to prevent the recurrence of incidents which might threaten the peace in the Middle East. It was no apology for Israel's retaliatory action to state once against the view that incidents which had occurred in the Israel territory must inevitably be a source of strain and tension in relations between Israel and those of its neighbours from which the infiltrators had come. Although the position of the majority of members of the Council on this aspect of the question had been made quite clear, the Council had not to this date, in any formal sense, been prepared to take this obvious fact into account in its decisions. It was not to condone this Israel action to express the view that the Council would not have dealt seriously with the immediate causes of the current violent situation as long as it did not address itself effectively to this problem.²⁰³

At the 1323rd meeting on 17 November 1966, the representative of the Netherlands stated that if strengthening of the United Nations Truce Supervision Organization along certain sections of the border could contribute to the prevention of military actions as well as other acts of violence, the Council should seriously consider such a possibility. At any rate, the Council must find a way of stopping the continuation and the escalation of violence in the Middle East.²⁰⁴

The representative of Israel* contended that the time had come for the Council to deal with the situation as a whole and the Council should insist, among other things, on a halt to threats and incitement and a halt to terrorist raids across the border, and not merely focus its attention on a reaction to these raids. Above all, the Council must insist on the strict fulfilment by all the Governments concerned of the obligations under the Armistice Agreements.²⁰⁵

The representative of Jordan stated that what the Council was expected to decide was whether or not there was any link between this act of aggression which was before it and any other act committed by the Government of Jordan. So far not a single statement had been heard in the Council implicating the Government of Jordan in the commission of any act which could be linked with the crime committed by Israel. Therefore, there was but one single issue before the Council: a crime committed deliberately, intentionally, without any provocation of any kind on the part of the Government of Jordan.²⁰⁶

At the 1324th meeting on 21 November 1966, the representative of Jordan stated that any resolution similar to

²⁰¹ 1322nd meeting, para. 8.

²⁰² 1322nd meeting, para. 13.

²⁰³ 1322nd meeting, para. 21.

²⁰⁴ 1323rd meeting, paras. 13, 14.

²⁰⁵ 1323rd meeting, paras. 39, 40.

²⁰⁶ 1323rd meeting, para. 59.

¹⁹⁹ 1320th meeting, paras. 11, 22-28, 34-37.

²⁰⁰ 1320th meeting, paras. 49, 59, 60, 62-67, 73.

those adopted in the past would not ease the explosive situation in the area. In the view of the Government of Jordan, the Council, in order to prevent any further aggression in the future, should condemn Israel for the wanton attack of 13 November 1966; it should express its grave concern at the failure of Israel to comply with its obligations; it should decide that Israel action was a flagrant violation of the Charter of the United Nations and of the General Armistice Agreement between Jordan and Israel; it should further decide that this armed attack constituted aggression under the provisions of Article 39 of the Charter and it should call upon Members of the United Nations to adopt the necessary measures for applying economic sanctions against Israel.²⁰⁷

At the 1327th meeting on 24 November 1966, the representative of Nigeria submitted²⁰⁸ a draft resolution,²⁰⁹ sponsored jointly by Mali.

At the 1328th meeting on 25 November 1966, the joint draft resolution was adopted²¹⁰ by 14 votes in favour, to none against, with 1 abstention, as resolution 228 (1966).

The resolution read:

"The Security Council,

"Having heard the statements of the representatives of Jordan and Israel concerning the grave Israel military action which took place in the southern Hebron area on 13 November 1966,

"Having noted the information provided by the Secretary-General concerning this military action in his statement of 16 November and also in his report of 18 November 1966,

"Observing that this incident constituted a large-scale and carefully planned military action on the territory of Jordan by the armed forces of Israel,

"Reaffirming the previous resolutions of the Security Council condemning past incidents of reprisal in breach of the General Armistice Agreement between Israel and Jordan and of the United Nations Charter,

"Recalling the repeated resolutions of the Security Council asking for the cessation of violent incidents across the demarcation line, and not overlooking past incidents of this nature,

"Reaffirming the necessity for strict adherence to the General Armistice Agreement,

"1. Deplores the loss of life and heavy damage to property resulting from the action of the Government of Israel on 13 November 1966;

"2. Censures Israel for this large-scale military action in violation of the United Nations Charter and of the General Armistice Agreement between Israel and Jordan;

"3. Emphasizes to Israel that actions of military reprisal cannot be tolerated and that, if they are repeated, the Security Council will have to consider further and more effective steps as envisaged in the Charter to ensure against the repetition of such acts;

"4. Requests the Secretary-General to keep the situation under review and to report to the Security Council as appropriate."

²⁰⁷ 1324th meeting, paras. 17, 31.

²⁰⁸ 1327th meeting, para. 39.

²⁰⁹ S/7598; same text as resolution 228 (1966).

²¹⁰ 1328th meeting, para. 35.

COMPLAINT BY THE UNITED KINGDOM

INITIAL PROCEEDINGS

By letter²¹¹ dated 2 August 1966, the deputy representative of the United Kingdom requested the President of the Security Council to convene an immediate meeting of the Security Council to consider the situation arising from an "unprovoked and indefensible attack" on 30 July 1966 on the town of Nugub in the Amirat of Baihan in the Federation of South Arabia, for whose protection and for the conduct of whose external affairs the United Kingdom was responsible. It was further stated in the letter that according to the evidence, the aircraft responsible for the attack were those of the United Arab Republic operating from an airfield in Yemen.

At the 1296th meeting on 4 August 1966, the Council included²¹² the question in its agenda. The representatives of the United Arab Republic and Yemen were invited to participate in the discussion.²¹³ The Council considered the question at its 1296th to 1300th meetings.

Decision of 16 August 1966 (1300th meeting):

Statement by the President expressing the consensus of the Council that:

- (i) *the parties concerned each on its part be asked to contribute in lessening the tension;*
- (ii) *the Secretary-General be invited to continue his good offices in an endeavour to settle the outstanding question in agreement with the parties concerned*

At the 1296th meeting, the representative of the United Kingdom stated that the air attack on the town of Nugub was deliberate and not the first against the territory of the Federation of South Arabia. The United Kingdom Government was determined to carry out its declared policy of bringing South Arabia to independence not later than 1968, but in order that this task might be satisfactorily accomplished, it was necessary that the area should enjoy peace and security. Attacks originating from Yemeni territory could only make achievement of United Kingdom aims, and those of the United Nations, more difficult. The Council should deplore the attack on the town of Nugub and call upon the United Arab Republic and Yemeni authorities to ensure that further attacks of this nature did not occur. He suggested that some form of United Nations observation might assist the maintenance of peace and security and this possibility might be explored through the good offices of the Secretary-General.²¹⁴

At the same meeting, the representative of the United Arab Republic denied that planes belonging to the United Arab Republic Air Force had undertaken any kind of operations in Beihan. Neither had there been any planes of the Arab-Yemeni Joint Command airborne on 30 July 1966. He further maintained that the only aircraft flying the skies of Aden and the Aden Protectorates were British. The allegations against the United Arab Republic were attempts to cover up the British oppression of the peoples of Aden and the Aden Protectorates. Mindful of its obligations under the Charter and of the

²¹¹ S/7442, O.R., 21st yr., Suppl. for July-September 1966, p. 64.

²¹² 1296th meeting preceding para. 1.

²¹³ 1296th meeting, para. 1.

²¹⁴ 1296th meeting, paras. 5, 15-16, 23-26, 28-29.

principles of self-determination and freedom, the United Arab Republic was helping the peoples of Aden and the Aden Protectorates in their struggle against colonialism.²¹⁵

At the 1297th meeting of the Council, the representative of Yemen similarly denied the United Kingdom's allegations. He stated furthermore that there were innumerable British incursions against his country, and particularly British violations of the Yemen Arab Republic's air space which occurred almost daily. The Yemen Arab Republic was mostly interested in peace, stability and progress and wished to have no part in any disturbance in the area.²¹⁶

At the 1298th meeting of the Council, the representative of New Zealand submitted a draft resolution²¹⁷ in which the Security Council would request the Secretary-General to arrange for an immediate investigation, to be carried out by experienced United Nations personnel, in order to establish the facts relating to the incident referred to in the letter dated 2 August 1966 from the deputy representative of the United Kingdom and to report to the Security Council as soon as possible.

At the 1300th meeting of the Council, the President (Uganda) read an agreed statement which had the support of all the parties concerned: "The President, having noted that the debate which took place has its origin in a complaint presented by the representative of the United Kingdom (S/7742) and that the elements on which the complaint is founded are contested by the United Arab Republic and Yemen and that the statements made by the Members of the Council have not been able to produce at this stage a constructive solution, believes that he is authorized to ask parties concerned each on its part to contribute in lessening the tension and to invite the Secretary-General to continue his good offices in an endeavour to settle the outstanding question in agreement with the parties concerned."²¹⁸

At the same meeting, the representative of New Zealand stated that he acquiesced in the consensus statement by the President and waived his right to call for a vote on his draft resolution.²¹⁹

COMPLAINT BY THE DEMOCRATIC REPUBLIC OF THE CONGO

INITIAL PROCEEDINGS

By letter²²⁰ dated 21 September 1966, the acting permanent representative of the Democratic Republic of the Congo requested the President of the Security Council to convene an early meeting of the Security Council to consider "the provocations of Portugal". It was further stated in the letter that Portugal was using its African Territories as a base of operations for mercenaries who were recruited in Europe and who were in the hire of the opposition headed by Mr. Tshombé. Their mission

was to overthrow the legitimate authorities in the Congo. The situation constituted a serious threat to world peace, because the Democratic Republic of the Congo would consider itself to be at war with Portugal as soon as there was an attack by the mercenaries on it. The Council should call upon Portugal to end "what might rightly be called aggression" against the Democratic Republic of the Congo.

At the 1302nd meeting on 30 September 1966, the Council included²²¹ the item in its agenda and invited²²² the representatives of the Democratic Republic of the Congo, Portugal, Burundi, Central African Republic and Tanzania to participate in the discussion. At a later stage,²²³ the representative of the Congo (Brazzaville) was also invited to participate. The question was considered at the 1302nd to the 1306th meetings held between 30 September and 14 October 1966.

Decision of 14 October 1966 (1306th meeting):

Urging the Government of Portugal, in view of its own statement, not to allow foreign mercenaries to use Angola as a base of operation for interfering in the domestic affairs of the Democratic Republic of the Congo

At the 1302nd meeting, the representative of the Democratic Republic of the Congo* stated that the former Prime Minister of the Congo, Mr. Tshombé, was organizing a new assault against his country with assistance from foreign mercenaries. A base was needed for these mercenaries and it was ready at hand in Angola which had a long common frontier with the Congo and in particular with the province of Katanga. The evidence of Portugal's complicity in Mr. Tshombé's attempt at subversion was, in his view, irrefutable. Referring to assistance given by the Congo to Angolan patriots, he maintained that his Government was only complying with the resolution of the United Nations,²²⁴ which appealed to all States to render to the people of the Territories under Portuguese administration the moral and material support for the restoration of their rights.²²⁵

At the same meeting, the representative of Portugal* denied the presence in Angola of any mercenaries, camps or war material meant to disturb the peace in the Democratic Republic of the Congo.²²⁶ Subsequently, at the 1303rd meeting, the representative of Portugal asserted that it was the Congolese Government which had provided a base for raids on Angola and disputed that any resort to violence could be based on United Nations resolutions. He went on to say that the representative of the Congo had admitted that his Government was assisting anti-Portuguese elements and had not denied that one of the forms of that assistance was the providing of bases in the Congo for violent activities against Portugal. The Security Council should take due note of the existence of such bases in the Congo and call upon the Congo to put an end to them. Maintaining further that the allegations of the Democratic Republic of the Congo were devoid of all foundation, he suggested that the Congolese charges should be enquired into by an impartial fact-finding body of experts or a committee of three members of the Council

²¹⁵ 1296th meeting, paras. 40, 43, 45, 46.

²¹⁶ 1297th meeting, paras. 4, 12, 23.

²¹⁷ S/7456, 1298th meeting, para. 103.

²¹⁸ For retention of the item on the Secretary-General's summary statement on matters of which the Security Council is seized, see chapter II, p. 52, item No. 143.

²¹⁹ 1299th meeting, para. 10. For discussion on the proposal for investigation, see chapter X, Cases 1 and 4.

²²⁰ S/7503, *OR*, 21st yr., *Suppl. for July-Sept. 1966*, pp. 132, 133.

²²¹ 1302nd meeting, preceding para. 5.

²²² 1302nd meeting, paras. 6-8.

²²³ 1302nd meeting, para. 69.

²²⁴ Resolution 2107 (XX).

²²⁵ 1302nd meeting, paras. 17, 20-26.

²²⁶ 1302nd meeting, para. 53.

together with one representative of each of the two parties concerned, if the Democratic Republic of the Congo reciprocated Portugal's good will by first permitting an investigation of the anti-Portuguese bases existing in its territory.²²⁷

At the 1304th meeting, the representative of Mali introduced a draft resolution jointly submitted with Jordan, Nigeria and Uganda.²²⁸

At the 1306th meeting on 14 October 1966, at the request of the representatives of France, the United Kingdom and the United States, the first operative paragraph of the draft resolution was put to a separate vote and adopted by 11 votes to none, with 4 abstentions.²²⁹

At the same meeting, the joint draft resolution was adopted ²³⁰ unanimously.

The resolution ²³¹ read:

"The Security Council,

"Having heard the statements of the representative of the Democratic Republic of the Congo and of the representative of Portugal,

"Taking note of the statement of the representative of the Democratic Republic of the Congo that Angola under Portuguese domination is used as a base of operation for foreign mercenaries for interfering in the domestic affairs of the Democratic Republic of the Congo,

"Taking note further of the statement of the representative of Portugal that there are no mercenaries in Angola nor camps nor war material meant to disturb the peace in the Democratic Republic of the Congo,

"Deeply concerned over developments in the area,

"Recalling the pertinent resolutions of the Security Council and the General Assembly,

"1. Urges the Government of Portugal, in view of its own statement, not to allow foreign mercenaries to use Angola as a base of operation for interfering in the domestic affairs of the Democratic Republic of the Congo;

"2. Calls upon all States to refrain or desist from intervening in the domestic affairs of the Democratic Republic of the Congo;

"3. Requests the Secretary-General to follow closely the implementation of the present resolution."

Decision of 10 July 1967 (1367th meeting):

Condemning any State which persists in permitting or tolerating the recruitment of mercenaries and the provision of facilities to them, with the objective of overthrowing the Governments of States Members of the United Nations, and calling upon Governments to ensure that their territory and other territories under their control, as well as their nationals, are not used for the planning of subversion, and the recruitment, training and transit of mercenaries designed to overthrow the Government of the Democratic Republic of the Congo

By letter ²³² dated 6 July 1967 addressed to the President of the Security Council, the representative of the Demo-

cratic Republic of the Congo requested the convening of an emergency meeting of the Council to consider "the question of aggression committed against the Democratic Republic of the Congo on 5 July 1967".

At the 1363rd meeting on 6 July 1967, the Council included ²³³ the item in its agenda and invited ²³⁴ the representative of the Democratic Republic of the Congo to participate in the discussion. The Council considered the question at its 1363rd, 1364th and 1367th meetings, held between 7 and 10 July 1967.

At the 1363rd meeting on 6 July 1967, the representative of the Democratic Republic of the Congo recalled that in October 1966, the Security Council was apprised of the dangers and threats to the Congo arising out of the activities of mercenaries. He further stated that the invasion by foreign paratroopers of the town of Kisangani on 5 July 1967 was not an isolated event but an element of a carefully nurtured plan and he asked that the Security Council invite all Member States to take measures to see to it that all activities of international conspiracy on their territory or on territories under their jurisdiction be ceased and that the recruitment of mercenaries be forbidden in conformity with obligations under the Charter. Those obligations had been further expressed in various relevant resolutions of the General Assembly, especially the resolution inviting Governments to abstain from interference in any way in the domestic affairs of sovereign States, which, in his view, also comprised the obligation to prevent there being on the territory of those States any activities running counter to the sovereignty of Member States of the Organization. The members of the Council should thus remind all States of their fundamental obligations, especially under the Charter, and invite them to take concrete measures which would put an end to the recruitment and training of mercenaries who intend to infringe upon the sovereignty of sovereign States in general, and that of the Democratic Republic of the Congo in particular.²³⁵

At the 1367th meeting of the Council on 10 July 1967, the representative of Nigeria introduced a draft resolution jointly submitted with Ethiopia, India and Mali.²³⁶

At the same meeting, the joint draft resolution was adopted ²³⁷ unanimously.

The resolution ²³⁸ read:

"The Security Council,

"Having taken cognizance of the message of the Congolese Government contained in document S/8031,

"Having discussed the serious developments in the Democratic Republic of the Congo,

"Concerned by the threat posed by foreign interference to the independence and territorial integrity of the Democratic Republic of the Congo,

"1. Reaffirms in particular paragraph 2 of Security Council resolution 226 (1966) of 14 October 1966;

"2. Condemns any State which persists in permitting or tolerating the recruitment of mercenaries, and the

²²⁷ 1303rd meeting paras. 15-16, 37, 39; 1304th meeting, para. 84

²²⁸ S/7539, OR, 21st yr., Suppl. for Oct.-Dec. 1966.

²²⁹ 1306th meeting, para. 254.

²³⁰ 1306th meeting, para. 255.

²³¹ Resolution 226 (1966).

²³² S/8036, OR, 22nd yr., Suppl. for July-Sept. 1967, p. 63.

²³³ 1363rd meeting (PV), p. 6.

²³⁴ 1363rd meeting (PV), p. 6.

²³⁵ 1363rd meeting (PV), pp. 7-11, 17-20.

²³⁶ S/8050, 1367th meeting, pp. 47-50.

²³⁷ 1367th meeting, p. 66.

²³⁸ Resolution 239 (1967), 1367th meeting, p. 66.

provision of facilities to them, with the objective of overthrowing the Governments of States Members of the United Nations;

"3. *Calls upon* Governments to ensure that their territory and other territories under their control, as well as their nationals, are not used for the planning of subversion, and the recruitment, training and transit of mercenaries designed to overthrow the Government of the Democratic Republic of the Congo;

"4. *Decides* that the Security Council shall remain seized of the question;

"5. *Requests* the Secretary-General to follow closely the implementation of the present resolution."

Decision of 15 November 1967 (1378th meeting):

Condemning the failure of Portugal, in violation of Security Council resolutions, to prevent the mercenaries from using the Territory of Angola under its administration as a base of operations for armed attacks against the Democratic Republic of the Congo and calling upon Portugal to put an end immediately to the provision to the mercenaries of any assistance whatsoever

By letter ²³⁹ dated 3 November 1967, addressed to the President of the Security Council, the representative of the Democratic Republic of the Congo transmitted a letter from the Minister for Foreign Affairs and External Trade of the Democratic Republic of the Congo requesting to convene the Security Council and communicate the information, contained in his letter, to the Council so that it could take the necessary measures "to stop the aggression and ensure the safety of persons and property, both foreign and Congolese, in the threatened area". It was further stated in the letter that an armed band of mercenaries had on 1 November 1967 invaded the territory of the Democratic Republic of the Congo. A number of messages requesting armed intervention on behalf of the mercenaries from the rebels in the Congo who occupied Bakavu which were intercepted on their way to Angola constituted proof of Portugal's collusion with the mercenaries for the purpose of overthrowing the established order in the Congo contrary to the obligations imposed by the Charter and in violation of the resolutions adopted by the Security Council in the matter of interference in the domestic affairs of the Congo by foreign mercenaries.

At the 1372nd meeting of the Council on 8 November 1967, the question was included in the agenda.²⁴⁰ The representatives of the Democratic Republic of the Congo, Portugal, Burundi, Zambia and Algeria were invited to participate in the discussion.²⁴¹ The Council considered the question at its 1372nd, 1374th, 1376th and 1378th meetings.

At the 1372nd meeting of the Council, the representative of the Democratic Republic of the Congo* stated that Portugal continued to represent a threat to the territorial integrity of his country through the aggression of the mercenaries stationed in the camps in Angola and crossing the Congolese borders from Angola. He asked for condemnation by the Council of the attitude of Portugal and for reaffirmation of the Council's previous decisions. Furthermore, he asked to condemn the very principle

of the recruitment of mercenaries, calling on the Member States to take measures to prevent the recruitment of mercenaries on their soil.²⁴²

The representative of Portugal* denied that there had been any interference by Portugal in the internal affairs of the Congo. He maintained that the Republic of the Congo had neither been invaded nor threatened nor attacked by Portuguese or other foreign forces which might have been stationed in Angola, and that there were neither any bases in Angola at the service of mercenaries nor any crossing of the frontier posts by armed or unarmed groups in the direction of the Congo. At the same time, however, the Government of the Congo had been promoting armed aggression against Angola by providing bases and all sorts of other material aid to groups and individuals who carried out armed raids against Angola. In conclusion he reiterated his proposal for investigation of the Congolese charges.²⁴³

At the 1378th meeting of the Council on 13 November 1967, the President (Mali) informed the Council that following informal consultations, a consensus had been reached on the text of a draft resolution, although one member of the Council reserved the right to comment on one particular paragraph. The President read the text of the draft and stated that since there were no objections, he considered that the Council had adopted the draft resolution.²⁴⁴

The resolution ²⁴⁵ read:

"The Security Council,

"Concerned by the serious situation created in the Democratic Republic of the Congo following the armed attacks committed against that country by foreign forces of mercenaries,

"Concerned that Portugal allowed those mercenaries to use the territory of Angola under its administration as a base for their armed attacks against the Democratic Republic of the Congo,

"Taking into consideration the support and assistance that those mercenaries have continued to receive from some foreign sources with regard to recruitment and training, as well as transport and supply of arms,

"Concerned at the threat which the organization of such forces poses to the territorial integrity and independence of States,

"Reaffirming resolutions 226 of 14 October 1966 and 239 of 10 July 1967,

"1. Condemns any act of interference in the internal affairs of the Democratic Republic of the Congo;

"2. Condemns, in particular, the failure of Portugal, in violation of the above-mentioned Security Council resolutions, to prevent the mercenaries from using the territory of Angola under its administration as a base of operations for armed attacks against the Democratic Republic of the Congo;

"3. Calls upon Portugal to put an end immediately, in conformity with the above-mentioned resolutions of the Security Council, to the provision to the mercenaries of any assistance whatsoever;

²⁴² 1372nd meeting (PV), pp. 11-31.

²⁴³ 1372nd meeting (PV), pp. 32-42. For the Portuguese proposal, see 1303rd meeting, paras. 37, 39, and 1304th meeting, para. 87.

²⁴⁴ 1378th meeting (PV), pp. 2-5.

²⁴⁵ Resolution 241 (1967).

²³⁹ S/8218, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, p. 201.

²⁴⁰ 1372nd meeting (PV), pp. 6-10, 11.

²⁴¹ 1372nd meeting (PV), pp. 11-31.

"4. *Calls upon* all countries receiving mercenaries who have participated in the armed attacks against the Democratic Republic of the Congo to take appropriate measures to prevent them from renewing their activities against any State;

"5. *Calls upon* all Member States to co-operate with the Security Council in the implementation of this resolution;

"6. *Decides* that the Security Council should remain seized of the question and requests the Secretary-General to follow the implementation of the present resolution."

SITUATION IN THE MIDDLE EAST (I)

INITIAL PROCEEDINGS

By letter ²⁴⁶ dated 23 May 1967, the representatives of Canada and Denmark requested that an urgent meeting of the Security Council be convened to consider "the extremely grave situation in the Middle East which is threatening international peace and security". Referring to the warning of the Secretary-General in his report to the Security Council of 19 May 1967,²⁴⁷ that the current situation in the Near East "is more disturbing, indeed . . . more menacing, than at any time since the fall of 1956", the representatives concluded that the time had come for the Security Council to discharge its primary responsibility for the maintenance of international peace and security.

At the 1341st meeting of the Security Council on 24 May 1967, the Security Council had before it a provisional agenda which contained the following item:

²⁴⁶ S/7902, O.R., 22nd yr., *Suppl. for Apr.-June 1967*, pp. 118-119.

²⁴⁷ S/7896, O.R., 22nd yr., *ibid.*, pp. 109-113. In this report, the Secretary-General stated that in his considered opinion, the prevailing state of affairs in the Near East as regards relations between the Arab States and Israel, and among the Arab States themselves, was extremely menacing. There had been a steady deterioration along the line between Israel and Syria. El Fatah activities consisting of terrorism were a major factor, since they provoked strong reactions in Israel by the Government and population alike. Bellicose official and non-official utterances reported by the press and radio were more or less routine on both sides of the lines in the Near East. There had been further persistent reports about troop movements on the Israel side of the Syrian border. The Israel Government, however, very recently had assured the Secretary-General that no military action would be initiated by its armed forces unless such action was first taken by the other side. The decision of the Government of the United Arab Republic to terminate its consent for the continued presence of the United Nations Emergency Force on United Arab Republic controlled territory in Gaza and its decision to move its troops up to the line had eliminated the buffer function which the Force has been performing. The operation of the Force was based entirely on its acceptance by the governing authority on the territory on which it operated, and that was not in any sense related to Chapter VII of the Charter. Neither the United Nations Emergency Force nor any other United Nations peace-keeping operation thus far undertaken would have been permitted to enter the territory if there had been any suggestion that it had the right to remain there against the will of the governing authority. Since the announcement of the decision of the Government of the United Arab Republic with regard to the Force, tension in the area had mounted, troop movements on both sides had been observed, and the confrontation along the line between the armed forces of the two countries quickly began to reappear. Unless there was very great restraint on both sides of the line, a series of local clashes across the line, that could easily escalate into heavy conflict, could be envisaged.

"Letter dated 23 May 1967 from the Permanent Representatives of Canada and Denmark addressed to the President of the Security Council (S/7902)."

Following a procedural discussion on the convening of the meeting, the agenda was adopted.²⁴⁸

The question was considered by the Security Council at its 1341st and 1342nd meetings on 24 July 1967; at its 1343rd to 1361st meetings between 29 May to 14 June 1967 and at its 1365th and 1366th meetings on 8 and 9 July 1967.

The following representatives were invited to take part in the discussion during the period ending with the 1366th meeting, the invitations being renewed at each of the subsequent meetings: at the 1341st meeting, the representatives of Israel and the United Arab Republic; at the 1343rd meeting, the representatives of Jordan and Syria; at the 1344th meeting, the representative of Lebanon; at the 1345th meeting, the representatives of Iraq and Morocco; at the 1346th meeting, the representatives of Kuwait and Saudi Arabia; at the 1348th meeting, the representatives of Tunisia and Libya; at the 1360th meeting, the representative of Pakistan; and at the 1366th meeting, the representative of Algeria.²⁴⁹

Decision of 24 May 1967 (1342nd meeting): *Statement by the President: Adjournment of the meeting*

At the 1341st meeting, the representative of Denmark stated that since the beginning of the withdrawal of the UNEF, the situation along the borders between Israel and the United Arab Republic had been constantly deteriorating at an alarming speed. There had been a military build-up along the borders of Israel and the United Arab Republic and the stage had been set for a military clash. Only two days ago, the President of the United Arab Republic declared that Israel ships and other ships carrying cargoes to Israel would be barred from the Straits of Tiran, whereas the Israel Government had also stressed that it would consider such a move as an attack. It would have been preferable to defer any action by the Council until it had received the Secretary-General's report on his current efforts to bring about an easing of the tension. However, the Secretary-General's mission alone could not relieve the Council of any of its primary responsibilities. For those reasons, the Government of Denmark had considered it necessary, together with the Government of Canada, to ask for an urgent meeting of the Security Council. Their only concern had been the preservation of peace in that area.²⁵⁰

At the 1342nd meeting on 24 May 1967, the representative of the United States said that the Security Council should call upon all States to avoid any action which might exacerbate the tense situation which had prevailed when the Secretary-General had departed on his mission. The obligation of the parties was to ensure that there was

²⁴⁸ 1341st meeting (PV), p. 36. See in chapter I, Case 3.

²⁴⁹ 1341st meeting (PV), p. 36;
1343rd meeting (PV), pp. 2-6;
1344th meeting (S/PV), pp. 3-5;
1345th meeting (S/PV), p. 2;
1346th meeting (PV), pp. 3-5;
1348th meeting (PV), pp. 2-5;
1360th meeting (PV), p. 17;
1366th meeting (PV), pp. 3-5.

²⁵⁰ 1341st meeting (PV), pp. 37-42.

no interference with existing international rights long enjoyed and exercised in the area by many nations.²⁵¹

The representative of Japan expressed the view that the confrontations existing in the area must not be permitted to escalate into armed conflict. The utmost restraint was essential not only with regard to land borders and air space, but also with regard to the waterways.²⁵²

At the same meeting, the representative of Canada introduced a draft resolution²⁵³ jointly submitted with Denmark, under which the Council would: (1) express full support for the efforts of the Secretary-General to pacify the situation; (2) request all Member States to refrain from any steps which might worsen the situation; and (3) invite the Secretary-General to report to the Council upon his return to enable the Council to continue its consideration of the matter.

The representative of France observed that for the time being, the Council must limit itself to addressing an appeal to the parties to refrain from any initiatives which might threaten peace. If the appeal was heeded, and taking into account the position of the Powers which bore the main responsibility for peace in the world, the Council would then be able to consider the means by which it could contribute to the peaceful solution of the dispute.²⁵⁴

The representative of the United Kingdom maintained that the Security Council would have to deal with the following questions: how could tensions be relieved and immediate dangers of conflict be removed; how could the rights of free passage through the Strait of Tiran be guaranteed and assured; how could effective United Nations measures and machinery to keep the peace and prevent conflict in the area best be worked out for the future; and what new measures and additional action could be taken to prevent such dangers to the peace from recurring in future years.²⁵⁵

The representative of the United Arab Republic expressed the view that the draft resolution which had been introduced by the representatives of Canada and Denmark was an attempt to sabotage the mission of the Secretary-General.²⁵⁶

The representative of Israel* stated that massive troop concentrations had been built up in the Sinai peninsula, along the southern borders of Israel wherefrom the United Nations Emergency Force had been peremptorily evicted. All these steps were part of an over-all plan, the design of which was unfolding. It was approaching in the threats of President Nasser to interfere with shipping in the Straits of Tiran at the entrance of Aqaba. Before the Secretary-General had an opportunity to meet the President, it had been reported from Cairo that it had been decided to initiate operational measures to interfere with the freedom of navigation in the international waterway, the Straits of Tiran. The action of Egypt constituted a challenge of utmost gravity not only to Israel but also to the whole international community.²⁵⁷

The United States representative requested a short recess of the meeting for immediate consultations between himself and certain other members of the Council.²⁵⁸

After the suspension of the meeting, the representative of the United States stated that it was his understanding that the President (China) had suggested that the best procedure might be to adjourn the meeting for prompt, informal consultations among the members and that the members would be asked to hold themselves available to the Council, in view of the seriousness of the situation for an early further meeting the time of which would be announced after appropriate consultations.²⁵⁹

Subsequent to a brief discussion, the representative of Canada proposed that the Council should adopt the suggestion of the President.²⁶⁰

The President proposed that the meeting be adjourned until further notice.²⁶¹

By letter²⁶² dated 27 May 1967, the permanent representative of the United Arab Republic requested that the following item be included in the Council's agenda of which the Security Council was presently seized:

"Israel aggressive policy, its repeated aggression threatening peace and security in the Middle East and endangering international peace and security."

In the letter, he cited a few instances of continued Israel aggressive policy. He requested the Council that necessary steps be taken to consider the above item urgently because it had indicated "the dangerous situation which has been brought about by Israel's continued violation of the United Nations Charter and the General Armistice Agreements, thus threatening international peace and security".

By letter²⁶³ dated 29 May 1967, the permanent representative of the United Kingdom requested that the Secretary-General's report²⁶⁴ of 26 May 1967 be included in the Council's provisional agenda.

²⁵⁸ 1342nd meeting (PV), pp. 52-55.

²⁵⁹ 1342nd meeting (PV), p. 56.

²⁶⁰ 1342nd meeting (PV), p. 61.

²⁶¹ 1342nd meeting (PV), p. 61.

²⁶² S/7907, *OR*, 22nd yr., *Suppl. for April-June 1967*, pp. 124-125.

²⁶³ S/7910, *Ibid.*, p. 125.

²⁶⁴ S/7906, *Ibid.*, pp. 120-124. In the report, the Secretary-General stated that the decision of the United Arab Republic to restrict shipping in the Strait of Tiran had created a new situation. Free passage through the Strait was one of the questions which the Government of Israel considered most vital to its interests. The position of the Government of the United Arab Republic was that that Strait was territorial waters in which it had the right to control shipping. The Government of Israel contested this position and asserted the right of innocent passage through the Strait. It had further declared that Israel would regard the closing of the Strait of Tiran to Israel flagships and any restriction on cargoes of ships of other flags proceeding to Israel as a *casus belli*. The important immediate fact was that, in view of the conflicting stands taken by the United Arab Republic and Israel, the situation in the Strait of Tiran represented a very serious potential threat to peace. A clash between the United Arab Republic and Israel over this issue, in the present circumstances, would inevitably set off a general conflict in the Near East. Other problems, however, such as sabotage, terrorist activities and rights of cultivation in disputed areas in the demilitarized zone between Israel and Syria, would, unless controlled, almost surely lead to further serious fighting. In the view of the Secretary-General, a peaceful outcome of the current crisis would depend upon a breathing spell which would allow tension to subside from its present explosive level. He therefore urged all the parties concerned to exercise special restraint to forgo belligerence and to avoid all other actions

²⁵¹ 1342nd meeting (PV), pp. 6-10.

²⁵² 1342nd meeting (PV), p. 12.

²⁵³ 1342nd meeting (PV), pp. 12-15.

²⁵⁴ S/7905, *OR*, 22nd yr., *Suppl. for April-June, 1967*, p. 119.

²⁵⁵ 1342nd meeting (PV), p. 21.

²⁵⁶ 1342nd meeting (PV), pp. 37-40.

²⁵⁷ 1342nd meeting (PV), pp. 41-42.

At the 1343rd meeting on 29 May 1967, the Security Council decided²⁶⁵ to adopt the following agenda:

"Letter dated 23 May 1967 from the Permanent Representatives of Canada and Denmark addressed to the President of the Security Council (S/7902);

"Complaint of the Representative of the United Arab Republic in a letter to the President of the Security Council dated 27 May 1967 entitled 'Israeli aggressive policy, its repeated aggression threatening peace and security in the Middle East and endangering international peace and security' (S/7907); and

"Letter dated 29 May 1967 from the Permanent Representative of the United Kingdom addressed to the President of the Security Council (S/7910)."

Decision of 6 June 1967 (1348th meeting):

(i) *Calling upon the Governments concerned to take forthwith all measures for an immediate cease-fire and for cessation of all military activities in the area;*

(ii) *Requesting the Secretary-General to keep the Council currently informed on the situation*

At the 1343rd meeting on 29 May 1967, the representative of the United States referred to the appeal of the Secretary-General to the parties concerned contained in his report of 26 May 1966 and stated that the Security Council must find means to liquidate the conflict between the United Arab Republic and Israel as a military one and to defuse the most sensitive area, the Gulf of Aqaba. Therefore, the Council as an interim measure and without extended debate should endorse the Secretary-General's appeal. With respect to the Aqaba area, forgoing belligerence must mean forgoing any blockade of the Gulf of Aqaba during the breathing spell requested by the Secretary-General, and permitting free and innocent passage of all nations and flags through the Strait of Tiran to continue. Furthermore, the Council must address itself in longer-range terms to the three points of tension identified in the Secretary-General's report: the Gulf of Aqaba situation, the confrontation in the Gaza area and on the Syrian-Israel frontier, and the problem of terrorism. Effective steps must also be taken to reaffirm the General Armistice Agreements and to revitalize the Armistice machinery. Quiet diplomacy by the Secretary-General and the Members, the good offices of Member States, the employment of intermediaries, and all the devices provided for in Article 33 of the Charter should further be used.⁶⁶

The representative of the United Arab Republic* stated that on 7 April 1967, a considerable number of Israel jet fighters crossed the Armistice Demarcation Line and penetrated deeply into Syrian territory, as far as the Damascus area, in order to provoke Syria into a full-scale war. On 13 May 1967, the Government of the United Arab Republic had received accurate information that Israel had been concentrating huge armed forces on the Syrian border and had every reason to believe that on 17 May, the Israel authorities had seriously contemplated an attack against Syria. In the discharge of its responsi-

lities and in fulfilment of its sovereign rights, the Government had decided, in co-operation with its Arab allies, to defend the Arab nation by all measures. Since the presence of the United Nations Emergency Force would have conflicted with that decision and also for the sake of the safety of the Force, the Government, in the exercise of its sovereign rights, had requested the Secretary-General to withdraw the United Nations Emergency Force. Thus, it had peacefully restored the situation back to what it was before the 1956 aggression against the United Arab Republic. With regard to the Gulf of Aqaba, the representative stated that it had been under continued and uninterrupted Arab domination and sovereignty for over one thousand years. Israel's presence on the Gulf lacked legitimate foundation, as its occupation took place two weeks after the signing of the General Armistice Agreement between Egypt and Israel in violation of various provisions of the Agreement and decisions of the Security Council. In view of those violations, Israel's possession of the coastal strip did not entitle it to any legal claim to sovereignty. Neither the Armistice Agreement nor the presence of UNEF had changed the legal status of the Gulf of Aqaba and consequently they could not affect the United Arab Republic's rights over its territorial waters. The policy to preclude enemy vessels from ingress into and egress from the Gulf had been scrupulously maintained since 1950. There was also established a legal precedent that no innocent passage could be attributed to combatant parties. The Security Council, in considering this problem, should take into account the fact that the unilateral denunciation by Israel of the Egyptian-Israel General Armistice Agreement was legally invalid and consequently its violation of that Agreement was responsible for the deterioration of the situation in the Middle East, threatening peace and security. Accordingly, the Council should call upon Israel to abide by its obligations under the Agreement and instruct the Chief of Staff of the United Nations Truce Supervision Organization to reinstate the headquarters of the Egyptian-Israeli Mixed Armistice Commission in El Auja within two weeks. The Secretary-General should be requested to report to the Security Council within fifteen days.²⁶⁷

The representative of Argentina pointed out that the main objective of the Security Council should be to avoid a belligerent confrontation by endeavouring to prevent aggression and avoid a breach of the peace or to prevent a threat from becoming action. It must seek a settlement of the question by peaceful means in accordance with international law.⁶⁸

The representative of Brazil pointed out that if anything could be done by the Council, it was to initiate or support all efforts, without taking sides in the confrontation, to prevent further aggravation of the crisis.²⁶⁹

The representative of the United Kingdom observed that the Security Council would not fail to concentrate first and foremost on the vital need for a solution of the problem of the Gulf of Aqaba.²⁷⁰

The representative of Israel* stated that the unfounded charge of alleged Israel troop concentration was the keystone of the Egyptian case for moving its forces against

which could increase tension, to allow the Council to deal with the underlying causes of the crisis and to seek solutions (paras. 10, 12-14).

²⁶⁵ 1343rd meetings (PV), p. 2.

²⁶⁶ 1343rd meeting (PV), pp. 8-16, 18-20.

²⁶⁷ 1343rd meeting (PV), pp. 23-25, 27, 40, 42, 46-47.

²⁶⁸ 1343rd meeting (PV), pp. 48-50.

²⁶⁹ 1343rd meeting (PV), p. 56.

²⁷⁰ 1343rd meeting (PV), p. 58.

Israel. On 15 May, his Government had assured the Secretary-General that Israel had not concentrated any troops anywhere and harboured no aggressive designs against any of its Arab neighbours and had requested the Secretary-General to convey these assurances to the Arab Governments concerned. The Secretary-General had acted without delay on that request and added that the facts conveyed to him by Israel had been confirmed by independent inquiries through his representatives in that area. On 16 May, President Nasser had moved against UNEF and deployed heavy Egyptian forces right along the Israel border. In the light of these sudden and threatening moves, the Israel Government was compelled to take limited precautionary measures. While the Secretary-General was en route to Cairo, President Nasser had proclaimed the blockade of the international waterway of the Strait of Tiran and the Gulf of Aqaba. The position of the Government of Israel remained that every interference with the freedom of navigation in these waters was an offensive action and an act of aggression against Israel, the infringement of the sovereign rights of all nations to the unimpeded use of the international waterway and a gross violation of international law. The eviction of UNEF from its position at the entrance to the Strait at Sharm el Sheikh was not only an act of defiance of the United Nations and a violation of Egypt's pledged word, but was the signal for the revival of belligerence after ten years of tranquillity in the Gulf of Aqaba. The proclaimed policy of belligerence pursued by the Government of the United Arab Republic was the crux of the matter. This was the underlying case for the present and other crisis situation in the Middle East. The two central violations of the Egyptian-Israeli Armistice Agreement were the denial of free passage in the Suez Canal and in Aqaba. The Israel Government believed that five immediate steps should be taken in the present crisis: all inflammatory statements and threats against the territorial integrity and political independence of any State should cease; the Charter obligation of non-belligerence must be strictly complied with; the armed forces should be withdrawn from their positions as of the beginning of the month; all forms of armed incursions, acts of sabotage and terrorism should cease and the Governments concerned should take all steps to prevent their territory from being used for these hostile acts; and there should be no interference with any shipping in the Strait of Tiran and the Gulf of Aqaba. If those steps were taken promptly, the present dangerous tensions would subside.²⁷¹

The representative of Ethiopia maintained that the Council should concentrate its attention on the report and recommendations of the Secretary-General. The first objective at this step should be the avoidance of a conflict and of any steps which could lead to confrontation. With this urgent objective in view and by way of endorsing the efforts of the Secretary-General as outlined in his report, the representative was ready to join in an effort to work out an urgent appeal to all the parties concerned to exercise restraint and to refrain from taking any action which could give rise to confrontation and conflict. The avoidance of all such action would allow the Security Council to proceed with its urgent mission of the preservation of peace in the region.²⁷²

The representative of India expressed the view that no State or a group of States should attempt to challenge by force the sovereignty of the United Arab Republic over the Strait of Tiran. A *modus vivendi* was desirable, but any arrangement that was worked out must be within the framework of the sovereignty of the United Arab Republic.²⁷³

At the 1344th meeting on 30 May 1967, the representative of Lebanon* stated that although the Security Council had the primary responsibility for preventing war and maintaining international peace and security, Member States, under Article 51 of the Charter, had the inherent right of individual and collective self-defence. The Council had the duty to prevent aggression before it took place and thus preserve the peace.²⁷⁴

The representative of Denmark observed that the discussion seemed to indicate a broad agreement in principle that the Council, in response to the Secretary-General's call for a breathing spell, ought to launch an appeal to the parties for restraint, which should be made. However, only if it were adopted with the greatest possible majority, and preferably unanimously, would it appear as a true expression of the collective will of the United Nations.²⁷⁵

The representative of the United States asserted the legal position of his Government which had consistently been and remained that since there was an Armistice Agreement endorsed by the United Nations which was its principal author, neither side had the right to exercise belligerent rights.²⁷⁶

At the 1345th meeting on 31 May 1967, the representative of Iraq* maintained that the Security Council should consider the real issues which underlied the crisis and without the solution of which there could be no peace in the area. The issues were related to the people of Palestine and to the necessity to reactivate the machinery which the Council had itself established to keep peace in the area.²⁷⁷

The representative of the United States submitted²⁷⁸ a draft resolution²⁷⁹ whereby the Security Council, noting that the Secretary-General in his report had expressed the view that "a peaceful outcome to the present crisis would depend upon a breathing spell which would allow tension to subside from its present explosive level", and that he therefore had urged "all the parties concerned to exercise special restraint to forgo belligerence and to avoid all other actions which would increase tension, to allow the Council to deal with the underlying causes of the present crisis and to seek solutions" (fourth preambular paragraph), would: (1) call upon all the parties concerned as the first step to comply with the Secretary-General's appeal; (2) encourage the immediate pursuit of international diplomacy in the interest of pacifying the situation and seeking reasonable, peaceful and just solutions; (3) decide to keep the issue under urgent and

²⁷³ 1343rd meeting (PV), p. 86.

²⁷⁴ 1344th meeting (PV), p. 17.

²⁷⁵ 1344th meeting (PV), p. 17.

²⁷⁶ 1344th meeting (PV), p. 58.

²⁷⁷ 1345th meeting (PV), p. 16.

²⁷⁸ 1345th meeting (PV), p. 21.

²⁷⁹ S/7916, *ibid.*, p. 22. See 1346th meeting (PV), p. 6; the statement of the President (Denmark) concerning the revised text of the draft resolution S/7916/Rev.1.

²⁷¹ 1343rd meeting (PV), pp. 66-67, 68, 71-72.

²⁷² 1343rd meeting (PV), p. 81.

continuous review so that the Council might determine what further steps it might take in the exercise of its responsibilities for the maintenance of international peace and security. The representative of the United States stated that this interim draft resolution took into account the fact that the Council had two types of responsibilities. In addition to its responsibility to avert an imminent clash, it had also the responsibility conferred by Chapter VI of the Charter and described in the Secretary-General's words:²⁸⁰ "... to seek, and eventually to find reasonable, peaceful and just solutions."²⁸¹

At the same meeting, the representative of the United Arab Republic* submitted,²⁸² under rule 38 of the provisional rules of procedure of the Security Council, a draft resolution²⁸³ in accordance with which the Council would: (1) decide that the Egyptian-Israel General Armistice Agreement was still valid and reiterate that the United Nations machinery emanating therefrom should be fully operative; (2) call upon the Israel Government to respect and abide by its obligations and responsibilities as stipulated in the Egyptian-Israel General Armistice Agreement and to act accordingly; (3) instruct the Chief of Staff of the UNTSO to proceed promptly and reinstitute within two weeks the headquarters of the Egyptian-Israel Mixed Armistice Commission at El Auja, wherefrom it had discharged its duties prior to the Israel unilateral action forcing its expulsion from that zone; (4) decide to bolster additional measures necessary for the full implementation of this resolution in the case of non-compliance by the Israel Government with the terms of this resolution; (5) request the Secretary-General to contact the parties to the Egyptian-Israel General Armistice Agreement for the immediate implementation of this decision and to report to the Security Council within fifteen days for its approval with regard to additional measures; (6) decide to reconvene to discuss the report of the Secretary-General immediately upon its submission.

At the same meeting, the representative of India said that his delegation would at the appropriate time ask for the vote on the draft resolution submitted by the United Arab Republic under rule 28 of the provisional rules of procedure of the Security Council.²⁸⁴

At the 1346th meeting on 3 June 1967, the representative of France maintained that the most urgent task of the Security Council was to agree on the terms of an appeal to the parties to abstain during the breathing spell from supporting their claims by a resort to force of whatever nature. This appeal would not be a matter of approving or disapproving the respective positions of the parties as stated in the Council, but only of searching for means which could lead to procedures of peaceful settlement, in other words, which could lead to negotiations.²⁸⁵

At the 1347th meeting on 5 June 1967, the President (Denmark) drew the attention of the members of the

Security Council to a letter²⁸⁶ dated 5 June 1967 from the permanent representative of the United Arab Republic. He stated further that at 0310 that morning, the permanent representative of Israel informed him officially that he had just received reports that Egyptian land and air forces had moved against Israel and Israel forces were engaged in repelling the Egyptian forces. The representative read further to him a communiqué from the Israel defence forces according to which since the early hours of that morning, fierce fighting had broken out between Egyptian air and armoured forces which had moved against Israel and its forces, which had gone into action to contain them. At 0330 that morning, the representative of the United Arab Republic informed him that Israel had committed a premeditated aggression by launching attacks against the Gaza Strip, Sinai, airports in Cairo, in the Suez Canal area and several other airports. The Government of the United Arab Republic, in repelling this aggression, had decided to defend itself by all means, in accordance with Article 51 of the Charter. The President pointed out also that the information which he had received from the Secretary-General confirmed that exchanges of fire and air activity had been going on in the area since the early hours of the morning. In view of this, in the exercise of his responsibilities as the President of the Security Council, he had felt it to be his duty to convene the Council for an urgent meeting.²⁸⁷

The Secretary-General presented to the Council all information that he had received from the United Nations sources in the Middle East on the outbreak of hostilities.²⁸⁸

After the suspension of the meeting, the President drew the attention of the Council to the supplementary information²⁸⁹ submitted by the Secretary-General, and requested the members of the Council to hold themselves available for consultations before the scheduled time of the meeting the next day.

At the 1348th meeting on 6 June 1967, the President stated that since the previous meeting of the Council, its members had been continuously engaged in urgent consultations as to the course of action to be taken by the Council in this emergency situation. This consultation had resulted in unanimous agreement on a draft resolution which the President presented to the Council.²⁹⁰

Decision: *The draft resolution was adopted²⁹¹ unanimously as resolution 233 (1967)*

It read:

"The Security Council,

"Noting the oral report of the Secretary-General in this situation,

"Having heard the statements made in the Council,

"Concerned at the outbreak of fighting and with the menacing situation in the Near East,

²⁸⁰ S/7906, 22nd yr., para. 14; report of the Secretary-General on the situation in the Middle East dated 26 May 1967, *OR*, 22nd yr., *Suppl. for Apr.-June 1967*, pp. 120-124.

²⁸¹ 1345th meeting (PV), p. 26.

²⁸² 1345th meeting (PV), p. 51.

²⁸³ S/7919, 1345th meeting (PV), pp. 51-52.

²⁸⁴ 1345th meeting (PV), p. 66.

²⁸⁵ 1346th meeting (PV), p. 92.

²⁸⁶ S/7926, *OR*, 22nd yr., *Suppl. for Apr.-June 1967*, p. 130.

²⁸⁷ 1347th meeting (PV), pp. 3-5.

²⁸⁸ *Ibid.*, pp. 6-15. For the statement of the Secretary-General, see chapter I, Case 26.

²⁸⁹ S/7930. Supplementary information received by the Secretary-General on the situation in the Middle East. *OR*, 22nd yr., *Suppl. for Apr.-June 1967*, pp. 132-134.

²⁹⁰ 1348th meeting (PV), pp. 3-5.

²⁹¹ 1348th meeting (PV), p. 6.

"1. *Calls upon* the Governments concerned to take forthwith as a first step all measures for an immediate cease-fire and for a cessation of all military activities in the area;

"2. *Requests* the Secretary-General to keep the Council promptly and currently informed on the situation."

Decision of 7 June 1967 (1350th meeting):

(i) *Demanding the Governments concerned to cease fire and discontinue all military activities at 2000 hours GMT on 7 June 1967;*

(ii) *Requesting the Secretary-General to keep the Council currently informed on the situation*

By letter ²⁹² dated 7 June 1967, the permanent representative of the USSR requested that a meeting of the Security Council be immediately convened in order "to hear the reports of the parties concerned on their implementation of the Security Council resolution calling for the immediate cessation of military activities".

At the 1349th meeting of the Security Council on 7 June 1967, the Council resumed its discussion of three items inscribed on the agenda.²⁹³

The agenda was adopted.²⁹⁴

At the 1349th meeting of the Security Council on 7 June 1967, the representative of the USSR drew the attention of the Council to the fact that the continuation of military activities by Israel who had not paid any attention to resolution 233 of 6 June 1967, might create an even more menacing situation in the area, and submitted ²⁹⁵ a draft resolution.²⁹⁶

The Secretary-General stated that he had received a cable from the Foreign Minister of Jordan conveying the acceptance by his Government of the cease-fire resolution ²⁹⁷ and informed the Security Council on the development of the situation in the Middle East according to a report of the Chief of Staff of the UNTSO, whom he had instructed to continue his functions and to make his good offices available to the parties whenever there was an opportunity to do so.²⁹⁸

At the 1350th meeting of the Security Council on 7 June 1967, the representative of Canada suggested that after voting on the USSR draft resolution, the Council should take up a draft resolution ²⁹⁹ submitted by him, according to which the President of the Council, with the assistance of the Secretary-General, would be requested to take the necessary measures to bring about full compliance with resolutions S/7935 of 6 June 1967 and S/7940 of 7 June 1967.

At the same meeting, the USSR draft resolution was adopted ³⁰⁰ unanimously as resolution 234 (1967). The resolution read:

"*The Security Council,*

"*Noting* that, in spite of its appeal to the Governments concerned to take forthwith as a first step all measures for an immediate cease-fire and for a cessation of all military activities in the Near East [*resolution 233 (1967)*], military activities in the area are continuing,

"*Concerned* that the continuation of military activities may create an even more menacing situation in the area,

"1. *Demands* that the Governments concerned should as a first step cease fire and discontinue all military activities at 2000 hours GMT on 7 June 1967;

"2. *Requests* the Secretary-General to keep the Council promptly and currently informed on the situation."

The President stated that the representative of Canada had proposed to adjourn the meeting until such time as the Council could vote on the Canadian draft resolution in order to adopt it by unanimity.³⁰¹

The proposal to adjourn the meeting was adopted ³⁰² unanimously.

Decision of 9 June 1967 (1352nd meeting):

(i) *Confirming its previous resolutions about immediate ceasefire and cessation of military action;*

(ii) *Demanding that hostilities should cease forthwith;*

(iii) *Requesting the Secretary-General to contact the Governments of Israel and Syria to arrange immediate compliance with the above-mentioned resolutions*

By letter ³⁰³ dated 8 June 1967 addressed to the President of the Security Council, the Permanent representative of the United States requested that in view of the fact that fighting still continued in the Middle East despite the two Security Council resolutions calling for a cease-fire and despite the indications of the acceptance of the cease-fire by Jordan and Israel, an urgent meeting of the Security Council be convened "to consider the present grave situation".

By letter ³⁰⁴ dated 8 June 1967, the permanent representative of the USSR requested, in view of the continuation of Israel's military activities and despite the two cease-fire resolutions by the Security Council, that an urgent meeting of the Security Council be convened to consider "the question of condemning Israel's aggressive acts, the immediate cessation by the aggressor of military activities against the Arab States and the effective withdrawal of Israel troops to the Israel side of the Armistice Line".

At the 1351st meeting of the Security Council on 8 June 1967, the agenda was adopted.³⁰⁵

At the same meeting, the Secretary-General read to the Council a message from the Foreign Minister of Kuwait and the information received from the Chief of Staff of UNTSO.³⁰⁶

²⁹² S/7938, *O.R.*, 22nd yr., *Suppl. for April-June 1967*, pp. 162-163.

²⁹³ The agenda comprised the same three communications which were included in the agenda at its 1343rd meeting on 29 May 1967.

²⁹⁴ 1349th meeting (PV), pp. 2-5.

²⁹⁵ 1349th meeting (PV), p. 6.

²⁹⁶ S/7940, *Ibid.*, p. 7-10. The same text as resolution 234 (1967); see below.

²⁹⁷ Resolution 233 (1967) of 6 June 1967.

²⁹⁸ 1349th meeting (PV), pp. 11-15.

²⁹⁹ S/7941, *O.R.*, 22nd yr., 1350th meeting (PV), p. 6.

³⁰⁰ 1350th meeting (PV), pp. 6-10.

³⁰¹ 1350th meeting (PV), pp. 44, 45. See also in chapter I, Case 41.

³⁰² 1350th meeting (PV), pp. 44-45.

³⁰³ S/7950, *O.R.*, 22nd yr., *Suppl. for April-June 1967*, p. 168.

³⁰⁴ S/7954, *ibid.*, p. 172.

³⁰⁵ 1351st meeting (PV), pp. 2-5. The agenda read as that adopted at the 1343rd meeting.

³⁰⁶ 1351st meeting (PV), p. 6.

The representative of the United States submitted a draft resolution³⁰⁷ which, in its third revised form,³⁰⁸ provided for the Security Council: (1) to insist on the continued scrupulous implementation by all the parties concerned of the Council's repeated demands for a cease-fire and cessation of all military activity as a first urgent step toward the establishment of a stable peace in the Middle East; (2) to request the Secretary-General to continue to report to the Council on compliance with the cease-fire; (3) to call for discussions promptly among the parties concerned, using such third party or United Nations assistance as they might wish, looking towards the establishment of viable arrangements encompassing the withdrawal and disengagement of armed personnel, the renunciation of force regardless of its nature, the maintenance of vital international rights and the establishment of a stable and durable peace in the Middle East; and (4) to request also the Secretary-General to provide such assistance as might be required in facilitating the discussions called for in paragraph 3.

The Secretary-General informed the Security Council that he had received a communication from the Permanent Mission of the United Arab Republic to the United Nations according to which its Government had decided to accept the cease-fire call as contained in the resolution of the Council on 6 and 7 June 1969 on the condition that the other party ceased fire.³⁰⁹

The representative of the USSR submitted³¹⁰ a draft resolution according to the revised form³¹¹ of which the Security Council would: (1) vigorously condemn Israel's aggressive activities and its violations of Security Council resolutions 233 of 6 June 1967 and 234 of 7 June 1967 of the United Nations Charter and of United Nations principles; and (2) demand that Israel should immediately halt its military activities against neighbouring Arab States and should remove all its troops from the territory of those States and withdraw them behind the armistice lines and respect the status of the demilitarized zones, as prescribed in the General Armistice Agreements.

The representative of Bulgaria pointed out that the Security Council must insist that the Government of Israel immediately order the withdrawal of the troops that had invaded the United Arab Republic, Jordan and Syria, and that this be the imperative condition for the re-establishment of calm in the Middle East.³¹²

At the 1352nd meeting on 9 June 1967, the President (Denmark) informed the Council that he had received a cable from the Minister for Foreign Affairs of Syria according to which the Government of Syria had decided to accept the two appeals in the resolution of the Security Council for a cease-fire provided that the other party agreed upon the cease-fire. The President stated further that he had received a communication from the permanent representative of Israel according to which heavy Syrian artillery fire continued to be directed against Israeli villages. He stated also that he had received a request from

the representative of Syria for an urgent meeting of the Security Council.³¹³ The Secretary-General read to the Council a message from the Chairman of the Israel-Syrian Mixed Armistice Commission and submitted to the Council further information concerning the situation on the Syrian-Israeli border.³¹⁴

The representative of Syria* stated that one hour later following the decision of the Syrian Government to accept the cease-fire, the Israel military forces had unleashed vast air and land operations which were proceeding with an increasing intensity, leaving no doubt that the aim was the total invasion of Syria. This invasion of Syria, premeditated and well prepared, was a violation of the cease-fire and also of the Charter of the United Nations.³¹⁵

The representative of Israel* stated that at the same time that Syria had acknowledged its acceptance of the cease-fire, it opened an attack of unusual vehemence against Israel villages and had increased its military action against Israel.³¹⁶

The President stated that he had consulted all members of the Council and it was his understanding that there was agreement that before the Security Council would proceed with its business, it ought to adopt urgently, a resolution demanding that hostility cease forthwith. Therefore, in his capacity as President of the Council, he presented a draft resolution.³¹⁷

The draft resolution was adopted³¹⁸ unanimously as resolution 235 (1967). The resolution read:

"The Security Council,

"Recalling its resolutions 235 (1967) of 6 June and 234 (1967) of 7 June 1967,

"Noting that the Governments of Israel and Syria have announced their mutual acceptance of the Council's demand for a cease-fire,

"Noting the statements made by the representatives of Syria and Israel,

"1. Confirms its previous resolutions about immediate cease-fire and cessation of military action;

"2. Demands that hostilities should cease forthwith;

"3. Requests the Secretary-General to make immediate contacts with the Governments of Israel and Syria to arrange immediate compliance with the above-mentioned resolutions, and to report to the Security Council not later than two hours from now."

At the 1353rd meeting on 9 June 1967, the Secretary-General informed the Security Council of his communications to the Foreign Ministers of Israel and Syria and of communications from the Permanent Mission of Syria and the Foreign Minister of Syria and from the permanent representative of Syria concerning the situation on the Syrian-Israel border.³¹⁹

The representative of the United States observed that what would solve the problem before the Security Council

³⁰⁷ S/7952, 1351st meeting (PV), pp. 11-12.

³⁰⁸ S/7952/Rev.3, OR, 22nd yr., Suppl. for Apr.-June 1967, p. 171; S/7952/Rev.1 and S/7952/Rev.2, *ibid.*, pp. 169-171.

³⁰⁹ 1351st meeting (PV), pp. 18-20.

³¹⁰ 1351st meeting (PV), p. 26.

³¹¹ S/7951/Rev.1, OR, 22nd yr., Suppl. for Apr.-June 1967, p. 169.

³¹² 1351st meeting (PV), p. 52.

³¹³ 1352nd meeting (PV), p. 6.

³¹⁴ 1352nd meeting (PV), pp. 7-12.

³¹⁵ 1352nd meeting (PV), pp. 13-16.

³¹⁶ 1352nd meeting (PV), p. 17.

³¹⁷ S/7960, 1352nd meeting (PV), p. 22. See also in chapter I, Case 10.

³¹⁸ 1352nd meeting (PV), p. 22.

³¹⁹ 1353rd meeting (PV), pp. 12-15.

was, first, ascertainment of the facts; and, second, action by United Nations machinery to make sure that the cease-fire was properly implemented. Those were two ways in which the Security Council must proceed.³²⁰

The representative of the USSR requested the President to ask the Secretary-General to take effective measures so as to utilize the machinery which was in existence and to pay due attention to the information from that machinery and to report to the Security Council without delay.³²¹

The President (Denmark) stated that it appeared that all members of the Council agreed that the Council should request the parties concerned to extend all possible co-operation to the United Nations Observers in the discharge of their responsibilities, that it should request the Government of Israel to restore the use of Government House in Jerusalem to the Chief of Staff of the UNTSO and should ask the parties to re-establish freedom of movement. The President added that the next meeting would take place on 10 June 1967 in the morning.³²²

Decision of 11 June 1967 (1357th meeting):

- (i) *Condemning any and all violations of the cease-fire;*
- (ii) *Requesting the Secretary-General to continue his investigations;*
- (iii) *Affirming that its demand for a cease-fire and discontinuance of all military activities included a prohibition of any forward military movements subsequent to the cease-fire;*
- (iv) *Calling for the prompt return to the cease-fire position of any troops;*
- (v) *Calling for full co-operation with the Chief of Staff of UNTSO and the observers in implementing the cease-fire*

By letter³²³ dated 9 June 1967 addressed to the President of the Security Council, the permanent representative of the USSR requested that an item entitled "Cessation of military action by Israel and withdrawal of the Israeli forces from those parts of the territory of the United Arab Republic, Jordan and Syria which they have seized as the result of an aggression" be included in the Council's agenda.

At the 1354th meeting on 10 June 1967, the President (Denmark) pointed out that a new item had been included in the provisional agenda in response to the request from the representative of the USSR circulated in document S/7967. The agenda was adopted.³²⁴ It read:

"Letter dated 23 May 1967 from the representatives of Canada and Denmark addressed to the President of the Security Council (S/7902)

"Complaint by the representative of the United Arab Republic in a letter to the President of the Security Council dated 27 May 1967 entitled:

"Israeli aggressive policy, its repeated aggression threatening peace and security in the Middle East and endangering international peace and security' (S/7907)

"Letter dated 29 May 1967 from the permanent representative of the United Kingdom addressed to the President of the Security Council (S/7910)

"Letter dated 9 June 1967 from the permanent representative of the Union of Soviet Socialist Republics addressed to the President of the Security Council concerning an item entitled:

"'Cessation of military action by Israel and withdrawal of the Israeli forces from those parts of the territory of the United Arab Republic, Jordan and Syria which they have seized as the result of an aggression.'"

The Security Council decided³²⁵ to consider the four items simultaneously.

The President stated that this emergency meeting had been convened at the urgent request of the Assistant Secretary-General for Political Affairs of Syria who had informed him that the situation in the area had seriously deteriorated and that the Israel forces had occupied Kuneitra and had been heading towards Damascus.³²⁶

The Secretary-General submitted to the Council reports from the Chairman of the Israel-Syrian Mixed Armistice Commission.³²⁷

The representative of Syria* stated that Israel had moved its forces and occupied Kuneitra, about thirty-five miles from Damascus, and a battle was taking place between the Syrian and Israel forces. The representative of Israel was deliberately attempting to mislead the Council by his assertion that Israel was abiding by the cease-fire. The attacking Israel forces should be withdrawn behind the Armistice Lines and sanctions should be applied by the Council.³²⁸

The representative of the USSR stated that the information presented by the Secretary-General, though fragmentary, had indicated clearly that the Israel air force had bombed Damascus, and that Israel forces were continuing their advance on Syrian territory. That was sufficient evidence of the flouting by Israel of the decision of the Security Council. Therefore it was necessary to take urgent and decisive measures to halt the aggressor.³²⁹

The representative of Israel* stated that despite two acceptances of the cease-fire resolutions, Syria had not ceased shelling Israel villages along the Israel-Syrian frontier. There was no foundation whatsoever for the allegation that Israel was planning to take Damascus. Its only activity was directed against the artillery emplacements which were attacking Israel villages.³³⁰

At the 1355th meeting on 10 June 1967 the Secretary-General read a message from the Chairman of the Israel-Syrian Mixed Armistice Commission.³³¹

The representative of Israel* stated that Israel troops were only engaged in silencing gun emplacements in Syria and they were doing so purely in the exercise of the right of self-defence.³³²

³²⁵ 1354th meeting (PV), p. 3.

³²⁶ 1354th meeting (PV), p. 3.

³²⁷ 1354th meeting (PV), pp. 3-7; for subsequent statements by the Secretary-General, see: *ibid.*, pp. 51-55, 63-65; 66.

³²⁸ 1354th meeting (PV), pp. 11-15.

³²⁹ 1354th meeting (PV), pp. 16-21.

³³⁰ 1354th meeting (PV), pp. 21-22.

³³¹ 1355th meeting (PV), pp. 3-5; see also p. 31.

³³² 1355th meeting (PV), pp. 7-11.

³²⁰ 1353rd meeting (PV), p. 48.

³²¹ 1353rd meeting (PV), pp. 83-85. For the reply of the Secretary-General, *ibid.*, pp. 87-90, see in chapter I, Case 21.

³²² 1353rd meeting, p. 107. See also in chapter I, Case 11.

³²³ S/7967, *OR*, 22nd yr., *Suppl. for Apr.-June 1967*, p. 181.

³²⁴ 1354th meeting (PV), p. 2.

The representative of Syria* observed that it had been established beyond any doubt that a large invading army, with tanks, armour and air force, was invading Syria. Therefore, it was the imperative duty of the Council to see to it that the hostilities cease and that the invaders withdraw.³³³

The Secretary-General informed the Security Council that he had received a message from the Chief of Staff of the UNTSO that he had notified the Chairman of the Israel-Syrian Mixed Armistice Commission that Israel was prepared to co-operate on a cease-fire together with no further troop movement provided that Syria would accept the same and provided further that United Nations Military Observers would be deployed on each side of the lines at the same time that the cease-fire was fixed. The Chief of Staff proposed a cease-fire to be effective 1630 hours GMT on 10 June.³³⁴

At the 1356th meeting on 10 June 1967, the President read a letter³³⁵ dated 10 June 1967 from the representative of the USSR requesting that in view of the continuation of Israel's military activities despite the adoption by the Security Council of the resolutions on a cease-fire, a meeting of the Council be urgently convened to consider the question of the flagrant violation by Israel of the decisions of the Council on the cessation of military activities. The President stated that he had decided, in response to this letter, to convene the meeting on short notice. He also said that a joint draft resolution had been submitted by Argentina, Brazil, and Ethiopia.³³⁶

The representative of the USSR stated that soon after the Security Council had adjourned its last meeting, Damascus had been subjected to a new attack by the Israel air force. There still had been fighting in the region of Kuneitra, fifty-five kilometres from the capital of Syria. The Security Council had no right to postpone the condemnation of Israel for its flagrant violations of the decisions of the Security Council.³³⁷

The Secretary-General read the messages from the Chief of Staff of the UNTSO concerning the situation in the area.³³⁸

The representative of the United States submitted a draft resolution³³⁹ whereby the Security Council would: (1) request the Secretary-General to order a full investigation of all reports of violations of the cease-fire; (2) demand that all parties scrupulously respect its cease-fire appeals contained in resolutions 233, 234 and 235; and (3) call upon the Governments concerned to issue categorical instructions to all military forces to cease all firing and military activities as required by those resolutions.

By letter³⁴⁰ dated 11 June 1967 addressed to the President of the Security Council, the permanent representa-

tive of Syria requested that an urgent meeting of the Security Council be convened in order to discuss the grave situation resulting from Israel's further penetration into Syrian territory and to take the necessary action with a view to putting an end to it.

At the 1357th meeting on 11 June 1967, the President (Denmark) stated that the meeting had been convened in response to the request of the representative of Syria.³⁴¹

The Secretary-General read to the Council messages received from the Chief of Staff of the UNTSO.³⁴²

The representative of Syria* stated that a column of Israel armoured cars and tanks, in violation of the three previous Security Council resolutions calling for the cease-fire, had advanced from Rafid, which was also occupied after the cease-fire, to the south and east. The Council's action should aim at stopping this invasion from proceeding any further; furthermore, violations of the cease-fire should be condemned by the Council and the violator should be ordered to withdraw to the points from which his conquest had started.³⁴³

The representative of Israel* stated that with respect to the military movements in the Rafid area, there had been a movement of some military vehicles, but that movement took place within the truce lines. There was no advance beyond the truce lines established by the cease-fire on 10 June at 1630 hours GMT. Furthermore, there was no firing and no fighting whatsoever anywhere along the front line, and the cease-fire was being scrupulously observed.³⁴⁴

After suspension of the meeting, the President stated that on the basis of consultations, he was submitting a draft resolution which was adopted³⁴⁵ unanimously as resolution 236 (1967).

The resolution read:

"The Security Council,

"Taking note of the oral reports of the Secretary-General on the situation between Israel and Syria made at the 1354th, 1355th, 1356th and 1357th meetings and the supplemental information supplied in document S/7930 and Add.1-3,

"1. Condemns any and all violations of the cease-fire;

"2. Requests the Secretary-General to continue his investigations and to report to the Council as soon as possible;

"3. Affirms that its demand for a cease-fire and discontinuance of all military activities includes a prohibition of any forward military movements subsequent to the cease-fire;

"4. Calls for the prompt return to the cease-fire positions of any troops which may have moved forward subsequent to 1630 hours GMT on 10 June 1967;

"5. Calls for full co-operation with the Chief of Staff of United Nations Truce Supervision Organization and the observers in implementing the cease-fire, including freedom of movement and adequate communications facilities."

³³³ 1355th meeting (PV), p. 37.

³³⁴ 1355th meeting (PV), pp. 92-93; for subsequent statements by the Secretary-General, see 1356th meeting, pp. 46-47, 52-56, 106, 107.

³³⁵ S/7970, 1356th meeting (PV), pp. 6-10.

³³⁶ S/7968, *OR, 22nd yr., Suppl. for Apr.-June 1967*, p. 182; subsequently revised as S/7968/Rev.1, S/7968/Rev.2, *Ibid.*, pp. 182, 183 and S/7968/Rev.3; same text as resolution 237 (1967).

³³⁷ 1356th meeting (PV), pp. 6-10, 16.

³³⁸ 1356th meeting (PV), pp. 17, 21.

³³⁹ 1356th meeting (PV), p. 46.

³⁴⁰ S/7973, *OR, 22nd yr., Suppl. for Apr.-June 1967*, pp. 243-244.

³⁴¹ 1357th meeting (PV), pp. 3-5.

³⁴² 1357th meeting (PV), pp. 3-6.

³⁴³ 1357th meeting (PV), pp. 11, 16.

³⁴⁴ 1357th meeting (PV), pp. 17, 97.

³⁴⁵ 1357th meeting (PV), p. 111.

Decision of 14 June 1967 (1360th meeting):*Rejection of the USSR draft resolution*

By letter ³⁴⁶ dated 13 June 1967 addressed to the President of the Security Council, the permanent representative of the USSR requested that a meeting of the Security Council be convened for urgent consideration of the item "Cessation of military action by Israel and withdrawal of Israel forces from those parts of the territory of the United Arab Republic, Jordan and Syria which have been seized as the result of an aggression".

At the 1358th meeting of the Security Council on 13 June 1967 following the adoption of the agenda,³⁴⁷ the President (Denmark) stated that he had convened the meeting at the request of the representative of the USSR. He further drew the attention of the Council to a revised draft resolution ³⁴⁸ which had been presented by the USSR Government for consideration at that meeting.³⁴⁹

The representative of the USSR stated that the decisions of the Security Council on the cessation of hostilities were only a first step, the minimum which was possible to attain under current circumstances. All the decisions taken so far by the Security Council had been only initial measures which could be accepted in order to protect the victims of Israel aggression on a short-term basis. In the present situation, the Council could no longer merely repeat or confirm earlier resolutions which were totally inadequate. The Council must take the most effective and appropriate measures against Israel and insist on an unconditional withdrawal of armed Israel forces from the occupied territories of the Arab States. In view of the changes that had taken place in the situation in the Near East, he was submitting for the consideration by the Council a revised text of his draft resolution ³⁵⁰ according to which the Security Council would: (1) rigorously condemn Israel's aggressive activities and its violations of Security Council resolutions 233 (1967) of 6 June 1967 and 234 (1967) of 7 June 1967, of the United Nations Charter and of United Nations principles; (2), demand that Israel should immediately halt its military activities against neighbouring Arab States and should remove all its troops from their territory and withdraw them behind the armistice lines and respect the status of the demilitarized zone, as prescribed in the General Armistice Agreements.³⁵¹

The representative of the United States, commenting on the USSR draft resolution, stated that it did not encompass a genuine approach to the solution of hostilities, but was rather a step backward towards another war. What the Near East needed most were new steps towards real peace, not just a cease-fire, a fragile armistice or withdrawal. The aim of a real peace was well conceived in the United States draft resolution ³⁵² the objective of which was to encourage a decision by the warring parties to live together in peace and ensure international assistance to this end.

The representative of Israel* stated that until all Governments concerned had relinquished belligerence and abided by the resolutions of the Security Council, Israel could not regard the cease-fire as being fully in effect.³⁵³

The representative of the United Arab Republic,* referring to operative paragraph 2 of the United States draft resolution (S/7952), stated that that provision tended to legalize the Israel aggression by the Council.³⁵⁴

At the 1360th meeting on 14 June 1967, the President (Denmark) pointed out ³⁵⁵ that the Security Council had before it the following draft resolutions: draft resolution ³⁵⁶ (S/7941) submitted by Canada; draft resolution ³⁵⁷ (S/7951/Rev. 2) submitted by the USSR; draft resolution ³⁵⁸ (S/7952/Rev.2) submitted by the United States; draft resolution ³⁵⁹ (S/7968/Rev.1) submitted by Argentina, Brazil and Ethiopia; and draft resolution ³⁶⁰ (S/7971) submitted by the United States.

The representative of Pakistan* contended that the following measures should be taken by the Council: a condemnation of the aggression committed by Israel; a demand under Article 39 of the Charter for the immediate withdrawal of the armed forces of Israel to the demarcation lines laid down in the Armistice Agreements; after the completion of withdrawals, active participation by the Security Council in the exploration of ways and means by which the substantive resolutions of the General Assembly and of the Security Council on the Palestine problem could be implemented.³⁶¹

The representative of Argentina expressed the view that any arrangement arrived at under the threat or the use of force, in violation of the principles of the Charter would be invalid; therefore, the Council must endeavour to establish conditions under which there would be no negotiation under the threat of pressure or coercion. However, these conditions could not be arrived at unless troops, on the one hand, were withdrawn and, on the other hand, if assurances of free transit through international maritime waterways were allowed. That meant, that the feeling of belligerence must be set aside and both parties should be enabled to express freely their will in the course of negotiations.³⁶²

The representative of Mali submitted an amendment to the draft resolution submitted by Argentina, Brazil and Ethiopia ³⁶³ (S/7968) to add to its operative part the following third paragraph: "3. Requests the Secretary-General to follow the effective implementation of the present resolution and to report to the Security Council thereon."³⁶⁴

At the same meeting, the representative of Canada suggested to the President that the joint draft resolution

³⁵³ 1358th meeting (PV), pp. 109-111.

³⁵⁴ *Ibid.*, pp. 162-165.

³⁵⁵ 1360th meeting, para. 2.

³⁵⁶ See footnote 299 above.

³⁵⁷ See footnote 311 above.

³⁵⁸ See footnote 307, 308 above.

³⁵⁹ See footnote 336 above.

³⁶⁰ See footnote 339 above.

³⁶¹ 1360th meeting (PV), pp. 28-30.

³⁶² 1360th meeting (PV), p. 32.

³⁶³ See footnote 336 above.

³⁶⁴ 1360th meeting (PV), p. 72.

³⁴⁶ S/7979, *OR*, 22nd yr., *Suppl. for Apr.-June 1967*, p. 248.

³⁴⁷ 1358th meeting (PV), p. 2. The agenda read as that adopted at the 1354th meeting on 10 June 1967.

³⁴⁸ S/7951/Rev.1, *OR*, 22nd yr., *Suppl. for Apr.-June 1967*, p. 161.

³⁴⁹ 1358th meeting (PV), pp. 3-5.

³⁵⁰ S/7951/Rev.1; see foot-note 107 above.

³⁵¹ 1358th meeting (PV), pp. 16, 21-25.

³⁵² S/7952, see footnote 307 above.

submitted by Canada and Denmark (S/7905) dated 24 May 1967 be withdrawn. The draft resolution submitted by Canada (S/7941) dated 4 June 1967 would be maintained for the consideration of the Council.³⁶⁵

The President stated that in addition to the draft resolutions he had mentioned previously, two more draft resolutions were before the Council: a draft resolution (S/7905) submitted by Canada and Denmark, which as indicated by the representative of Canada should be withdrawn. The second draft resolution had been submitted by the United States in document (S/7916/Rev.1). The President stated further that the representative of Canada would not object to the Council's voting on the draft resolution (S/7951/Rev.2) submitted by the USSR.³⁶⁶

The representative of the United States said that he would not press to the vote draft resolutions (S/7916/Rev.1) and (S/7971). Concerning draft resolution (S/7952/Rev.2), its third revision had been submitted; however, the United States delegation would not ask for a vote at this meeting.³⁶⁷

The President stated that the Security Council would proceed to vote on the draft resolution (S/7951/Rev.2) submitted by the USSR. It was the wish of the representative of Nigeria that a separate vote be taken on each of the operative paragraphs of the draft resolution.

At the 1360th meeting on 14 June 1967, the first operative paragraph of the USSR draft resolution was not adopted, the result of the vote being 4 votes in favour, none against, and 11 abstentions; the second operative paragraph was not adopted, the result of the vote being 6 votes in favour, none against, and 9 abstentions.³⁶⁸

The President stated that the representative of the USSR did not insist on the vote on the draft resolution as a whole. Therefore the draft resolution submitted by the USSR had not been adopted.³⁶⁹

Decision of 14 June 1967 (1361st meeting):

- (i) *Calling upon the Government of Israel to ensure the safety, welfare and security of inhabitants of the areas where military operations took place;*
- (ii) *Recommending to the Governments concerned the respect for the humanitarian principles governing the treatment of the prisoners of war*

At the 1361st meeting on 14 June 1967, the representative of Argentina introduced³⁷⁰ a draft resolution (S/7968/Rev.2) sponsored jointly with Brazil and Ethiopia, and stated that the sponsors accepted the amendment proposed by Mali reading: "3. *Requests* the Secretary-General to follow the implementation of this resolution and to report to the Council thereon."³⁷¹

The representative of Mali pointed out that his amendment included the word "effective" before the word "implementation".³⁷²

The President (Denmark) stated that the Security Council would proceed to the vote on the three-Power

draft resolution, as amended by the representative of Mali (S/7968/Rev.3).³⁷³

The three-Power draft resolution was adopted unanimously³⁷⁴ as resolution 237 (1967). The resolution read:

"The Security Council,

"Considering the urgent need to spare the civil populations and the prisoners of war in the area of conflict in the Middle East additional sufferings,

"Considering that essential and inalienable human rights should be respected even during the vicissitudes of war,

"Considering that all the obligations of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949 should be complied with by the parties involved in the conflict,

"1. Calls upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities;

"2. Recommends to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war contained in the Geneva Convention of 12 August 1949;

"3. Requests the Secretary-General to follow the effective implementation of this resolution and to report to the Security Council."

The President stated³⁷⁵ that the following draft resolutions were pending before the Council: draft resolution (S/7941) submitted by Canada; draft resolutions (S/7916/Rev.1, S/7952/Rev.3 and S/7971) submitted by the United States; and the draft resolution³⁷⁶ (S/7919) submitted by the United Arab Republic.³⁷⁷

Decision of 9 July 1967 (1366th meeting): *Statement by the President:*

Requesting that the Secretary-General should order the Chief of Staff of the United Nations Truce Supervision Organization in Palestine to work out with the Governments of the United Arab Republic and Israel the necessary arrangements to station United Nations military observers in the Suez Canal sector under the Chief of Staff of UNTSO

By letter³⁷⁸ dated 8 July 1967, the permanent representative of the United Arab Republic informed the Council that at 1015 on the morning of 8 July, Israel armed forces had violated the cease-fire by launching an attack, including heavy shelling by artillery, against Port Fouad on the east bank of the Suez Canal. Israel had furthermore carried out aerial raids against various control stations in the Suez Canal area and destroyed them. At the same time, the Israel Air Force had indiscriminately bombed the east bank causing several human casualties and property damage. This latest violation of the cease-fire by Israel was one of a premeditated series

³⁶⁵ 1360th meeting (PV), p. 78.

³⁶⁶ 1360th meeting (PV), p. 81.

³⁶⁷ 1360th meeting (PV), pp. 81-82.

³⁶⁸ 1360th meeting (PV), pp. 84-85, 87.

³⁶⁹ 1360th meeting (PV), p. 87.

³⁷⁰ 1361st meeting (PV), pp. 3, 6.

³⁷¹ 1361st meeting (PV), p. 6.

³⁷² 1361st meeting (PV), p. 6.

³⁷³ 1361st meeting (PV), p. 42.

³⁷⁴ 1361st meeting (PV), p. 42.

³⁷⁵ 1361st meeting (PV), pp. 66, 67.

³⁷⁶ See foot-note 282.

³⁷⁷ No action was taken by the Security Council on these draft resolutions.

³⁷⁸ S/8043, OR, 22nd yr., Suppl. for July-Sept. 1967, pp. 69-70.

of violations carried out since the Security Council adopted its resolutions 233 (1967), 234 (1967), 235 (1967) and 236 (1967) on the cease-fire. The Security Council must act urgently in order to avoid any further deterioration of a situation which was already endangering not only the peace and security in the Middle East but also international peace and security in the whole world. In view of this situation, he requested that an emergency meeting of the Council be convened as soon as possible.

By letter ³⁷⁹ dated 8 July 1967, the permanent representative of Israel stated that the armed forces of the United Arab Republic had committed a further very serious breach of the cease-fire. At 0925 hours on 8 July, the United Arab forces opened fire on Israel troops stationed in the area of Ras El'Ish, some fifteen kilometres south of Port Said. Fire was returned, and its exchange continued until 1130 hours. At 1130 hours, the United Arab forces directed fire on Israel troops at El Kantara. Following that, its armoured column moved southward and opened fire on Israel troops on the east bank of the Canal. In order to repel these continuing attacks, a limited number of Israel planes had taken action against those gun positions from where the fire had been directed against the Israel troops. Since then, Egyptian fire continued intermittently in the areas of Ras El'Ish and El Kantara. These aggressive actions proved beyond doubt that it remained the policy of the Government of the United Arab Republic to maintain a continued state of belligerence against Israel. In the light of this situation, the representative requested that an urgent meeting of the Security Council be convened "to discuss the Israel complaint of serious violations by the United Arab Republic of the cease-fire".

At the 1365th meeting on 8 July 1967, the provisional agenda contained four items which were included in the agenda at the 1354th meeting on 10 June 1967.³⁸⁰

The President (Ethiopia) stated that the letters from the representative of the United Arab Republic and from the representative of Israel were distributed in documents S/8043 and S/8044.³⁸¹

Following a discussion on the adoption of the agenda,³⁸² the two letters were included in the agenda.

The Secretary-General stated that he was in no position to provide the Security Council with verified information regarding reports on a new outbreak of hostilities in the Suez area, since no United Nations military observers were stationed there.³⁸³

The representative of the United Arab Republic* stated that the Security Council could not and should not condone Israel violations of its decisions and was duty bound to call upon its authorities to refrain from those unlawful acts. The Security Council should not adjourn before coming to a conclusive decision dealing once and for all with the repeated violations by Israel of the various resolutions of the Security Council on the

cease-fire, and in particular Security Council resolution 236.³⁸⁴

The representative of Israel* stated that the latest action by the United Arab Republic and the incidents which preceded it gave Israel reason to believe that the United Arab Republic had not changed its policy of belligerency and was still carrying it out by initiating armed action despite its acceptance of the cease-fire. The Israel Government was anxious to see the cease-fire faithfully maintained and strictly observed. It hoped that the United Arab Republic had similar intentions.³⁸⁵

At the 1366th meeting of the Security Council on 9 July 1967, the representative of the USSR maintained that the Security Council must call upon Israel immediately and fully to carry out its decisions and refrain from any military operations. Under Article 25 of the Charter, Israel must strictly fulfil the decision of the Security Council with regard to the cease-fire. Accordingly, should Israel further ignore the decisions and requests of the Security Council, it would be essential to apply sanctions under Chapter VII of the Charter against Israel as an aggressor.³⁸⁶

The representative of the United Kingdom stated that the first action of the Council when the conflict started was to call for and establish a cease-fire. It must see that that cease-fire was observed. It must condemn any and every breach of it. The Secretary-General should be authorized to send observers to Sinai and to the Canal area to expedite the implementation of the cease-fire arrangements, and to send his Special Representative to the area to make progress in dealing with all aspects of the situation, including disengagement and withdrawal.³⁸⁷

The representative of the United States said that it would be most useful to the Council and to the implementation of the cease-fire if the United Nations observers could be sent to the area to report to the Secretary-General and, through him, to the Security Council on the implementation of the cease fire and compliance therewith by the parties. The presence of such observers would also have a calming effect on the situation in the area and would make further incidents of the sort being considered by the Council less likely. However, scrupulous observance of the cease-fire by all the States concerned was necessary for the solution of all the complex problems facing the Middle East.³⁸⁸

The representative of India observed that the Secretary-General should be requested to take steps to strengthen the United Nations machinery in the area, with a view to arresting deterioration of the situation, securing the withdrawal of Israel forces, and ensuring strict observance of the General Armistice Agreements by all the parties concerned. The Secretary-General should also designate a special representative to go to the area for those purposes and to help bring about reduction in tensions and restoration of peaceful conditions, and to report to the Security Council. The discussions in the Council and in the emergency special session of the General Assembly had shown that the overwhelming majority of Member

³⁷⁹ S/8044, *O.R.*, 22nd yr., *Suppl. for July-Sept. 1967*, pp. 70-71.

³⁸⁰ See foot-note 324 above.

³⁸¹ 1365th meeting (PV), pp. 2-5.

³⁸² For the discussion and the decision on the agenda, see in chapter II, Case 10.

³⁸³ 1365th meeting (PV), pp. 36-37. For the statement of the Secretary-General, see in chapter I, Case 27.

³⁸⁴ 1365th meeting (PV), pp. 51-55.

³⁸⁵ *Ibid.*, pp. 51-55.

³⁸⁶ 1366th meeting (PV), p. 17.

³⁸⁷ 1366th meeting (PV), pp. 21, 23-25.

³⁸⁸ 1366th meeting (PV), pp. 27, 31.

States agreed that no dispute should be settled by the use of force and that the Member States had an obligation to respect the territorial integrity and political independence of other States. It was on the basis of these two principles that the Security Council should proceed to give urgent consideration to the problems before it and seek solutions within the framework of the sovereignty of the States concerned.³⁸⁹

The Secretary-General stated that he had been informed by the Chief of Staff that for the Suez sector, his estimated need would be for an additional twenty-five observers.³⁹⁰

At the same meeting, the President (Ethiopia) read the following statement³⁹¹ which he considered to be a consensus of the views of the members of the Council:

"Recalling Security Council resolutions 233, 234, 235 and 236, and emphasizing the need for all parties to observe scrupulously the provisions of these resolutions, having heard the statements made by the Secretary-General and the suggestions he had addressed to the parties concerned, I believe that I am reflecting the view of the Council that the Secretary-General should proceed, as he has suggested in his statements before the Council on 8 and 9 July 1967, to request the Chief of Staff of UNTSO, General Odd Bull, to work out with the Governments of the United Arab Republic and Israel, as speedily as possible, the necessary arrangements to station United Nations military observers in the Suez Canal sector under the Chief of Staff of UNTSO."

The President stated further that since there were no objections, the consensus was accepted by the Council. In conclusion, the President appealed to the parties concerned to give to the Secretary-General their full support and wholehearted co-operation both in ensuring compliance with the Council's decisions and by extending, wherever necessary, such facilities as the Secretary-General or his personnel might require in the performance of their peace-keeping duties in the area.³⁹²

SITUATION IN THE MIDDLE EAST (II)

Decision of 25 October 1967 (1371st meeting):

- (i) *Condemning the violation of the cease-fire;*
- (ii) *Demanding that Member States concerned cease immediately all prohibited military activities in the area and co-operate fully with the United Nations Truce Supervision Organization*

By letter³⁹³ dated 24 October 1967 addressed to the President of the Security Council, the representative of the United Arab Republic complained that an Israeli force had earlier that day started, in violation of the cease-fire, a concentrated shelling of the city of Suez which resulted in extensive loss of human life and severe damage to the city and its inhabited areas, which were almost demolished. It was significant that that operation took place immediately after Israel's Cabinet held its

extraordinary meeting and that the targets chosen in the operation were civilian and industrial installations. As a result, the petroleum refineries in Suez, the Nasr plants for fertilizer and installations in the Suez harbour, and several other industrial complexes were completely or severely damaged. This "pre-planned aggression" by the Israeli Government and armed forces went far beyond a mere violation of the cease-fire resolution of the Security Council. It could not be justified as a retaliatory measure against the United Arab Republic for its sinking of the Israeli destroyer Eilat in the United Arab Republic's territorial waters, since the operation was directed not against military targets but against civilian industrial installations. In view of these developments, an urgent meeting of the Council was requested to consider the situation resulting from Israel's act of aggression with a view to taking prompt action against it in accordance with the relevant Articles of the United Nations Charter.

By letter³⁹⁴ dated 24 October 1967 addressed to the President of the Security Council, the representative of Israel drew the attention of the Council to the fact that earlier that day, the armed forces of the United Arab Republic opened fire from the west bank of the Suez Canal against Israeli forces on the East Bank, north of Port Tawfiq. The fire was returned, and the United Nations observers were informed of the Egyptian action. One Israeli soldier was slightly wounded. Because the United Arab Republic's artillery was located in the vicinity of civilian installations of Port Ibrahim and Suez, some oil refineries were believed to have been hit. A proposal by United Nations observers for cease-fire to take effect at 1730 hours was agreed to by both parties and since that time, the area had remained quiet. The letter then recalled that the Council had earlier been informed³⁹⁵ of United Arab Republic's violations of the cease-fire culminating in the sinking of the Israeli destroyer Eilat. An urgent meeting of the Council was requested to deal with the United Arab Republic's acts of aggression and violation of the cease-fire resolutions.

At the 1369th meeting on 24 October 1967, the two letters were included in the agenda under the heading "The situation in the Middle East".

Following the adoption of the agenda, the Council invited the representatives of the United Arab Republic, Israel, Jordan and Syria to participate without vote in the discussion of the item which was considered at the 1369th to 1371st meetings, held between 24 and 25 October 1967.³⁹⁶

At the 1369th meeting on 24 October 1967, the representative of the United Arab Republic* stated that the act of war committed by Israel against the civilian and industrial complexes in the United Arab Republic and confirmed by the report of the Chief of Staff of UNTSO was the most violent since its act of aggression on 5 June. Israel's policy seemed bent on the total destruction of civilian and industrial activities of the United Arab Republic. Moreover, its violation of the cease-fire had been marked by a dangerous escalation against these

³⁸⁹ 1366th meeting (PV), pp. 67-70.

³⁹⁰ 1366th meeting (PV), pp. 38-40. For the statement of the Secretary-General, see in chapter I, Case 28.

³⁹¹ 1366th meeting (PV), p. 71. See also in chapter I, Case 12.

³⁹² 1366th meeting (PV), pp. 71-72.

³⁹³ S/8207, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 191, 192.

³⁹⁴ S/8208, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 192, 193.

³⁹⁵ S/8145, *OR*, 22nd yr., *Suppl. for July-Sept. 1967*, pp. 229, 232; S/8169, *ibid.*, pp. 311-313; S/8173, *ibid.*, pp. 314-316; S/8188, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 171, 172; S/8203, *ibid.*, p. 188; S/8204, *ibid.*, pp. 188, 189.

³⁹⁶ 1369th meeting (PV), pp. 6-10.

targets. The attack was unprovoked and premeditated and followed immediately the violation of the territorial waters of the United Arab Republic by the Israeli destroyer Eilat on 21 October, and its attempt to carry out aggression against the city of Port Said. The destroyer which, on 12 July, had sunk two United Arab Republic boats in the territorial waters off Port Said was subsequently sunk in self-defence. The fact that the destroyer was located in the territorial waters of the United Arab Republic had been confirmed by the Israeli side and so reported³⁹⁷ by the Chief of Staff of UNTSO. Noting that the advance of the destroyer was prohibited under the cease-fire resolutions of the Security Council, he recalled that on the previous day, the Israeli Foreign Minister had publicly refused to resort to the United Nations machinery or to employ the Security Council in the examination of the acts which led to its sinking. Thus, by any standard of objectivity, the Council could not but condemn Israel's policy and compel its leaders to account for their disregard for the authority of the United Nations. In this connexion, the Council was called upon to discharge its responsibilities under Chapter VII of the Charter and employ enforcement measures against Israel³⁹⁸

The representative of Israel* stated that the use of missiles by the United Arab Republic's naval forces in attacking and sinking the Israeli destroyer Eilat was not only "the gravest extension of the Egyptian maritime lawlessness and belligerency on the high seas" but also a deliberate act of military escalation. The resulting casualties were nineteen killed, twenty-eight missing and ninety-one wounded. The clearly premeditated character of that act of aggression was most noticeable in a Government decree whereby the civilian population of the Suez area was evacuated and a general atmosphere of tension deliberately created in the area. Despite the version of the incident given to the Council that evening by the representative of the United Arab Republic, the attack on the Israeli destroyer was not an isolated act but part of a policy designed to undermine the cease-fire. In so doing, the United Arab Republic was reverting to the old technique which it practised under the armistice régime, namely, the right of war for itself and for Israel the obligations of peace. But reciprocity was the essence of the cease-fire; and the attack on the Eilat had placed that obligation in jeopardy.³⁹⁹

At the same meeting, the representative of the USSR submitted a draft resolution⁴⁰⁰ under which the Security Council would, *inter alia*, condemn Israel for its act of aggression in the area of the city of Suez; demand that Israel compensate the United Arab Republic for the damage caused by that act, and call upon Israel to observe the resolution of the Security Council concerning the cease-fire and the cessation of military activities.⁴⁰¹

At the same meeting, the representative of the United States submitted a draft resolution⁴⁰² whereby the Security Council would, *inter alia*, condemn all violations

of the cease-fire, insist that all Member States concerned scrupulously respect the cease-fire resolution of the Security Council, and call upon the Governments concerned to issue categorical instructions to all military forces to refrain from all firing as required by those resolutions. After expressing his delegation's concern over the fact that the cease-fire decision of the Council had been violated, he recalled that the Council had clearly recognized that if there were to be any progress toward peace in the Middle East, the first step must be a complete cessation of acts of violence between the parties. In this connexion, his delegation was ready to join with the Council in insisting upon that basic point, and to cooperate in any necessary step to strengthen the United Nations machinery in the area so that it might be fully equal to the task of supervising the cease-fire resolution of the Council.⁴⁰³

The representative of India, drawing attention to the conflicting accounts of the naval incident leading to the sinking of the Eilat, and to the fact that the report⁴⁰⁴ of the Secretary-General provided no conclusive information on that aspect of the matter, suggested that there was a need for further investigation to determine whether or not the destroyer was actually in the territorial waters of the United Arab Republic or on the high seas at the time of the sinking. Determination of that fact was of great importance in the context of Security Council resolution 236 (1967) of 12 June 1967, which specifically prohibited any forward military movements subsequent to the cease-fire. His delegation was of the view that an investigation of the incident with all the circumstances attending it should be ordered by the Secretary-General to enable the Council to come to a conclusion. At the same time, the Council should take further action to resolve the situation in the Middle East. In this connexion, he suggested that the Council should reinforce its call for a cease-fire and immediately order the withdrawal of all armed forces to the positions they occupied before the outbreak of hostilities.⁴⁰⁵

The representative of Ethiopia felt that the Council should ask the Secretary-General to instruct the Chief United Nations Observer, General Bull, to present a full report on all recent incidents in the area, with particular reference to the naval incident of 21 October and the incident of 24 October.⁴⁰⁶

At the 1370th meeting on 25 October 1967, the representative of Nigeria, noting that the two draft resolutions before the Council did not have the support of the generality of the membership and therefore would not have the effect that they should, proposed to the sponsors of those drafts that the Council defer further consideration on them. At the same time, he appealed to the permanent members of the Council to allow the non-permanent members to consult among themselves with a view to providing a compromise draft resolution aimed at bringing immediate relief to the Middle East. To this end, he proposed a short suspension of the proceedings to permit the suggested consultation.⁴⁰⁷

³⁹⁷ S/7930/Add.43, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 64-65.

³⁹⁸ 1369th meeting (PV), pp. 11-17.

³⁹⁹ 1369th meeting (PV), pp. 17-22.

⁴⁰⁰ 1369th meeting (PV), p. 41.

⁴⁰¹ 1369th meeting (PV), pp. 31-41.

⁴⁰² 1369th meeting (PV), pp. 49-50.

⁴⁰³ 1369th meeting (PV), pp. 47-50.

⁴⁰⁴ S/7930/Add.43, *OR*, 23rd yr., *Suppl. for Oct.-Dec. 1967*, pp. 64-66.

⁴⁰⁵ 1369th meeting (PV), pp. 52-55.

⁴⁰⁶ 1369th meeting (PV), pp. 73-77.

⁴⁰⁷ 1370th meeting (PV), pp. 7-11.

The proposal was adopted without objection.⁴⁰⁸

At the 1371st meeting on 25 October 1967, the President (Japan) stated that as a result of consultations, agreement had been reached on the text of a draft resolution.⁴⁰⁹ After it was read out by the President, the draft resolution was put to the vote and adopted⁴¹⁰ unanimously. It read as follows⁴¹¹

"The Security Council,

"Gravely concerned over recent military activities in the Middle East carried out in spite of the Security Council resolutions ordering a cease-fire,

"Having heard and considered the statements made by the parties concerned,

"Taking into consideration the information on the said activities provided by the Secretary-General in documents S/7930/Add.43, Add.44, Add.45, Add.46, Add.47, Add.48 and Add.49,

"1. Condemns the violations of the cease-fire;

"2. Regrets the casualties and loss of property resulting from the violations;

"3. Reaffirms the necessity of the strict observance of the cease-fire resolutions;

"4. Demands of the Member States concerned to cease immediately all prohibited military activities in the area, and to co-operate fully and promptly with the United Nations Truce Supervision Organization."

Decision of 22 November 1967 (1382nd meeting):

Requesting the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contact with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement; and requesting further that the Secretary-General report on the progress of the efforts of the Special Representative as soon as possible

By letter⁴¹² dated 7 November 1967, addressed to the President of the Security Council, the representative of the United Arab Republic requested an urgent meeting of the Council to consider the dangerous situation resulting from the persistence of Israel's refusal to withdraw its armed forces from all the territories which it occupied as a result of its aggression of 5 June 1967.

At the 1373rd meeting on 9 November 1967, the Council included⁴¹³ the letter in its agenda and invited⁴¹⁴ the representatives of the United Arab Republic, Israel and Jordan to participate in the discussion of the item, and at its 1375th meeting, an invitation⁴¹⁵ was extended to the representative of Syria. The Council considered the question at the 1373rd, 1375th, 1377th and 1379th to 1382nd meetings, held between 9 and 22 November 1967.

At the 1373rd meeting on 9 November 1967, following a procedural discussion on the order in which two of the invited representatives would be called upon to speak,⁴¹⁶ the President (Mali) informed the Council of a joint

draft resolution⁴¹⁷ submitted by the representatives of India, Jordan and Nigeria under which the Security Council would, *inter alia*, affirm that a just and lasting peace in the Middle East must be observed within the framework of the Charter and of the principles: (a) that occupation or acquisition of territory by military conquest was inadmissible under the Charter and consequently that Israel's armed force should withdraw from all the territories occupied as a result of the recent conflict; (b) that every State had the right to live in peace and complete security free from threats or acts of war and consequently all States should terminate the state or claim of belligerency and settle their disputes by peaceful means; (c) that every State had the right to be secure within its borders and it was obligatory on all Member States of the area to respect the sovereignty, territorial integrity and political independence of one another; (d) that there should be a just settlement of the question of Palestinian refugees, and (e) that there should be guaranteed freedom of navigation in accordance with international law through international waterways in the area. The draft resolution further requested the Secretary-General to dispatch a special representative to the area who would contact the States concerned in order to co-ordinate efforts to achieve the purposes of the resolution and to submit a report to the Council within thirty days.

The President also drew the attention of the Council to a draft resolution⁴¹⁸ submitted by the representative of the United States whereby the Security Council would, *inter alia*, affirm that a just and lasting peace in the area required the withdrawal of armed forces from occupied territories, termination of claims or states of belligerency mutual recognition and respect for the right of every State in the area to sovereign existence, territorial integrity, political independence, secure and recognized boundaries, and freedom from the threat or use of force, and would further affirm the necessity for: (a) guaranteeing freedom of navigation through international waterways in the area and the territorial inviolability and political independence of every State in the area through measures including the establishment of demilitarized zones; (b) achieving a just settlement of the refugee problem, and a termination of the arms race in the area. It would also request the Secretary-General to designate a special representative to proceed to the Middle East to establish and maintain contacts with the States concerned with a view to assisting them in the working out of a solution in accordance with the purposes of the said resolution and report to the Security Council on the progress of those efforts as soon as possible.

The representative of the United Arab Republic* stated that the continued occupation of Arab territory posed a serious threat to the United Nations and the Charter, as well as a danger to peace and security in the area. From the moment the Israeli aggression took place on 5 June, it was the duty of the Council to condemn the aggressor, order Israel to withdraw forthwith its forces to the position they held on 4 June, and to determine Israel's responsibility for the damages and losses it inflicted upon the Arab countries and peoples. Due to the Council's failure to take a positive stand on the sub

⁴⁰⁸ *Ibid.*, p. 12.

⁴⁰⁹ 1371st meeting (PV), p. 2.

⁴¹⁰ 1371st meeting (PV), p. 6.

⁴¹¹ Resolution 240 (1967).

⁴¹² S/8226, *OR*, 22nd yr., *Suppl. for Oct.-Dec. 1967*, p. 208.

⁴¹³ 1373rd meeting (PV), pp. 2-5.

⁴¹⁴ 1373rd meeting (PV), pp. 2-5.

⁴¹⁵ 1375th meeting (PV), pp. 2-5.

⁴¹⁶ 1373rd meeting (PV), p. 41.

⁴¹⁷ S/8227, 1373rd meeting (PV), p. 41.

⁴¹⁸ S/8229, 1373rd meeting (PV), p. 41.

stance of the question, the General Assembly was convened in an emergency special session. That session revealed a unanimous sense of commitment on the part of Member States to the principle that military occupation of any part of the territory of one State by another was totally inadmissible. Unfortunately, the General Assembly failed to translate into a resolution its commitment to that principle. This failure was the second setback for the international organization and for the values for which it stood, and an encouragement to Israel to launch further aggression. The Security Council had the duty fully to apply the Charter, to eliminate the aggression against the Arab territories and to initiate a course that would bring about normality in the area. The Council should thus condemn Israel's aggression and in the event Israel refused to withdraw its forces promptly to positions held on 4 June, the Council must apply enforcement measures.⁴¹⁹

At the same meeting, the representative of India stated that the three-Power draft resolution of which he was a co-sponsor had used as "the basic document of reference" the Latin American draft resolution which had been submitted to the Fifth Emergency Special Session of the General Assembly. At the same time, the three-Power draft was the more comprehensive in that it called for the termination not only of the state of belligerency but also of any claim of belligerency; and on the question of territorial inviolability and political independence, it clearly stated that "every State had the right to be secure within its borders". As far as the question of the refugees was concerned, the provision of the three-Power draft resolution covering that issue comprehended only the Palestinian refugees and not those who had acquired that status as a result of the 1967 conflict. In his view, as soon as Israel withdrew from all the newly occupied territories, the problem of the "so-called new refugees" would cease to exist. In so far as the establishment of demilitarized zones is concerned, the three-Power draft resolution which reaffirmed the right of every State to live in peace and complete security, free from threats or acts of war, would cover the establishment of such zones if, in the light of the Special Representative's report, they were found to be necessary and if the States concerned concurred. Although both drafts had provided for freedom of navigation, he noted that since during the informal consultations, questions had been raised regarding the phrase "in accordance with international law" used in the three-Power draft, the co-sponsors would be prepared to examine any arguments that might be advanced in the Council in respect of that phrase. With regard to the provision requesting the Secretary-General to submit a report within thirty days, if was not the co-sponsor's contention that the work of the Special Representative of the Secretary-General would be concluded in that period. They felt, however, that in view of the urgency of the situation, the Council should receive a report in the very near future. At the same time, other suggestions in that regard would be considered by the co-sponsors. In conclusion, the representative stated that by providing for the adoption of all peaceful means to settle the dispute, the three-Power draft resolution

sought to initiate the process of peaceful settlement⁴²⁰ of the problem.⁴²¹

The representative of Nigeria observed that the draft resolution which his delegation together with India and Mali had co-sponsored was designed to reach a decision under Chapter VI and not under Chapter VII of the Charter. It might be that at some time in the future, the Security Council would conclude that the situation in the Middle East required action under Chapter VII. It was the hope of his delegation, that that stage would not be reached, and that a decision under Chapter VI as the co-sponsors of the draft resolution were recommending would be complied with generally by both parties. Noting that the joint draft resolution did not provide for unconditional and immediate withdrawal of Israeli forces, or for immediate bilateral talks between the Arabs and Israelis, he explained that its co-sponsors did not believe that such provisions would either be practical at that stage, or would contribute to a lasting peace in the Middle East. Despite the fact that the joint draft resolution did not accord with the position of either party in the controversy, the co-sponsors felt it was the most balanced draft and recommended it on that basis to the Council for its careful consideration.⁴²²

At the same meeting, the representative of the United States explained that the objective of his draft resolution was to open a new path to a just and lasting peace in the Middle East, in which every State in the area could live in security, justice, honour and dignity. The terms of the draft resolution reflected the conviction that a desirable and reliable peace in the area must entail certain fundamental principles which were set forth by President Johnson in his address of 19 June 1967 and accepted by the principal parties on both sides as the framework for a just and lasting peace. How these objectives were to be achieved in practice, and what the modalities, methods and steps might be, could be worked out only in the consultations which the parties and the Special Representative would undertake. In effect, his draft resolution was an effort to set in motion diplomatic procedures within the framework of the Charter and to establish guidelines and objectives for a peace-making effort through the machinery of the United Nations, in a language which took into account and in no way prejudiced the positions or vital interests of the States concerned.⁴²³

At the 1375th meeting on 13 November 1967, the President drew the attention of the Council to a draft resolution⁴²⁴ submitted by the representative of the USSR, under which the Security Council would, *inter alia*, authorize the Secretary-General to increase the number of observers in the Suez Canal sector to ninety and to take the measures proposed in his report⁴²⁵ of 31 October 1967 concerning the provision of additional technical facilities and means of transportation for the United Nations observer group.

⁴²⁰ For discussion of this question, see chapter X, Case 2.

⁴²¹ 1373rd meeting (PV), pp. 66-75.

⁴²² 1373rd meeting (PV), pp. 76-91.

⁴²³ 1373rd meeting (PV), pp. 126-131.

⁴²⁴ S/8236, 1375th meeting (PV), pp. 2-5.

⁴²⁵ S/8053/Add.3, O.R., 22nd yr., *Suppl. for Oct.-Dec. 1967*, pp. 76-79.

⁴¹⁹ 1373rd meeting (PV), pp. 48-63.

At the same meeting, the representative of Israel* said that Israel would not return to the "shattered armistice régime", or to any other system of relations other than a permanent and contractually binding peace. He felt that the essential issue to be negotiated was the establishment of permanent boundaries, and hoped that the Council would not take any action that would prejudice Israel's position in that "inevitable negotiation". For that reason, he was concerned about the three-Power draft resolution which had been initiated and formulated without consultation with Israel. Its suggestion that Israel should move from the cease-fire line without a peace treaty defining permanent and secure frontiers was unacceptable. Moreover, the statement on maritime freedom in the text was entirely compatible with the United Arab Republic's doctrine of exclusion of Israel's shipping from the Suez Canal and with the definition of the Gulf of Aqaba as an Arab waterway. Had this not been the case, the text would have suggested freedom for the shipping of all States including Israel, in the Suez Canal and in the Gulf of Aqaba. In view of the role of the navigation problem in the wars of 1956 and 1957, that obscurity was perilous to peace. Israel could therefore not support or co-operate with that proposal or any diplomatic processes based upon it.⁴²⁶

At the 1377th meeting on 15 November 1967, the representative of the United States, replying to comments on his draft resolution, observed that the language of operative paragraph 1 had been carefully balanced in what it required of the respective parties, namely, that Israel must withdraw and that the Arab States must renounce the state of belligerency and that the States on both sides must terminate the present state of war and mutually recognize each other's rights as defined in Article 2 of the Charter. As regards operative paragraph 2, he maintained that the provisions relating to freedom of navigation for all nations through international waterways in the area, and to the refugee problem were of the first order of importance and could not be left out of a peace settlement. But the key provision of his draft resolution was the appointment of a special representative. His role would be to foster on both sides the frame of mind essential to peace-keeping which could face and overcome the undeniable difficulties in defining mutually accepted terms.⁴²⁷

At the 1379th meeting on 16 November 1967, the representative of the United Kingdom submitted a draft resolution⁴²⁸ which he asserted had taken into account the basic interests of both sides and reflected efforts and proposals put forward by other members of the Council. Noting that under the third operative paragraph, the Council would request the Secretary-General to designate a special representative to proceed to the Middle East, he pointed out that that special representative should be free to decide for himself "the exact means and methods by which he pursued his endeavours in contact with the States concerned to promote agreement and to assist efforts to achieve a peaceful and accepted and final settlement".⁴²⁹

At the 1380th meeting on 17 November 1967, at the request⁴³⁰ of the representative of Bulgaria, the Council adjourned⁴³¹ its meeting until 20 November in order to allow members to study the draft resolution of the United Kingdom.

At the 1381st meeting on 20 November 1967, the representative of the USSR introduced a draft resolution⁴³² under which the Security Council would, *inter alia*, urge that the parties to the conflict should immediately withdraw their forces to positions they held before 5 June 1967, and, in keeping with the principle of inadmissibility of seizing territory by means of war, that all States Members of the United Nations in the area should immediately recognize that each had a right to exist as independent national States and to live in peace and security. Further, that in dealing directly with the parties concerned and making use of the presence of the United Nations, the Council should seek a solution based on the principle: (a) that the threat or use of force in relations between States was incompatible with the Charter of the United Nations; (b) that every State must respect the political independence and territorial integrity of all other States in the area; (c) that there must be a just settlement of the question of the Palestine refugees; and (d) that there must be innocent passage through international waterways in the area in accordance with international agreements. Finally, that all States in the area should put an end to belligerency, take measures to limit the useless and destructive arms race, and discharge the obligations assumed by them under the Charter of the United Nations and international agreements.

At the same meeting at the request⁴³³ of the representative of Bulgaria, the Council adjourned⁴³⁴ the discussion until 22 November 1967 in order to permit further consultation with a view to reaching a final decision.

At the 1382nd meeting on 22 November 1967, the representative of India observed that in the light of the fact that if adopted the United Kingdom draft resolution would commit the Council to the application of the principle of total withdrawal of Israeli forces from all territories occupied since 5 June 1967, the co-sponsors of the three-Power draft resolution would not press for a vote on that draft resolution at that stage.⁴³⁵

The representative of the United States expressed his willingness to give primacy to the United Kingdom draft resolution and stated that if it were adopted, he would not press his draft resolution to the vote.⁴³⁶

At the same meeting, after the President had stated that it was his understanding that the representative of the USSR would not press for a vote on his draft resolution (S/8236) at that stage,⁴³⁷ the United Kingdom

⁴²⁶ 1375th meeting (PV), pp. 6-36.

⁴²⁷ 1377th meeting (PV), pp. 6-45.

⁴²⁸ 1379th meeting (PV), pp. 8-10, subsequently circulated as document S/8249.

⁴²⁹ 1379th meeting (PV), pp. 2-12.

⁴³⁰ 1380th meeting (PV), p. 2.

⁴³¹ 1380th meeting (PV), p. 3.

⁴³² 1381st meeting (PV), pp. 11, 12, subsequently circulated as document S/8233.

⁴³³ 1381st meeting (PV), pp. 33-35.

⁴³⁴ 1381st meeting (PV), p. 36.

⁴³⁵ 1382nd meeting (PV), pp. 28-30.

⁴³⁶ 1382nd meeting (PV), p. 32.

⁴³⁷ 1382nd meeting (PV), pp. 33-35.

draft resolution was put to the vote and was adopted ⁴³⁸ unanimously. It read as follows:⁴³⁹

"The Security Council,

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

"Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

"Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

"1. Affirms that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

"(i) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

"(ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;

"2. Affirms further the necessity

"(a) For guaranteeing freedom of navigation through international waterways in the area;

"(b) For achieving a just settlement of the refugee problem;

"(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;

"3. Requests the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

"4. Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible."

Decision of 24 March 1968 (1407th meeting):

- (i) *Condemning the military action launched by Israel in violation of the Charter and the cease-fire resolutions;*
- (ii) *Deploring all violent incidents in violation of the cease-fire and declaring that military reprisals and other grave violations of the cease-fire cannot be tolerated and the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;*
- (iii) *Calling upon Israel to desist from acts and activities in contravention of resolution 237 (1967)*

By letter ⁴⁴⁰ dated 21 March 1968 addressed to the President of the Security Council, the representative of Jordan requested an urgent meeting to consider "a most serious situation" resulting from a mass attack by Israeli armed forces against the east bank of the Jordan River. It was further recalled that in a letter ⁴⁴¹ of 19 March, the Council had been informed that such an attack was contemplated by the Israeli authorities.

By letter ⁴⁴² dated 21 March 1968 addressed to the President of the Security Council, the representative of Israel stated that the Government of Israel had on that day taken "localized and limited preventive measures against the training centres and staging bases of the raiders situated on the east bank of the Jordan River". Recalling that in his letter ⁴⁴³ of 18 March 1968, he had warned of the grave situation created by the continuous armed attacks and raids carried out from Jordanian territory in violation of the cease-fire, he requested an urgent meeting of the Council to deal with the continuous acts of aggression and violation of the cease-fire by Jordan.

At the 1401st meeting on 21 March 1968 following the inclusion ⁴⁴⁴ of the two letters on the agenda, the Council invited ⁴⁴⁵ the representatives of Jordan, Israel, the United Arab Republic, Iraq and Morocco to participate without vote in the discussion of the question. Invitations were also extended to the representative of Syria ⁴⁴⁶ at the 1402nd meeting and to the representative of Saudi Arabia ⁴⁴⁷ at the 1406th meeting. The Council considered the question at its 1401st to 1407th meetings held between 21 and 24 March 1968.

At the 1401st meeting on 24 March 1968, the representative of Jordan* stated that Israel not only defied United Nations authority but also deliberately engaged in acts in the occupied territory which were intended to undermine the mission of the Special Representative of the Secretary-General. On several occasions, the Council and other appropriate organs had been informed of these developments, particularly when it became apparent that the Israelis were planning a mass attack on the east bank of Jordan. This information had been made available to the members in official documents of the Security Council. Despite all this, Israel had carried out its premeditated plan that morning and had renewed attacks against innocent refugees and other citizens of Jordan. That action, he felt, was intended to terrorize, intimidate and expel the inhabitants of the area. This was clear, for example, from the complete destruction of the Arab quarters called the Magharba quarter and the displacement of over 200 families upon a few hours notice in order allegedly to modernize or improve parts of Arab/Old Jerusalem. In addition, Arab lands outside the city of Jerusalem were being expropriated and new plans were under way to uproot Arab inhabitants and wipe out the Arab national consciousness. In requesting

⁴⁴⁰ S/8484, *OR*, 23rd yr., *Suppl. for Jan.-March 1968*, pp. 278-279.

⁴⁴¹ S/8478, *ibid.*, pp. 274-275.

⁴⁴² S/8486, *ibid.*, pp. 280-281.

⁴⁴³ S/8470, *ibid.*, pp. 267-269 and S/8475, *ibid.*, pp. 272-273.

⁴⁴⁴ 1401st meeting (PV), pp. 2-5.

⁴⁴⁵ 1401st meeting (PV), pp. 2-6.

⁴⁴⁶ 1402nd meeting (PV), p. 2.

⁴⁴⁷ 1406th meeting (PV), p. 27.

⁴³⁸ 1382nd meeting (PV), p. 36.

⁴³⁹ Resolution 242 (1967).

an urgent meeting of the Council, his Government was thus seeking an adequate and effective remedy to such practices. If Israel's actions were not condemned and checked in accordance with Chapter VII of the Charter, then the whole concept of law and equity established in the Charter would be jeopardized and the efforts of the international community to build a lasting and just peace would not succeed. In this connexion, he recalled that in its resolution 228 of 25 November 1966, the Council emphasized to Israel that if actions of military reprisals were repeated, the Council would have to consider further and more effective steps as envisaged in the Charter to ensure against the repetition of such acts. In other words, the Council at that time had expressly warned Israel that if more such acts were committed, then the sanctions provided in Chapter VII would be applied. Israel's continued acts of aggression and defiance of the Council's decision should now be met with an effective Security Council response reflected in sanctions. Failure to take such actions would simply render the situation more explosive and pose a more dangerous threat to world peace.⁴⁴⁸

At the same meeting, the representative of Israel* drew attention to Jordan's violation of the cease-fire with the open admission of the Jordanian Government, particularly during March 1968. In response to these violations, the Government of Israel, on the morning of 21 March 1968, had instructed its defence force to act against terrorist camps near the border. That operation was to have been limited in scope and duration and upon its execution, the Israeli forces were to return to their bases on the same day. The representative then assured the Council that Israel had respected, and would continue to respect, the cease-fire agreement which obliged all parties not only to abstain from military activities by regular armies but also to prevent any acts of aggression and terrorism on the part of any faction within the territory of those States which have agreed to the cease-fire. If, however, Jordan violated its obligation, the Government of Israel would fulfil its duty to defend the security and well-being of its citizens. The Council, however, should call upon the Government of Jordan to abandon its policy of war and put an end to its policy of aggression against Israel.⁴⁴⁹

At the 1403rd meeting on 21 March 1968, the representative of the United Kingdom maintained that the first demand of the Council must be for an end to violence. He added that his Government had issued a call for an immediate return to the cease-fire line of June and for restraint and strict observance of the cease-fire from all sides. This, however, was not enough; a return to the cease-fire line of June must lead to a return to the resolution of November. It was thus the duty of the Council to make it clear that those who broke the United Nations cease-fire forfeited international sympathy and support. While his delegation deplored the acts of violence which preceded the Israeli attack, it agreed with those members who had condemned "the wrong practice of retaliation".⁴⁵⁰

The representative of Canada, after associating his delegation with those who affirmed that the Council could not condone acts of violence but must insist on scrupulous observance of the cease-fire and the cessation of all military activities as required by several Security Council resolutions, appealed both to Israel and Jordan to facilitate the assignment by the Secretary-General of the United Nations observers to supervise the cease-fire. Such a need, he felt, was clearly demonstrated in the report⁴⁵¹ of the Secretary-General. Moreover, by helping to establish conditions of calm, United Nations supervision would assist the efforts of the Special Representative of the Secretary-General to achieve agreement on the application of Security Council resolution 242 of 1967 and hence remove the circumstances which had led to the latest outbreak of violence. Recalling that the aim of the aforementioned resolution was to bring about peace in the area, he felt that the Council had the right to request that every effort be made by the Governments concerned to co-operate with the peace mission authorized in that decision. In this connexion, he suggested that in addition to other measures, members of the Council could consider the possibility of using that opportunity first to reconfirm the Council resolution of 22 November.⁴⁵²

At the 1407th meeting on 24 March 1968, the President explained that the delay in calling the meeting to order was due to the negotiations among the members which had resulted in a text that would be read out shortly. After noting that the preamble took note of the contents of the letters of both the permanent representative of Jordan and the permanent representative of Israel, he asked the Secretariat to read out the text of the draft resolution.⁴⁵³

At the same meeting, the draft resolution was put to the vote and was adopted unanimously.⁴⁵⁴ The resolution read as follows:⁴⁵⁵

"The Security Council,

"Having heard the statements of the representatives of Jordan and Israel,

"Having noted the contents of the letters of the Permanent Representatives of Jordan and Israel in documents S/8470, S/8473, S/8478, S/8483, S/8484 and S/8486,

"Having noted further the supplementary information provided by the Chief of Staff of UNTSO as contained in documents S/7930/Add.64 and Add.65,

"Recalling resolution 236 (1967) by which the Security Council condemned any and all violations of the cease-fire,

"Observing that the military action by the armed forces of Israel on the territory of Jordan was of a large-scale and carefully planned nature,

"Considering that all violent incidents and other violations of the cease-fire should be prevented and not overlooking past incidents of this nature,

"Recalling further resolution 237 (1967) which called upon the Government of Israel to ensure the safety,

⁴⁴⁸ 1401st meeting (PV), pp. 6-20.

⁴⁴⁹ 1401st meeting (PV), pp. 21-36.

⁴⁵⁰ 1403rd meeting (PV), p. 3. For the consideration of the provisions of Article 2 (4), see chapter XII, Case 4.

⁴⁵¹ S/7930/Add.64, *OR*, 23rd yr., *Suppl. for Jan.-March 1968*, pp. 18-19.

⁴⁵² 1403rd meeting (PV), pp. 13-16.

⁴⁵³ 1407th meeting (PV), p. 6.

⁴⁵⁴ 1407th meeting (PV), p. 6.

⁴⁵⁵ Resolution 248 (1968).

welfare and security of the inhabitants of the areas where military operations have taken place,

"1. *Deplores* the loss of life and heavy damage to property;

"2. *Condemns* the military action launched by Israel in flagrant violation of the United Nations Charter and the cease-fire resolutions;

"3. *Deplores* all violent incidents in violation of the cease-fire and declares that such actions of military reprisal and other grave violations of the cease-fire cannot be tolerated and the the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;

"4. *Calls upon* Israel to desist from acts or activities in contravention of resolution 237 (1967);

"5. *Requests* the Secretary-General to keep the situation under review and to report to the Security Council as appropriate."

Decision of 4 April 1968 (1412th meeting):

Statement by the President expressing the concern of the members of the Council at the deteriorating situation in the area; and noting that the situation should be kept under close review by the Council

By letter ⁴⁵⁶ dated 29 March 1968, the representative of Jordan informed the Council that Israel had resumed its "aggression" against the east bank of Jordan in complete defiance of the resolution adopted unanimously by the Security Council on 24 March 1968 [248 (1968)], in which the Council had warned against grave violation of the cease-fire, and had pledged to consider further and more effective steps as envisaged in the Charter to ensure against the repetition of such acts. An urgent meeting of the Council was thereby requested "to consider a most serious situation resulting from this act of aggression".

By letter ⁴⁵⁷ dated 29 March 1968 requesting an urgent meeting of the Council, the representative of Israel referred to previous letters ⁴⁵⁸ of the same date concerning renewed Jordanian acts of aggression and violations of the cease-fire.

At the 1409th meeting on 30 March 1968, the Council decided ⁴⁵⁹ without vote to include the letters in its agenda and invited ⁴⁶⁰ the representatives of Jordan and Israel to participate in the discussion of the question. Invitations ⁴⁶¹ were also extended to the representative of Syria at the 1410th meeting, to the representatives of the United Arab Republic and Iraq at the 1411th meeting and to the representative of Saudi Arabia at the 1412th meeting. The Council considered the question at the 1409th to 1412th meetings, held between 30 March and 4 April 1968.

At the 1409th meeting on 30 March 1968, the representative of Jordan* stated that on the previous day, Israeli forces opened fire without provocation and shelled Jordanian positions on the northern part of the east

bank of Jordan. The Israeli air force then went into action and indiscriminately bombarded Jordanian frontier villages inhabited by civilians. Later, the Israelis extended their aerial bombardment to Jordanian positions far beyond the cease-fire area, including some of the most productive agricultural areas in Jordan, and destroying the crops and irrigation facilities. Noting that the Israelis attempted to "justify their aggression" on the grounds that so-called terrorists received support from Jordan, the representative denied that his Government had any connexion with the incidents alleged to have taken place in the Israeli-occupied Arab territories. In any event, the Jordanian Government could not be responsible for the safety and security of Israeli forces which were occupying Jordanian territory. The answer to the resistance of the Palestinian people now under Israel's occupation should be an understanding of their legitimate rights and withdrawal from their territories. The Council should therefore ponder this latter question and consider more effective measures to bring about the immediate and complete withdrawal of all Israeli forces from territories forcibly occupied. Any further delay would lead to more deterioration of an already explosive situation and would undoubtedly result in intensification of the resistance movement. Drawing attention to statements by Israeli officials rejecting the Council's decision, as well as a threat that very morning by the Israeli Minister of Tourism, that the next time "the attack would be wider in scope", the representative asserted that it seemed clear that if no immediate action were taken by the Council, Israel intended to continue its wilful violation of the Security Council resolutions. In this connexion, he hoped that the invocation of Chapter VII of the Charter would not be further delayed, since it had been demonstrated that delay would neither serve the cause of peace, nor ensure stability in the area. As an essential first step to this request, he felt that the Council should call for "an immediate halt to any shipment of arms to Israel . . ." ⁴⁶²

At the same meeting, the representative of Israel* recalled that following the adoption of the resolution of 24 March, he had drawn the attention of the Council to the position of Jordan that "it will persist in warfare, that it will take no action to prevent violations of the cease-fire by raids, terror and sabotage, that it does not intend to do anything to prevent the situation from deteriorating even further". He recalled further that no sooner was the resolution adopted than the representative of Jordan announced that the Council had in effect rejected all Israeli claims and allegations concerning so-called individual incidents of terrorism. Furthermore, the day after the Council's decision, the Foreign Minister of Jordan declared, ". . . the condemnation resolution is directed against Israel. The paragraph on cease-fire violations does not concern Jordan". Jordan's "aggression" thus continued. In this connexion, the representative cited a series of incidents between 22 and 29 March which appeared to have been well prepared, militarily and politically by Jordan. These developments were not surprising in the view of Jordan's proclamation that it was still at war with Israel, and that "it does not intend to terminate the acts of aggression, the raids, terror and sabotage against Israel". Jordan however should realise

⁴⁵⁶ S/8516, *O.R.*, 23rd yr., *Suppl. for Jan.-March 1968*, p. 307.

⁴⁵⁷ S/8517, *ibid.*, p. 307.

⁴⁵⁸ S/8510, *ibid.*, pp. 303, 304; S/8511, *ibid.*, p. 304.

⁴⁵⁹ 1409th meeting (PV), pp. 2-5.

⁴⁶⁰ 1409th meeting (PV), pp. 2-5.

⁴⁶¹ 1410th meeting (PV), p. 6; 1411th meeting (PV), pp. 2-5, 1412th meeting (PV), pp. 37-40.

⁴⁶² 1409th meeting (PV), pp. 6-17.

that if it continued to wage and encourage aggression, the Government of Israel, like any other government, would not remain passive; nor would it forgo its right to self-defence. "If Israel is not to take military security measures Jordan must cease its warfare . . .". With regard to the argument advanced by the Arab States that despite their obligations under the cease-fire, they remained free to aid and abet armed attacks against Israel through terrorism and sabotage, the representative asserted that such activities constituted a continuation of warlike action and were the responsibility of the Governments concerned. Noting that the last time Israel appealed to the Council it had failed to raise its voice strongly and unequivocally in favour of ending the war by whatever means it was conducted, the representative expressed the hope that it would not "fail again" and that it would realize that in the outcome of the debate, the forces of war would either see further encouragement, as they did after the 24 March resolution, or find in it a clear warning not to persist in their acts of aggression in violation of the cease-fire.⁴⁶³

The representative of the United States noted that in evaluating the statements previously made by the parties concerned, the Council as well as the Secretary-General and his Representative were handicapped by the absence of impartial international observers in the area. Citing the report⁴⁶⁴ of the Secretary-General of 30 March 1968 to this effect, he suggested that it was high time for the Council to heed the Secretary-General's advice to consider the stationing of United Nations observers in the Israel-Jordan cease-fire sector as soon as possible. The absence of such observers, he felt, created a serious deficiency in the cease-fire machinery, but it was within the Council's power to remedy that deficiency.⁴⁶⁵

The representative of the USSR noted that neither the demand of the Security Council for strict compliance with the cease-fire, nor the Council's condemnation of Israel's acts of aggression committed the previous week against Jordan, nor the strict warning issued to Israel at that time that the Council would be forced to consider further and more effective steps envisaged in the Charter to ensure against repetition of such acts, have had the desired effect.⁴⁶⁶

In exercise of his right of reply, the representative of Jordan,* noting that the representative of Israel had referred to his statement that the war was not over, observed that the cease-fire was not a final settlement. With regard to the question of stationing observers in the Israel-Jordan sector, he recalled that Israel had expelled the United Nations machinery from the west bank just as it had expelled 450,000 Jordanian citizens. It was thus not in the interest of the Security Council to look for new machinery with a new status and a new mandate, but to insist that the same machinery be stationed in the same area to work for the aim of implementing the only existing United Nations mandate, that is the Armistice Agreement. He recalled that the Secretary-General had said that that machinery was still valid, and that no one had a veto concerning the revocation of

the Armistice Agreement. Consequently, it was still binding on both Israel and Jordan. The representative also drew attention to the fact that in his report, the Secretary-General did not advocate the stationing of United Nations observers in the area but simply stated that ". . . the presence of United Nations observers in the area can be helpful", thereby leaving the door open for the revival and reactivation of the armistice machinery.⁴⁶⁷

At the 1410th meeting on 1 April 1968, the representative of Israel* informed the Council that acts of aggression against Israel were continuing. Citing a series of incidents which had occurred on that day and the day before, he remarked that Israel had been subjected to war for twenty years; that far from being terminated by action of the Arab Governments, that war was continuing by raids and sabotage, the method most readily available to the Arab States following their defeat "in June of the previous year". In this connexion, he appealed to the Council to view the situation in all its gravity and take a clear stand on the dangers of continued Jordanian warfare by raid, terror and murder and thus advance Israel and the Arab States towards peace.⁴⁶⁸

The representative of France, recalling the recent decision of the Council concerning violations of the cease-fire resolutions, maintained that the Council could not permit its authority to be flouted or its decisions ignored. It must demand respect for them and, in particular, respect for resolutions 242 (1967) and 248 (1968). In seeking to ensure that its decisions are implemented, however, the Council must be fully and accurately informed. But whereas the presence of United Nations observers, as suggested by the Secretary-General, might be helpful, this need not be understood to mean the taking of action "which in any way might appear to be condoning conquest or military occupation, which is something we do not recognize, or as fixing the positions at which the adversaries found themselves at the time of the cease-fire". Bearing this in mind, a mobile unit under the command of the Chief of Staff of UNTSO could be established which would be capable of intervening anywhere it might be necessary in the Israel-Jordan sector in order to expose and prevent military concentrations, and in order to stay military actions as soon as they break out.⁴⁶⁹

At the 1412th meeting on 4 April 1968, the representative of Jordan* reminded the Council that in its resolution 237 (1967), it called upon Israel to, *inter alia*, ensure the safety, welfare and security of the inhabitants who remained in the occupied territories, and had also requested the Secretary-General to ensure the implementation of the said resolution. Drawing attention to the inability of the Secretary-General to submit to the Council a helpful report on Israeli violation of that resolution "because the Israelis would not permit the Secretary-General to have observers so as to be on the spot and able to report on all acts of destruction and oppression", he suggested that the establishment of a United Nations presence in these territories would be the first step in

⁴⁶³ 1409th meeting (PV), pp. 17-30.

⁴⁶⁴ S/7930/Add.66, O.R., 23rd yr., *Suppl. for Jan.-March 1968*, pp. 19-20.

⁴⁶⁵ 1409th meeting (PV), pp. 31-37.

⁴⁶⁶ 1409th meeting (PV), pp. 37-41.

⁴⁶⁷ 1409th meeting (PV), pp. 63-68.

⁴⁶⁸ 1410th meeting (PV), pp. 7-20.

⁴⁶⁹ 1410th meeting (PV), pp. 38-42.

stopping Israeli crimes and reporting to the Council thereon.⁴⁷⁰

The representative of Israel* informed the Council that even while the Council proceeded with its deliberations, Arab aggression against Israel continued, and warlike pronouncements were being made daily in the Arab capitals. He reiterated that Israel's policy was to abide fully by its obligations under the cease-fire on the basis of reciprocity.⁴⁷¹

At the same meeting, the President (USSR) advised the Council that as a result of the consultation which had taken place on the item, he wished to make the following statement:⁴⁷²

"Having heard the statements of the parties in regard to the renewal of the hostilities, the members of the Security Council are deeply concerned at the deteriorating situation in the area. They, therefore, consider that the Council should remain seized of the situation and keep it under close review."

Decision of 27 April 1968 (1417th meeting):

- (i) *Calling upon Israel to refrain from holding the military parade in Jerusalem which was contemplated for 2 May 1968; and*
- (ii) *Requesting the Secretary-General to report to the Security Council on the implementation of that resolution*

Decision of 2 May 1968 (1420th meeting):

Deploring the holding by Israel of the military parade in Jerusalem on 2 May 1968 in disregard of the Council's decision of 22 April 1968

Decision of 21 May 1968 (1426th meeting):

- (i) *Deploring the failure of Israel to comply with General Assembly resolutions 2253 (ES-V) and 2254 (ES-V);*
- (ii) *Considering that all legislative and administrative measures and actions taken by Israel to alter the status of Jerusalem were invalid;*
- (iii) *Calling upon Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tended to change the status of Jerusalem*

By letter⁴⁷³ dated 25 April 1968 addressed to the President of the Security Council, the representative of Jordan* stated that since the adoption of General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) concerning the status of Jerusalem, Israel had continued to implement its plans for the annexation and the illegal expropriation of Arab lands in Jerusalem. Instead of heeding the Security Council and the General Assembly directives, the Israeli authorities had persisted in carrying out projects calculated to bring about drastic changes in the national and historical character of the holy city. Culminating these illegal actions, Israel was planning a military parade to be held in Jerusalem on 2 May 1968. The nature of the contemplated parade and the heavy equipment to be used would be a breach of the General Armistice Agreement, a violation of Security Council and General Assembly resolutions and a serious provoca-

tion which would add to further deterioration of an already explosive situation. An urgent meeting of the Security Council was therefore requested to consider these developments and the status of Jerusalem and to take effective measures to remedy the situation.

At the 1416th meeting on 27 April 1968, following the adoption of the agenda, the Council decided to invite⁴⁷⁴ the representatives of Jordan and Israel to participate in the discussion, and considered the question at its 1416th to 1426th meetings, held between 22 April and 21 May 1968.

At the 1416th meeting on 27 April 1968, the President (USSR) drew attention to a note⁴⁷⁵ by the Secretary-General informing the Members of the Council of a communication he had addressed to the Government of Israel expressing his concern about plans to hold a military parade on 2 May to mark Israel's independence day, much of which "will be on the east side of the Armistice Demarcation Line and a part of which is known as the Old City of Jerusalem".

At the same meeting, the representative of Jordan* stated that his Government had requested an urgent meeting of the Council to forestall the situation fraught with danger which might have repercussions far beyond the immediate area. He noted that in view of the unprecedented scale of the preparations by Israel, his Government had reason to believe that the contemplated parade reflected yet another aspect of Israel's plans to annex Jerusalem in defiance of General Assembly resolutions 2253 (ES-V) of 4 July 1967 and 2254 (ES-V) of 14 July 1967, which had considered the measures taken by Israel to change the status of that city as invalid and which had called upon Israel to rescind such measures and to desist from any further action of that nature. Moreover, as indicated by the personal representative of the Secretary-General, Israel was taking every step to place under its sovereignty those parts of the city which it did not control before June 1967, and that the process of integration was irreversible and non-negotiable. It was thus clear that Israeli authorities were busy consolidating their gains by all means available to them including drastic measures to stop the free flow of information between the Arab inhabitants and forcing them to rely solely on the Israeli media of information. After describing a series of measures employed by Israel to break the will of the Arab inhabitants and destroy their institutions, he noted that in order to limit the Arab population in Jerusalem to a minimum, the Israeli authorities had refused to comply with Security Council resolution 237 (1967), which called upon Israel to facilitate the return of the inhabitants who had fled the area. Moreover, it had even been reported in the Israeli press that the Israeli Minister of Justice planned legislation to grant Israeli citizenship to the Arabs in Israel. As a consequence, those who refused Israeli citizenship would find themselves foreigners in their own homes and would be expelled and their property would be confiscated as the property of absentees. Despite these and other attempts, Israel had no valid claim to Jerusalem. As regards some of the religious shrines claimed by Israel, the representative drew the attention of the Council to the report⁴⁷⁶

⁴⁷⁰ 1412th meeting (PV), pp. 6-15.

⁴⁷¹ 1412th meeting (PV), p. 22.

⁴⁷² 1412th meeting (PV), p. 66.

⁴⁷³ S/8560, O.R., 23rd yr., Suppl. for April-June 1968, pp. 139-140.

⁴⁷⁴ 1416th meeting (PV), p. 2.

⁴⁷⁵ S/8561, O.R., 23rd yr., Suppl. for April-June 1968, pp. 140-141.

⁴⁷⁶ S/8427/Add.1, O.R., 23rd yr., Suppl. for Jan.-March 1968, pp. 195-198.

of the Commission of Jurists appointed by Britain with the approval of the League of Nations, which had denied the validity of those claims. The recent Israeli moves in Jerusalem were not, in fact, simply administrative measures, but outright aggression, and the contemplated parade was simply a new act of provocation aimed at the complete annexation of Jerusalem. Moreover, the parade constituted a breach of the Armistice Agreement and a violation of Security Council resolution 162 (1961) of 11 April 1961, which endorsed the decision of the Mixed Armistice Commission of 20 March 1961 condemning such Israeli acts and calling upon Israel to refrain in the future from bringing into Jerusalem any equipment in excess of that specified under the terms of the Armistice Agreement. Noting that the Israeli parade came at a time when genuine efforts were being made to implement Security Council resolutions and to bring peace to the area, he urged the Council to adopt measures to have those resolutions implemented and that failure to take adequate steps would reflect on the effectiveness of the Council.⁴⁷⁷

At the same meeting, the representative of Israel* denied that its independence day parade would aggravate the situation in the area and queried whether the real cause of aggravation was not a continuation of the war against Israel by the Arab States and their refusal to make peace with Israel as well as the official declaration that Israel must be destroyed. Noting that Jordan had based its arguments on the Armistice Agreement, he maintained that that agreement was a provisional agreement valid as "a transition to permanent peace", that it was judged by the Council to be incompatible with belligerent rights and that the Government of Jordan had flouted it for nineteen years by invoking the rights of war and repudiating the Agreement's central provisions, particularly articles 1, 3, 8 and 12. Moreover, the 1949 Armistice Agreement which would have been succeeded in 1950 by a peace treaty, had been, by 1967, "a formula for belligerency and a cover for armed attacks and incursions, and an alibi for the refusal to make peace". In any event, it was destroyed by Jordan in June 1967 when that Government opened its military onslaught against Israel. "The Armistice is no more because the Arabs have destroyed it. The relations between Israel and the Arab States are now founded upon and regulated by the cease-fire—a cease-fire established by the Security Council and consecrated in a series of Security Council resolutions". Under this cease-fire, Israel defence forces were free to move within the areas where they were stationed and to act and to parade as they saw fit. Military movements within the cease-fire area were unrestricted and would not violate the General Assembly resolutions of 4 and 14 July 1967, which, in any event, were not aimed at prohibiting a military parade in the city of Jerusalem or paralyzing construction in that city. With regard to Jordan's allegations concerning housing development in Jerusalem, most of the land involved in the reconstruction programme was not Arab but Jewish land or public domain.⁴⁷⁸

At the 1417th meeting on 27 April 1968, the representative of Pakistan introduced a draft resolution,⁴⁷⁹ jointly sponsored with India and Senegal, under which the Council would call upon Israel to refrain from holding the military parade planned for 2 May 1968, and would request the Secretary-General to report to the Security Council on its implementation.

At the request of the representative of the United States, the meeting was suspended for 30 minutes for the holding of consultations.⁴⁸⁰

At the resumed 1417th meeting on 27 April 1968, the President stated that as a result of the consultations, certain changes had been introduced in the draft resolution submitted by the three Powers.⁴⁸¹

At the same meeting, the draft resolution, as modified, was put to the vote and adopted⁴⁸² unanimously. It read as follows:⁴⁸³

"The Security Council,

"Having heard the statements of the representatives of Jordan and Israel,

"Having considered the Secretary-General's note (S/8561), particularly his note to the Permanent Representative of Israel to the United Nations,

"Considering that the holding of a military parade in Jerusalem will aggravate tensions in the area and will have an adverse effect on a peaceful settlement of the problems in the area,

"1. Calls upon Israel to refrain from holding the military parade in Jerusalem which is contemplated for 2 May 1968;

"2. Requests the Secretary-General to report to the Security Council on the implementation of this resolution."

At the 1418th meeting on 1 May 1968, the representative of Algeria, noting that the Council was about to consider the entire question of Jerusalem as requested by the representative of Jordan, recalled that paragraph 3 of General Assembly resolution 2254 (ES-V) of 14 July 1967 had requested the Secretary-General to report to the Council and to the General Assembly. He noted further that pursuant to that resolution, the Secretary-General's report had appeared in document S/8146 on 12 September 1967. In this connexion, he suggested that that report be included in the provisional agenda.⁴⁸⁴

The proposal by the representative of Algeria was adopted⁴⁸⁵ without objection and the agenda was amended to read:

"Letter dated 25 April 1968 from the Permanent Representative of Jordan addressed to the President of the Security Council (S/8560);

Report of the Secretary-General under General Assembly resolution 2254 (ES-V) relating to Jerusalem (S/8146)."

At the same meeting, the representative of Jordan* informed the Council that there was irrefutable evidence

⁴⁷⁷ 1416th meeting (PV), pp. 2-31.

⁴⁷⁸ 1416th meeting (PV), pp. 32-50.

⁴⁷⁹ 1417th meeting (PV), p. 33.

⁴⁸⁰ 1417th meeting (PV), pp. 77-80.

⁴⁸¹ 1417th meeting (PV), p. 86.

⁴⁸² 1417th meeting (PV), pp. 86, 87.

⁴⁸³ Resolution 250 (1968).

⁴⁸⁴ 1418th meeting (PV), p. 11.

⁴⁸⁵ 1418th meeting (PV), pp. 12-15.

that Israel was intent on going ahead with its military display in Jerusalem in defiance of the Council's decision of 27 April. Its rejection of that decision was not only evidenced by the fact that it had already held a full dress rehearsal of the planned parade but was also confirmed in a letter sent to the Secretary-General by the Foreign Minister of Israel. His Government hoped that the Council would take the adequate steps to remedy the new situation created as a result of Israel's disregard of the Council's decision.⁴⁸⁶

At the same meeting, the representative of Israel* read out the text of a letter⁴⁸⁷ dated 30 April 1968 addressed to the Secretary-General, in which his Government expressed its confidence that the "ceremony of 2 May need not and would not have the adverse effects which have been predicted in some quarters". He was of the view that the Council should attach greater significance to its own and the General Assembly resolutions on the vital question of peace and security in the Middle East which Jordan and the other Arab States had refused to implement.⁴⁸⁸

At the 1419th meeting on 2 May 1968, the Secretary-General reported that "the parade in Jerusalem which was the subject of Security Council resolution 250 (1968) of 27 April has been held today as scheduled", and that a further report on the details of that action would be presented to the Council that afternoon.⁴⁸⁹

At the 1420th meeting on 2 May 1968, the President stated that after full consultation with the members of the Council, he was able to present to the Council the text of a draft resolution.⁴⁹⁰

At the same meeting, the draft resolution was voted upon and adopted⁴⁹¹ unanimously. It read as follows:⁴⁹²

"The Security Council,

"Noting the Secretary-General's reports of 26 April (S/8561) and 2 May 1968 (S/8567),

"Recalling resolution 250 (1968) of 27 April 1968,

"Deeply deplores the holding by Israel of the military parade in Jerusalem on 2 May 1968 in disregard of the unanimous decision adopted by the Council on 27 April 1968".

At the 1421st meeting on 3 May 1968, the President (United States) drew attention to a letter⁴⁹³ dated 2 May 1968 from the representative of Jordan requesting that under rule 39 of the provisional rules of procedure, Mr. Rouhi El-Khatib, mayor of Jerusalem, be invited to make a statement before the Council. After a procedural discussion on the capacity in which he was to be invited, the Council decided⁴⁹⁴ without vote, to invite Mr. Rouhi El-Khatib to make a statement.

The representative of Israel,* citing the report⁴⁹⁵ of the Secretary-General on the situation in Jerusalem

shortly after the cease-fire, rejected the charges made by Mr. El Khatib that his Government had practised a policy of terror and destruction against the Arab population in Jerusalem. That report, he stated, showed that life was functioning normally and that "the Arab personnel of the old city was absorbed in the equivalent departments in Israeli municipality". After denying charges of expropriation of Arab properties in order to develop the Jewish quarter, the representative described the plans for urban development in the area and stressed his Government's aim to live at peace with its Arab neighbours.⁴⁹⁶

At the same meeting, the representative of Jordan* maintained that the Council was meeting "to determine rights" and that the central issue was whether Israel could acquire territory by force. He reminded the Council that in its resolution of 22 November, it had emphasized the inadmissibility of acquisition of territory by war.⁴⁹⁷

At the 1425th meeting on 20 May 1968, the President called attention to a draft resolution⁴⁹⁸ jointly submitted by Pakistan and Senegal.⁴⁹⁹

The representative of Pakistan observed that the draft resolution which he had co-sponsored was intended as an interim measure which sought to do no more than reaffirm the General Assembly resolutions on Jerusalem. Because of its limited scope, it had not called for the withdrawal of the Israeli forces and other personnel from that city but simply sought to preclude any measures or action which constituted an attempt to change the status of that city. At a time when the Council still had reason to hope that its efforts toward a political settlement of the problem might succeed, it was imperative that the Council prevent any action or occurrence which would further complicate that conflict and render its resolution more difficult.⁵⁰⁰

At the 1426th meeting on 21 May 1968, the President draw attention to a revised text⁵⁰¹ of the draft resolution previously submitted by Pakistan and Senegal.⁵⁰²

At the same meeting, the revised draft resolution was put to the vote and adopted⁵⁰³ by 13 votes in favour, none against with 2 abstentions. It read as follows:⁵⁰⁴

"The Security Council,

"Recalling General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967,

"Having considered the letter of the Permanent Representative of Jordan on the situation in Jerusalem (S/8560) and the report of the Secretary-General (S/8146),

"Having heard the statements made before the Council,

"Noting that since the adoption of the above-mentioned resolutions Israel has taken further measures and actions in contravention of those resolutions,

⁴⁸⁶ 1418th meeting (PV), pp. 22-25.

⁴⁸⁷ S/8565, 1418th meeting, pp. 31-35.

⁴⁸⁸ 1418th meeting (PV), pp. 27-36.

⁴⁸⁹ 1419th meeting (PV), p. 11.

⁴⁹⁰ 1420th meeting (PV), p. 2.

⁴⁹¹ 1420th meeting (PV), pp. 3-5.

⁴⁹² Resolution 251 (1968).

⁴⁹³ S/8570, OR, 23rd yr., Suppl. for April-June 1968, p. 147.

⁴⁹⁴ 1421st meeting (PV), p. 26. For discussion of this question in terms of rule 39, see chapter III, Case 3.

⁴⁹⁵ S/8146, OR, 22nd yr., Suppl. for July-Sept. 1967, pp. 232-286.

⁴⁹⁶ 1421st meeting (PV), pp. 62-83.

⁴⁹⁷ 1421st meeting (PV), pp. 86-87.

⁴⁹⁸ S/8590, 1425th meeting (PV), pp. 2-5.

⁴⁹⁹ 1425th meeting (PV), pp. 2-5.

⁵⁰⁰ 1425th meeting (PV), pp. 6-15.

⁵⁰¹ S/8590/Rev.2, 1426th meeting (PV), p. 2.

⁵⁰² 1426th meeting (PV), p. 2.

⁵⁰³ 1426th meeting (PV), p. 27.

⁵⁰⁴ Resolution 252 (1968).

"*Bearing in mind* the need to work for a just and lasting peace,

"*Reaffirming* that acquisition of territory by military conquest is inadmissible,

"1. *Deplores* the failure of Israel to comply with the General Assembly resolutions mentioned above;

"2. *Considers* that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status;

"3. *Urgently calls upon* Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem;

"4. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution."

Decision of 16 August 1968 (1440th meeting):

Condemning the further military attacks launched by Israel in flagrant violation of the Charter, and warning that if such attacks were to be repeated, the Council would duly take account of the failure to comply with the present resolution

By letter ⁵⁰⁵ dated 5 June 1968 addressed to the President of the Security Council, the representative of Jordan recalled his letter ⁵⁰⁶ of 4 June, in which he had charged that Israeli forces had bombed certain areas in Jordan, causing heavy casualties. He was therefore requesting an urgent meeting of the Council to consider the grave situation resulting from that Israeli aggression.

By letter ⁵⁰⁷ dated 5 June 1968, the representative of Israel, referring to his letter ⁵⁰⁸ of 4 June, requested an urgent meeting of the Security Council to consider the grave and continued violation of the cease-fire by Jordan, which had initiated the shelling of Israeli villages and the armed infiltration, and terrorist acts from Jordanian territory with the connivance and encouragement of the Jordanian Government and armed forces.

By letter ⁵⁰⁹ dated 5 August 1968 addressed to the President of the Security Council, the representative of Jordan, referring to his letters of 4 and 5 June, repeated his request for an urgent meeting of the Secretary Council to consider the grave situation resulting from the continued acts of aggression by Israel against Jordan.

By letter ⁵¹⁰ dated 5 August 1968 addressed to the President of the Security Council, the representative of Israel requested an urgent meeting of the Council to resume consideration "of the Israeli complaint submitted in my letter of 5 June (S/8617), namely, the grave and continued violation of the cease-fire by Jordan".

At the 1434th meeting on 5 August 1968, the President (Brazil) stated that the meeting had been convened on the urgent requests of Jordan and Israel (S/8721, S/8724) and that the provisional agenda also listed two previous requests (S/8616, S/8617) placed on the provisional agenda

of the 1429th meeting on 5 June, but which was not adopted in view of the Council's decision to adjourn its meeting as a tribute to the late Senator Robert Kennedy.⁵¹¹

At the same meeting, the Council included ⁵¹² the complaints in its agenda and considered the question at its 1434th to 1440th meetings, held between 5 and 16 August 1968.

At the 1434th meeting, the representatives of Jordan, Israel, the United Arab Republic and Iraq were invited ⁵¹³ to participate in the discussion of the question. Invitations were also extended ⁵¹⁴ to the representatives of Syria and Saudi Arabia at the 1436th meeting.

At the 1434th meeting on 5 August 1968, the representative of Jordan* stated that as a result of new premeditated attacks by Israeli forces against unarmed civilian population in Jordan, the Council was again confronted with a situation fraught with danger. He noted that like the attack of 4 June against civilian centres in the city of Irbid and its surrounding villages, the attack of the previous day was directed against civilians in the city of Salt and its neighbouring area. It was clear that the Israeli aggression was pre-planned at the highest level and was aimed at destroying the agriculture in the east bank of Jordan and at terrorizing and expelling the inhabitants of that area. The fact that the attack was made against successful projects in irrigation and farming in Jordan proved beyond doubt that Israel's aim was to destroy civilian life in the area which was among the most productive in Jordan and on which that country depended for its agricultural needs. In view of the fact that the recent Israeli act of aggression was not an isolated military operation and in view of the Council's repeated warnings to Israel against actions of military reprisals, he expected further and more effective measures as envisaged in Chapter VII of the Charter.⁵¹⁵

The representative of Israel* stated that his delegation had repeatedly requested effective action by the Council to stop Jordan's violation of the cease-fire. The cease-fire could not be a screen for Arab aggression and Israel must defend itself against attack. Despite the Security Council resolution of 24 March 1968 which deplored all violent incidents in violation of the cease-fire, Jordan promptly interpreted it as being non-applicable to Arab acts of hostility against Israel and on 4 April when the Security Council expressed its concern at the deteriorating situation, Jordan again ignored that decision. Since then, military attacks and armed incursions from Jordanian territory had continued unabated. In fact, Jordan had become the principal base for continued Arab aggression against Israel. On the morning of 4 June, a large-scale assault was renewed from Jordanian territory resulting in extensive damage to the village and to the central part of Beit-Shean, as well as civilian casualties. In view of the persistence and intensification of the Jordan artillery barrage, it became necessary for Israeli aircraft to take action of self-defence and silence the sources of the fire. Because the Jordanian Government had used inhabited

⁵⁰⁵ S/8616, *OR*, 23rd yr., *Suppl. for April-June 1968*, p. 186.

⁵⁰⁶ S/8613, *ibid.*, p. 184.

⁵⁰⁷ S/8617, *ibid.*, p. 187.

⁵⁰⁸ S/8614, *ibid.*, pp. 184-185; S/8615, *ibid.*, pp. 185-186.

⁵⁰⁹ S/8721, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, p. 113.

⁵¹⁰ S/8724, *ibid.*, pp. 115-116.

⁵¹¹ 1434th meeting (PV), p. 11.

⁵¹² 1434th meeting (PV), p. 11.

⁵¹³ 1434th meeting (PV), pp. 11-12.

⁵¹⁴ 1436th meeting (PV), pp. 2, 48-50.

⁵¹⁵ 1434th meeting (PV), pp. 12-25.

centres as locations for their artillery positions, it was inevitable that civilian casualties would result. He appealed to the Security Council "to consider the situation in the Middle East as it is" and to raise its voice against the acts of aggression which were continuing against Israel. The Council should thus impress upon Jordan the necessity to abide by its cease-fire obligations and to terminate acts of aggression from its territory against Israel.⁵¹⁶

At the 1440th meeting on 16 August 1968, the President stated that as a result of consultations, a draft resolution had emerged which, as he understood it, reflected the views of the members of the Security Council on the course to be adopted by the Council on the item under consideration. Thereupon, the text of the draft resolution was read out to the Council.⁵¹⁷

At the same meeting, the draft resolution was put to the vote and adopted⁵¹⁸ unanimously. It read as follows:⁵¹⁹

"The Security Council,

"Having heard the statements of the representatives of Jordan and Israel,

"Having noted the contents of the letters of the representatives of Jordan and Israel in documents S/8616, S/8617, S/8721 and S/8724,

"Recalling its previous resolution 248 (1968) condemning the military action launched by Israel in flagrant violation of the United Nations Charter and the cease-fire resolutions and deploring all violent incidents in violation of the cease-fire,

"Considering that all violations of the cease-fire should be prevented,

"Observing that both massive air attacks by Israel on Jordanian territory were of a large scale and carefully planned nature in violation of resolution 248 (1968),

"Gravely concerned about the deteriorating situation resulting therefrom,

"1. Reaffirms its resolution 248 (1968), which, inter alia, declares that grave violations of the cease-fire cannot be tolerated and that the Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;

"2. Deplores the loss of life and heavy damage to property;

"3. Considers that premeditated and repeated military attacks endanger the maintenance of the peace;

"4. Condemns the further military attacks launched by Israel in flagrant violation of the United Nations Charter and resolution 248 (1968) and warns that if such attacks were to be repeated the Council would duly take account of the failure to comply with the present resolution."

Decision of 5 September 1968 (1447th meeting):

Adjournment

By letter⁵²⁰ dated 2 September 1968, addressed to the President of the Security Council, the representative of

Israel requested an urgent meeting of the Council to consider the military attack by the United Arab Republic against Israeli forces on 26 August in violation of the cease-fire. The seriousness of the attack was aggravated by the negative reply of the United Arab Republic to representations made by Israel to the Chief of Staff of UNTSO to return a kidnapped soldier, to take effective steps against those responsible for the attack and to give assurance that it would not be repeated.

At the 1446th meeting on 4 September 1968, the Council decided⁵²¹ without vote, to include the item in its agenda and considered the question at its 1446th and 1447th meetings on 4 and 5 September 1968. Following the adoption of the agenda, the Council invited⁵²² the representatives of Israel and the United Arab Republic to participate without vote in the discussion.

At the 1446th meeting on 4 September 1968, the representative of Israel* stated that on 26 August, an Egyptian military force of approximately thirty men had crossed the Suez Canal, dug itself in on the east bank, planted mines on the patrol track and ambushed the Israeli patrol along the Canal. An enquiry which was carried out the following morning by United Nations military observers could not be extended to the west side of the Canal because of Egyptian objections. The facts, however, were quite clear. In violation of the cease-fire established by the Security Council, in breach of the arrangements prohibiting military actions in the area, well-planned military attack was perpetrated against Israel by Egyptian forces from the west bank. Israel would therefore expect the Council to arrest any further deterioration of the situation, condemn the military attack and impress upon Egypt the need to abide by its obligations and prevent the recurrence of such attacks and further ensure the return of the captive soldier.⁵²³

The representative of the United Arab Republic* considered the Israeli allegation to be groundless. He stated that since the news concerning the alleged incident had reached his Government, an enquiry was ordered. Findings of that enquiry which were transmitted to the Chief of Staff of UNTSO disclosed that no United Arab Republic forces had taken part in any action in territories east of the Suez Canal. His Government had assured him of continued observance of the cease-fire in conformity with Security Council resolutions. As regards the missing soldier, his Government had no knowledge of the matter. Noting that Israel's claims and allegations of the involvement of the United Arab Republic armed forces in the incident had not been substantiated by observers in the area, he drew attention to the fact that the report of the Chief of Staff of UNTSO⁵²⁴ of 29 August 1968 lent no credence to the Israeli fabrication.⁵²⁵

At the 1447th meeting on 5 September 1968, the President (Canada) proposed an adjournment of the meeting in order to give the members of the Council a further opportunity to undertake consultations with one another

⁵¹⁶ 1434th meeting (PV), pp. 27-42.

⁵¹⁷ 1440th meeting (PV), pp. 2-5.

⁵¹⁸ 1440th meeting (PV), pp. 2-5.

⁵¹⁹ Resolution 256 (1968).

⁵²⁰ S/8794. O.R., 23rd yr., Suppl. for July-Sept. 1968, p. 236.

⁵²¹ 1446th meeting (PV), p. 6.

⁵²² 1446th meeting (PV), pp. 7-10.

⁵²³ 1446th meeting (PV), pp. 11-16.

⁵²⁴ S/7930/Add.74, O.R., 23rd yr., Suppl. for July-Sept. 1968, pp. 3-6.

⁵²⁵ 1446th meeting (PV), pp. 17-26.

on what should be done with regard to the matter on the agenda.⁵²⁶

The Council decided without objection to adjourn the meeting.⁵²⁷

Decision of 8 September 1968 (1448th meeting):

Statement by the President.

Decision of 18 September 1968 (1448th meeting):

- (i) *Insisting that the cease-fire ordered by the Security Council in its resolutions be rigorously respected;*
- (ii) *Reaffirming its resolution 242 (1967) and urging all parties to extend their fullest co-operation to the Special Representative of the Secretary-General in the speedy fulfilment of the mandate entrusted to him under that resolution*

By letter⁵²⁸ dated 8 September 1968 addressed to the President of the Security Council, the representative of Israel charged that a flagrant and unprovoked violation of the cease-fire had occurred that day by the armed forces of the United Arab Republic in the Suez Canal sector. Despite appeals by the military observer for a cease-fire to which Israel had agreed and with which it had complied, the Egyptian attack continued, resulting in Israeli casualties, the wounding of a United Nations Military Observer, and damage to two observer's posts. The letter thereupon requested an immediate resumption of the meeting of the Council adjourned on 5 September.

By letter⁵²⁹ dated 8 September 1968 addressed to the President of the Security Council, the representative of the United Arab Republic complained that Israel had committed another premeditated act of aggression by opening fire that day against the cities of Port Tawfiq, Suez, Ismailia and Kantara. In view of the gravity of the situation, an urgent meeting of the Security Council was requested.

At the 1448th meeting on 8 September 1968, following a procedural⁵³⁰ discussion as to whether the Council was meeting to consider a new item at the request of the United Arab Republic or a resumption of the Israeli complaint of 2 September, the Council adopted⁵³¹ without objection its agenda which included the letters of Israel of 2 and 8 September 1968 and the letter of the United Arab Republic of 8 September 1968.

Following the adoption of the agenda, the Council invited⁵³² the representatives of Israel and the United Arab Republic to participate in the discussion and considered the question at the 1448th, 1449th, 1451st and 1452nd meetings, held between 8 and 18 September 1968.

At the 1448th meeting, the Secretary-General stated that during the course of the afternoon, the Chief of Staff of UNTSO had informed him by three brief cable messages of a heavy and prolonged exchange of fire along the Suez Canal during the day of 8 September. He immediately asked General Bull to expedite, to the extent possible, the transmission of his report on the latest breach of the Security Council cease-fire demand. In

view of the fact that no messages about further firing had been received from him, he thought it safe to conclude that the cease-fire arranged by the United Nations observers had been holding since it became effective at 1630 hours GMT on 8 September. The Secretary-General then read out the text of a report⁵³³ he had just then received from the Chief of Staff of UNTSO, which gave details of the exchange of fire and accounts of damage to UNTSO installations as well as the wounding of a United Nations Military Observer. A full report on the extent of the damage would be submitted at a later stage.⁵³⁴

Following the statement of the Secretary-General, the representative of the USSR⁵³⁵ requested clarification of the report which had just been read. The Secretary-General explained that he was not in a position to elaborate on that report or to clarify any aspect of it. For the moment, he was prepared simply to "submit the report as it is".⁵³⁶

The representative of Israel* stated that the Egyptian attacks in violation of the cease-fire had assumed in the course of the day such dimensions that an immediate meeting of the Security Council became essential. The report of the Secretary-General emphasized the gravity of those developments and the responsibility of the United Arab Republic for initiating fire repeatedly throughout the afternoon. After giving an account of developments throughout the day and the losses suffered by Israel, he recalled his statement of 4 September in which he had expressed his Government's concern that the Egyptian attack of 26 August might be a prelude to a renewed campaign of violence along the cease-fire line. Developments throughout the day had strengthened that concern and the repeated planting of anti-vehicle mines in the same area a short distance from Egyptian army positions left no doubt about the origin and well-planned nature of those operations. It was thus obvious that the United Arab Republic was trying to undermine the cease-fire and create a situation of gross danger to the area. Whatever Egypt's motives for such a policy, the Council should act immediately and effectively to stop Egyptian acts of aggression and help maintain the cease-fire.⁵³⁷

The representative of the United Arab Republic* stated that in his statement of 4 September, he had observed that despite its membership in the United Nations and verbal acceptance of the Charter, "Israel had reserved for itself the right to take the law into its own hands" and that in this regard, Israel seldom resorted to the Council, preferring to rely on naked force to achieve its ends. This had been borne out by the latest events, for although the Council was still discussing Israel allegations, Israel had on that day opened fire in the areas of Port Tawfiq and Suez, using artillery and tank fire, and continued to escalate the fire by extending it to the cities of Ismailia and Kantara. Moreover, according to the report of the Secretary-General, there was reason to believe that missiles were used by Israel. The armed force of the United Arab Republic was obliged to

⁵²⁶ 1447th meeting (PV), p. 47.

⁵²⁷ 1447th meeting (PV), p. 47.

⁵²⁸ S/8805, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, pp. 240-241.

⁵²⁹ S/8806, *ibid.*, pp. 241-242.

⁵³⁰ 1448th meeting (PV), pp. 2, 3; For discussion of this question, see chapter II, Case 8.

⁵³¹ 1448th meeting (PV), pp. 4-5.

⁵³² 1448th meeting (PV), p. 6.

⁵³³ Subsequently circulated as document S/7930/Add.78, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, pp. 9-11.

⁵³⁴ 1448th meeting (PV), Secretary-General, pp. 6-15.

⁵³⁵ 1448th meeting (PV), pp. 16, 17-20.

⁵³⁶ 1448th meeting (PV), pp. 16, 17-20.

⁵³⁷ 1448th meeting (PV), pp. 21-22.

return the fire in self-defence. The attack caused heavy loss of civilian life as well as wide damage and destruction to buildings and public installations in both cities.⁵³⁸

At the resumed 1448th meeting on 8 September 1968, the President (Canada) stated that after extensive consultations, he had been authorized to make the following declaration:

"The Security Council, having not urgently to consider the item on its agenda contained in document S/1448/Rev.1, having heard the reports of General Odd Bull presented by the Secretary-General, and having heard the statements of the representatives of Israel and of the United Arab Republic, deeply regrets the loss of life, and requires the parties strictly to observe the cease-fire called for by the Security Council's resolutions."

At the 1449th meeting on 10 September 1968, the President drew the attention of the Council to the "supplemental information"⁵³⁹ dated 9 September from the Chief of Staff of UNTSO.

At the 1451st meeting on 11 September 1968, the President drew attention to a report⁵⁴⁰ from the Chief of Staff of UNTSO regarding the latest incidents in the Suez Canal sector.

At the same meeting, the President drew attention to a supplementary report⁵⁴¹ from the Chief of Staff of UNTSO dated 11 September which would be circulated during the course of the meeting.⁵⁴²

At the 1452nd meeting on 18 September 1968, the President drew attention to further supplementary reports⁵⁴³ submitted by the Chief of Staff of UNTSO. The President stated further that the Secretary-General had provided him with three sets of photographs taken by United Nations military observers in the Suez Canal area relating to the enquiry into the mining incident of 10 September described in document S/7930/Add.81, and to the damage suffered by United Nations installations reported in document S/7930/Add.83, paras. 3 and 4. The photographs would be passed along the table during the meeting.⁵⁴⁴

The President subsequently stated that as a result of consultations which he had held with members of the Council since the previous meeting, he was then in a position to present to the Council the draft resolution which reflected the agreement obtained at that time.⁵⁴⁵

At the same meeting, after the President had read out the text of the draft resolution, it was voted upon and adopted⁵⁴⁶ by 14 votes in favour, none against, with 1 abstention. It read as follows:⁵⁴⁷

"The Security Council,

"Recalling the declaration of the President of the Security Council of 9 September 1968, as made at the 1448th meeting of the Council,

"Gravely concerned about the deteriorating situation in the Middle East,

"Convinced that all Members of the United Nations should co-operate towards a peaceful settlement in the Middle East,

"1. Insists that the cease-fire ordered by the Security Council in its resolutions must be rigorously respected;

"2. Reaffirms its resolution 242 (1967) of 22 November 1967, and urges all the parties to extend their fullest co-operation to the Special Representative of the Secretary-General in the speedy fulfilment of the mandate entrusted to him under that resolution."

Decision of 27 September 1968 (1454th meeting):

(i) Requesting the Secretary-General urgently to dispatch a special representative to the Arab territories under military occupation by Israel and to report on the full implementation of resolution 237 (1967);

(ii) Requesting the Government of Israel to receive the Special Representative of the Secretary-General, to co-operate with him and to facilitate his work

By letter⁵⁴⁸ dated 17 September 1968 addressed to the President of the Security Council, the representatives of Pakistan and Senegal requested an urgent meeting of the Council to consider the report⁵⁴⁹ of the Secretary-General dated 31 July 1968, in connexion with resolution 237 of 15 June 1967.

At the 1453rd meeting on 20 September 1968, following the adoption⁵⁵⁰ of its agenda, the Council invited⁵⁵¹ the representatives of Jordan, Israel and the United Arab Republic to participate in the discussion. An invitation⁵⁵² was also extended to the representative of Syria at the 1454th meeting. The Council considered the report at its 1453rd and 1454th meetings held on 20 and 27 September 1968.

At the 1453rd meeting on 20 September 1968, the President (Canada) drew the attention of the Council to a draft resolution⁵⁵³ submitted the previous day by the representatives of Pakistan and Senegal.

At the same meeting, the representative of Senegal, after submitting a correction⁵⁵⁴ to the English text of the draft resolution, recalled that in its resolution 237 (1967) of 4 June 1967, the Security Council had called upon the Governments concerned to scrupulously respect the humanitarian principles governing the treatment of prisoners of war and the protection of civilian personnel in time of war. He recalled further that in his report⁵⁵⁵ of 31 July 1968, the Secretary-General had complained that the humanitarian considerations involving the well-being of a great many people could neither

⁵³⁸ 1448th meeting (PV), pp. 27-31.

⁵³⁹ S/7930/Add.79, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, p. 12.

⁵⁴⁰ S/7930/Add.80, *ibid.*, p. 13.

⁵⁴¹ S/7930/Add.81, *ibid.*, pp. 13, 14.

⁵⁴² 1451st meeting (PV), p. 38.

⁵⁴³ S/7930/Add.83 to 87, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, pp. 15-17.

⁵⁴⁴ 1452nd meeting (PV), pp. 2-5.

⁵⁴⁵ 1452nd meeting (PV), p. 6.

⁵⁴⁶ 1452nd meeting (PV), pp. 7-10.

⁵⁴⁷ Resolution 258 (1968).

⁵⁴⁸ S/8819, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, p. 251.

⁵⁴⁹ S/8699, *ibid.*, pp. 73-95.

⁵⁵⁰ 1453rd meeting (PV), p. 2.

⁵⁵¹ 1453rd meeting (PV), p. 2.

⁵⁵² 1454th meeting (PV), pp. 2-5.

⁵⁵³ S/8825, 1453rd meeting (PV), pp. 3-5.

⁵⁵⁴ In the corrected text, the words "calls upon" in operative paragraph 2 were to be changed to the word "requests".

⁵⁵⁵ S/8699, *OR*, 23rd yr., *Suppl. for July-Sept.*, pp. 73-95.

be given sufficient priority, nor be regarded as having sufficient urgency to override obstacles such as those which had been encountered thus far. By introducing into the question elements that were entirely outside the humanitarian procedures which the Secretary-General wished to follow, the Government of Israel had impeded the implementation of resolution 237 (1967). His delegation deplored that fact but hoped that in accordance with that resolution, the Government of Israel would co-operate fully with the representative that the Secretary-General would send to the occupied areas.⁵⁶⁴

The representative of Pakistan maintained that although Israel had raised certain issues entirely irrelevant to resolution 237 (1967), "no amount of juggling with the term 'Governments concerned' will make resolution 237 (1967) applicable to any territories other than those under the military occupation of Israel". Pursuant to the provisions of that resolution, therefore, it was the clear duty of the Council to ensure that pending final settlement of the political issues, the people who had been left under Israel military occupation would not be denied their fundamental rights.⁵⁶⁷

The representative of Israel* maintained that the initiators and sponsors of the complaint and those who supported them should recognize that far from contributing to the promotion of understanding, it would heighten tension. Noting that the complaint had arisen in connexion with a proposal made by the Secretary-General, the previous February, to Israel and to the Arab Governments to dispatch a representative on a fact-finding mission within the context of resolution 237 (1967), he explained that Israel had already conveyed to the Secretary-General its willingness to co-operate with such a representative and that willingness in this regard remained unaltered. On the other hand, the mission was delayed because the Arab Governments had imposed the restriction that it should confine itself entirely to the Israeli-held territory and should ignore the plight of the Jewish communities in Arab countries, which were suffering as a result of the conflict. The real humanitarian problem in the Middle East, however, was the people of Jewish faith who had been subjected to discrimination, opposition, inhuman treatment in Egypt, Syria and Iraq.⁵⁶⁸

At the 1454th meeting on 27 September 1968, the President drew the attention of the Council to a revised version of the draft resolution⁵⁶⁹ submitted by Pakistan and Senegal.⁵⁶⁰

At the same meeting, the revised draft resolution was put to the vote and adopted by 12 votes to none with 3 abstentions.⁵⁶¹ It reads as follows:⁵⁶²

"The Security Council,

"Concerned with the safety, welfare and security of the inhabitants of the Arab territories under military occupation by Israel following the hostilities of 5 June 1967,

"Recalling its resolution 237 (1967) of 14 June 1967,

"Noting the report by the Secretary-General, contained in document S/8699, and appreciating his efforts in this connexion,

"Deploping the delay in the implementation of resolution 237 (1967) because of the conditions still being set by Israel for receiving a Special Representative of the Secretary-General,

"1. Requests the Secretary-General urgently to dispatch a Special Representative to the Arab territories under military occupation by Israel following the hostilities of 5 June 1967, and to report on the implementation of resolution 237 (1967);

"2. Requests the Government of Israel to receive the Special Representative of the Secretary-General, to co-operate with him and to facilitate his work;

"3. Recommends that the Secretary-General be afforded all co-operation in his efforts to bring about the implementation of the present resolution and resolution 237 (1967)."

Decision of 4 November 1968 (1457th meeting):

Adjournment

By letter⁵⁶³ dated 1 November 1968 addressed to the President of the Security Council, the representative of the United Arab Republic complained that on the previous night, Israeli aircraft violated United Arab Republic air space and infiltrated deep into Mag Hamadi area, bombing civilian targets and killing one civilian and wounding two others. An urgent meeting of the Council was thus requested to consider the situation resulting from that flagrant act of aggression committed by Israel and by the Israeli armed forces and admitted by the Israeli Government.

By letter⁵⁶⁴ dated 1 November 1968, addressed to the President of the Security Council, the representative of Israel requested an urgent meeting of the Council to consider recent Egyptian acts of aggression and provocation previously reported⁵⁶⁵ to the Council and recorded in the report⁵⁶⁶ of the Chief of Staff of UNTSO.

At the 1456th meeting on 1 November 1968, following the adoption⁵⁶⁷ of the agenda, the Council invited⁵⁶⁸ the representatives of the United Arab Republic, Israel and Saudi Arabia to participate in the discussion of the question. The Council considered the question at its 1456th and 1457th meetings, held between 1 and 4 November 1968.

At the 1456th meeting on 1 November 1968, the representative of the United Arab Republic* stated that his Government had requested an urgent meeting of the Council because an already grave situation in the Middle East had been further aggravated by a new act of aggression by the Israeli armed forces against the territory of the United Arab Republic. That development had been rendered more ominous by its premeditated nature and by

⁵⁶⁴ 1453rd meeting (PV), pp. 6-12.

⁵⁶⁷ 1453rd meeting (PV), pp. 13-15.

⁵⁶⁸ 1453rd meeting (PV), pp. 41-48, 49-50, 51, 52-57.

⁵⁶⁹ S/8825/Rev.2, 1454th meeting (PV), pp. 2-5.

⁵⁷⁰ 1454th meeting (PV), pp. 2-5.

⁵⁶¹ 1454th meeting (PV), pp. 103-105.

⁵⁶² Resolution 259 (1968).

⁵⁶³ S/8878, *OR*, 23rd yr., *Suppl. for Oct.-Dec. 1968*, p. 104.

⁵⁶⁴ S/8879, *ibid.*, pp. 104, 105.

⁵⁶⁵ S/8868, *OR*, 23rd yr., *Suppl. for Oct.-Dec. 1968*, pp. 94, 95; S/8869, *ibid.*, pp. 95-96, S/8875, *ibid.*, pp. 100-101, S/8877, *ibid.*, pp. 101-104.

⁵⁶⁶ S/7930/Add.95, 97, *OR*, 23rd yr., *Suppl. for Oct.-Dec. 1968*, pp. 4-12; 15-18.

⁵⁶⁷ 1456th meeting (PV), p. 6.

⁵⁶⁸ 1456th meeting (PV), pp. 6, 7, 42.

Israel's open admission of responsibility for its action. Moreover, the fact that the attack was made on installations constituting part of the economic infrastructure of the United Arab Republic indicated that its perpetrators intended to strike a blow at the economy of the United Arab Republic by attempting to paralyse some of its constituent elements. It was ironic that while engaging in these aggressive actions against Arab States, Israel was conducting a propaganda campaign about its peaceful intentions and constructive approach towards a solution of the problem in the Middle East. But its refusal to declare its acceptance of and its readiness to implement the resolution of 22 November 1967 was a disservice to the cause of peace in the area. It was high time for the Council to enforce the measures envisaged in its previous resolutions and apply the sanctions provided for in Chapter VII of the Charter.⁵⁶⁹

The representative of Israel* maintained that peace in the Middle East had been long delayed because of the refusal of the Arab States to conclude a permanent peaceful settlement and, more especially, because of their pursuit of the Khartoum decision of "no peace, no negotiations, no recognition of Israel". Despite declarations by Egypt of its acceptance of the November resolution, it had not only refused to make peace with Israel but had also continued its warfare against Israel. After describing a number of assaults by the armed forces of the United Arab Republic which he said were conducted in pursuit of the policy of "preventive military operations", the representative considered those activities the more sinister in view of the efforts of Ambassador Jarring to achieve a just and lasting peace. After prolonged and patient restraint, however, Israel was left with no alternative but to act in self-defence, in order to impress upon the United Arab Republic the necessity to respect the cease-fire. Thus, in blowing up a power station and two projects on the Nile between Aswan and Cairo, it sought to avoid populated areas and to persuade Egypt that it could not ignore its cease-fire obligations with impunity, and that the maintenance of the cease-fire agreement was a common interest of both the United Arab Republic and Israel.⁵⁷⁰

The representative of the United Kingdom suggested that in view of the fact that discussions by certain foreign ministers were in progress, the Council adjourn its meeting and resume its discussion whenever it was decided that "the best time had come".⁵⁷¹

The President, noting that a strong preference existed for the fixing of a definite date for the next meeting, suggested that the next meeting be held at 1100 a.m. on the following Thursday, with the understanding that the President would remain in contact with the members with a view to reconsideration of the time should circumstances in the meantime so warrant.⁵⁷²

The President's proposal was adopted without objection.⁵⁷³

Decision of 31 December 1968 (1462nd meeting):

- (i) *Condemning Israel for its premeditated military action in violation of its obligations under the Charter and the cease-fire resolutions;*
- (ii) *Considering that such premeditated acts of violence endanger the maintenance of the peace and that Lebanon was entitled to appropriate redress for the destruction it suffered;*
- (iii) *Issuing a solemn warning to Israel that if such acts were to be repeated, the Council would have to consider further steps to give effect to its decision*

By letter⁵⁷⁴ dated 29 December 1968 addressed to the President of the Security Council, the representative of Lebanon stated that a "flagrant act of aggression had been committed by the Israeli Air Force against Lebanon" on the previous day. In view of the gravity of the situation endangering the peace and security of Lebanon, an urgent meeting of the Council was requested.

By letter⁵⁷⁵ dated 29 December 1968 addressed to the President of the Security Council, the representative of Israel requested an urgent meeting of the Council to consider the constant violation by Lebanon of the United Nations Charter and the cease-fire resolution of the Council in assisting and abetting acts of warfare by irregular forces and organizations operating from Lebanon against Israeli territory, citizens and property, and in particular against Israeli civil aviation.

At the 1460th meeting on 29 December 1968, following the adoption⁵⁷⁶ of the agenda, the representatives of Lebanon and Israel were invited⁵⁷⁷ to participate in the discussion. At the 1461st meeting, the representative of Saudi Arabia was likewise invited to participate.⁵⁷⁸ The Council considered the question at its 1460th to 1462nd meetings held between 29 and 31 December 1968.

At the 1460th meeting on 29 December 1968, the President (Ethiopia) drew the attention of the members to information⁵⁷⁹ he had received from the Acting Chief of Staff of UNTSO relating to the question before the Council.

At the same meeting, the representative of Lebanon* stated that at 0930 p.m. on Saturday, 28 December 1968, units of the Israeli airforce, using explosives, incendiary bombs and rockets, staged a surprise attack against the International Airport at Beirut, completely destroying thirteen airplanes which constituted the main portion of Lebanon's civilian aircraft fleet. In addition, hangars, repair shops and fuel depots were also hit and destroyed, and the buildings of the air terminal were extensively damaged. Preliminary estimates of the losses indicated that it would considerably exceed \$50 million. Not only had Israeli authorities admitted responsibility for the attack but their officials and press welcomed the safe return of the "aggressive units, applauding and hailing their shameful exploit". In view of such flagrant violations of the principles and objectives of the Charter, his delegation was appealing to the Council to go beyond its usual condemnation of Israel for its acts of aggression

⁵⁷⁴ S/8945, O.R., 23rd yr., Suppl. for Oct.-Dec. 1968, p. 180.

⁵⁷⁵ S/8946, *ibid.*, p. 180.

⁵⁷⁶ 1460th meeting (PV), p. 2.

⁵⁷⁷ 1460th meeting (PV), p. 6.

⁵⁷⁸ 1461st meeting (PV), p. 72.

⁵⁷⁹ S/7930/Add.107-108, O.R., 23rd yr., Suppl. for Oct.-Dec. 1968, pp. 29-31.

⁵⁶⁹ 1456th meeting (PV), pp. 6-12.

⁵⁷⁰ 1456th meeting (PV), pp. 13-26.

⁵⁷¹ 1457th meeting (PV), p. 87.

⁵⁷² 1457th meeting (PV), pp. 88-92.

⁵⁷³ 1457th meeting (PV), p. 92.

against Arab countries, and take effective measures under Chapter VII of the Charter. At a later stage, his Government, after having fully assessed the damage sustained, intended to request the Council to take the necessary measures against Israel for full and adequate compensation.⁵⁸⁰

At the same meeting, the representative of Israel* stated that on 26 December 1968, an Israeli civil airliner, en route to New York on a regular scheduled commercial flight, was attacked with bombs and machine guns in the Athens international airport, by assailants from Beirut. They opened fire indiscriminately with sub-machine guns against the passengers and crew, killing one passenger and seriously wounding a stewardess. The assailants, identifying themselves as Arab commandos, admitted that they had been trained and equipped by a terrorist organization operating out of Beirut, with the full knowledge of the Lebanese Government. Lebanon, however, had undertaken specific obligations towards Israel under the Security Council cease-fire resolution. And any attack against an Israeli civil aircraft, whatever it might be, was as much a violation of the cease-fire as any attacks on Israeli territory "and entitles the Israeli Government to exercise its right of self-defence". Two attacks on Israeli civil aircraft occurring within six months of each other by the same terrorist group demonstrated that their objective was to disrupt Israeli civil aviation without regard for the loss of life, the identity of the victims or for the disruption of international civil aviation in general. On 28 December, an Israeli commando unit landed at Beirut airport and struck at a number of aircraft belonging to Arab airlines parked in the airport. There was no loss of life, and strict precautions were taken as far as possible to avoid damage to non-Arab aircraft. The action was directed solely against the bases from which the terrorists had departed on the previous occasion, and was designed to uphold Israel's basic right to free navigation in the international skies. His delegation hoped that in view of the gravity of the challenge posed to the Council, it would finally exert its authority and clearly indicate that it can no longer tolerate the continuation of active belligerency and warfare against Israel through the instrumentality of irregular forces and organizations and that it would hold the Arab Governments, including the Government of Lebanon, firmly to their duties under the Charter and under the cease-fire.⁵⁸¹

At the 1461st meeting on 30 December 1968, the representative of Lebanon* asserted that his Government could not be held responsible for acts of Palestinian refugees which were committed outside its territory and without its knowledge. At the same time, if Israel felt that Lebanon was responsible, it should have immediately filed a complaint against Lebanon in the Council. As regards Israel's case against Lebanon, his Government could not even be charged with having the intention of committing an act because there was no such intention.⁵⁸²

The President (Ethiopia) stated that encouraging progress was being made in the extensive consultations that had been taking place among the members of the Council, and it might be possible to agree on a text of a

draft resolution that afternoon. In order to further the progress, he proposed that the Council adjourn its meeting until 3 p.m. that afternoon.⁵⁸³

The Council decided⁵⁸⁴ without objection to adjourn the meeting.

At the 1462nd meeting on 31 December 1968, the President stated that after extensive consultation during recent days, the members of the Council had been able to reach agreement on the text of a draft resolution which appeared to command unanimous support.⁵⁸⁵

At the same meeting, the draft resolution was put to the vote and was adopted⁵⁸⁶ unanimously. It read as follows:⁵⁸⁷

"The Security Council,

"Having considered the agenda contained in document S/Agenda/1462,

"Having noted the contents of the letter of the Permanent Representative of Lebanon (S/8945),

"Having noted the supplementary information provided by the Chief of Staff of the United Nations Truce Supervision Organization contained in documents S/7930/Add. 107 and 108;

"Having heard the statements of the representative of Lebanon and of the representative of Israel concerning the grave attack committed against the civil International Airport of Beirut,

"Observing that the military action by the armed forces of Israel against the civil International Airport of Beirut was premeditated and of a large scale and carefully planned nature,

"Gravely concerned about the deteriorating situation resulting from this violation of the Security Council resolutions,

"Deeply concerned about the need to assure free uninterrupted international civil air traffic,

"1. Condemns Israel for its premeditated military action in violation of its obligations under the Charter and the cease-fire resolutions;

"2. Considers that such premeditated acts of violence endanger the maintenance of the peace;

"3. Issues a solemn warning to Israel that if such acts were to be repeated, the Council would have to consider further steps to give effect to its decisions;

"4. Considers that Lebanon is entitled to appropriate redress for the destruction it suffered, responsibility for which has been acknowledged by Israel."

THE QUESTION OF SOUTH WEST AFRICA

INITIAL PROCEEDINGS

By letter⁵⁸⁸ dated 24 January 1968 to the President of the Security Council, the representatives of Afghanistan, Algeria, Burundi, Cambodia, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Democratic

⁵⁸⁰ 1460th meeting (PV), pp. 6-12.

⁵⁸¹ 1460th meeting (PV), pp. 12-15, 16-27.

⁵⁸² 1461st meeting (PV), pp. 10, 11-16.

⁵⁸³ 1461st meeting (PV), p. 98.

⁵⁸⁴ 1461st meeting (PV), p. 98.

⁵⁸⁵ 1462nd meeting (PV), pp. 2-5.

⁵⁸⁶ 1462nd meeting (PV), p. 7.

⁵⁸⁷ Resolution 262 (1968).

⁵⁸⁸ S/8355.

Republic of), Dahomey, Ethiopia, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syria, Thailand, Togo, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia and Zambia referred to resolutions 2145 (XXI), 2324 (XXII) and 2325 (XXII) of the General Assembly, and requested an urgent meeting of the Security Council to consider the question of South West Africa. This question, it was stated, had assumed "a most serious and urgent dimension" following the decision of the Government of South West Africa to resume the "illegal" trial at Pretoria of thirty-five South West Africans in violation of their rights and of the international status of the Territory of South West Africa, and in persistent defiance of General Assembly resolutions on the question. It was noted particularly that the General Assembly, in its resolution 2324 (XXII), had condemned the illegal arrest, deportation and trial at Pretoria of the aforementioned South West Africans, and had called upon the Government of South Africa to discontinue forthwith their illegal trial and to release and repatriate them. The Member States, submitting the letter, urged the Security Council to take immediately effective and appropriate measures to ensure that the Government of South Africa complied with the General Assembly resolutions, and discontinued forthwith the illegal trial and released and repatriated the thirty-five South West Africans concerned. The representatives of Ceylon, Cyprus, Japan and Tunisia subsequently associated themselves with this request.⁵⁸⁹

At the 1387th meeting on 25 January 1968, before the adoption of the agenda, the President stated in reply to a point of order raised by the representative of Algeria on the question of credentials, that he would ask the Secretary-General to provide the Council with information on recent practice of the Council in regard to the credentials of all Council members.⁵⁹⁰ The Council then proceeded to include the question in the agenda.⁵⁹¹ The question was considered at the 1387th meeting and at the 1390th to 1397th meetings, held from 25 January to 14 March 1968. The representative of Nigeria⁵⁹² and, subsequently, those of Chile, Colombia, Guyana, Indonesia, Nigeria, Turkey, United Arab Republic, Yugoslavia and Zambia were invited to participate in the discussion.⁵⁹³

At the 1387th meeting, the representative of Algeria stated that in calling for an urgent meeting of the Security Council on the question of South West Africa, the delegations of Africa and Asia showed their concern for the activities carried out by the South African authorities on a Territory over which they no longer had the power of legal administration. After recalling that the General Assembly had decided to assume direct responsibility for South West Africa, and had established the United

Nations Council for South West Africa, he observed that South Africa had refused to recognize, on the one hand, the abrogation of the mandate which it had earlier held, and, on the other hand, the authority of the United Nations Council for South West Africa. This was only a new version of the "contempt" that the South African authorities had always shown towards the United Nations. Their illegal arrest of thirty-five nationals of South West Africa violated the decision of the General Assembly. In point of fact, the inhabitants of South West Africa no longer came under the law or the authority of South Africa. The capital punishment with which those prisoners were threatened was meant to be the final test of the weakness of the United Nations. The lives of those thirty-five persons were in danger and they had to be protected because they constituted a trust that must be exercised by the United Nations. The Security Council should therefore take the necessary measures to secure their immediate release and allow them to return to their homes. Practical and concrete measures must also be devised to permit the United Nations fully and constantly to carry out its duties in the long run, and to lead South West Africa to total independence. The Security Council should reaffirm its authority and meet resolutely the deliberate challenge by the South African authorities.⁵⁹⁴

Decision of 25 January 1968 (1378th meeting):

- (i) *Condemning the refusal of the Government of South Africa to comply with the provisions of General Assembly resolution 2324 (XXII);*
- (ii) *Calling upon the Government of South Africa to discontinue forthwith the illegal trial at Pretoria of thirty-five South West Africans, and to release and repatriate the defendants concerned;*
- (iii) *Inviting all States to exert their influence in order to induce the Government of South Africa to comply with the provisions of the resolution*

At the 1387th meeting, the President (Pakistan) stated that as a result of the informal consultations on the course to be followed by the Council in connexion with the question of South West Africa before it, a general agreement had been reached on the text of a draft resolution which he read out to the Council.⁵⁹⁵

At the same meeting, the Council adopted⁵⁹⁶ unanimously the draft resolution as read by the President of the Council.

The resolution⁵⁹⁷ read:

"The Security Council,

"Taking note of General Assembly resolution 2145 (XXI) of 27 October 1966, by which it terminated South Africa's Mandate over South West Africa and decided, inter alia, that South Africa has no right to administer the Territory and that henceforth South West Africa comes under the direct responsibility of the United Nations,

"Taking note further of General Assembly resolution 2324 (XXII) of 16 December 1967, in which the Assembly condemned the illegal arrest, deportation and trial at Pretoria of thirty-seven South West Africans, as a flagrant violation by the Government of South

⁵⁸⁹ S/8355, Add.1 and Add.2, OR, 23rd yr., Suppl. for Jan.-Mar. 1968, pp. 71-72.

⁵⁹⁰ For discussion of the question of credentials, see chapter I, part II, Case 6.

⁵⁹¹ 1387th meeting (PV), p. 22.

⁵⁹² 1387th meeting (PV), p. 22.

⁵⁹³ 1391st meeting (PV), pp. 3-5, 1392nd meeting (PV), pp. 3-5.

⁵⁹⁴ 1387th meeting (PV), pp. 31-36.

⁵⁹⁵ 1387th meeting (PV), pp. 111-115.

⁵⁹⁶ 1387th meeting (PV), pp. 112-115.

⁵⁹⁷ Resolution 245 (1968).

Africa of their rights, of the international status of the Territory and of General Assembly resolution 2145 (XXI),

"*Gravely concerned* that the Government of South Africa has ignored world public opinion so overwhelmingly expressed in General Assembly resolution 2324 (XXII) by refusing to discontinue this illegal trial and to release and repatriate the South West Africans concerned,

"*Taking into consideration* the letter of 23 January 1968 from the President of the United Nations Council for South West Africa (S/8353),

"*Noting with great concern* that the trial is being held under arbitrary laws whose application has been illegally extended to the Territory of South West Africa in defiance of General Assembly resolutions,

"*Mindful* of the grave consequences of the continued illegal application of these arbitrary laws by the Government of South Africa to the Territory of South West Africa,

"*Conscious* of the special responsibilities of the United Nations towards the people and the Territory of South West Africa,

"1. *Condemns* the refusal of the Government of South Africa to comply with the provisions of General Assembly resolution 2324 (XXII);

"2. *Calls upon* the Government of South Africa to discontinue forthwith this illegal trial and to release and repatriate the South West Africans concerned;

"3. *Invites* all States to exert their influence in order to induce the Government of South Africa to comply with the provisions of the present resolution;

"4. *Requests* the Secretary-General to follow closely the implementation of the present resolution and to report thereon to the Security Council at the earliest possible date;

"5. *Decides* to remain actively seized of the matter."

Decision of 14 March 1968 (1397th meeting):

- (i) *Censuring the Government of South Africa for its flagrant defiance of Security Council resolution 245 (1968) as well as of the authority of the United Nations of which South Africa is a Member;*
- (ii) *Demanding that the Government of South Africa forthwith release and repatriate the South West Africans concerned;*
- (iii) *Calling upon Members of the United Nations to co-operate with the Security Council, in pursuance of their obligations under the Charter, in order to obtain compliance by the Government of South Africa with the provisions of the present resolution;*
- (iv) *Urging Member States who are in a position to contribute to the implementation of the present resolution to assist the Security Council in order to obtain compliance by the Government of South Africa with the provisions of the present resolution;*
- (v) *Deciding that in the event of failure on the part of the Government of South Africa to comply with the provisions of the present resolution, the Security Council will meet immediately to determine upon effective steps or measures in conformity with the relevant provisions of the Charter of the United Nations*

By letter ⁵⁹⁸ dated 12 February 1968 addressed to the President of the Security Council, the representatives of Chile, Colombia, Guyana, India, Indonesia, Nigeria, Pakistan, Turkey, United Arab Republic, Yugoslavia and Zambia, members of the United Nations Council for South West Africa, referred to Security Council resolution 245 (1968) and requested an urgent meeting of the Security Council to consider the situation resulting from the continuation of the illegal trial of thirty-four South West Africans, and the sentences on thirty-three of them in defiance of General Assembly resolution 2324 (XXII) and Security Council resolution 245 (1968).

By letter ⁵⁹⁹ dated 12 February 1968, the representatives of Afghanistan, Algeria, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Democratic Republic of), Cyprus, Dahomey, Ethiopia, Ghana, Guinea, Iran, Iraq, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Morocco, Nepal, Niger, Philippines, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Sudan, Syria, Tanzania, Thailand, Togo, Tunisia, Uganda, Upper Volta and Yemen supported the request to convene an urgent meeting of the Security Council made by the representatives of the eleven members of the United Nations Council for South West Africa. The representatives of Congo (Brazzaville), Jamaica, Madagascar, Singapore and Somalia subsequently associated themselves with this request.⁶⁰⁰

At the 1391st meeting on 16 February 1968, the Security Council included both letters in its agenda,⁶⁰¹ and considered the question at the 1391st to 1397th meetings, held from 16 February to 14 March 1968. The representatives of Chile, Colombia, Guyana, Indonesia, Nigeria, Turkey, United Arab Republic, Yugoslavia and Zambia were invited to participate in the discussion.⁶⁰² At the 1391st meeting, the representative of Pakistan stated that the Security Council had a clear duty to condemn the Government of South Africa for its defiance of the resolution 245 (1968). South Africa should be called upon to revoke immediately the sentences it had passed on the South West Africans concerned, and to release and repatriate them without delay. Members requesting the meetings as well as other members who supported their request and Member States in general hoped that the Security Council would take early and effective action to deal with the situation created by the defiance by South Africa of the Council resolution, and that all Member States, under the obligation they have assumed in accordance with the Charter to respect and give effect to the decisions of the Council, and in particular those Members which maintained relations with South Africa, would use all their influence to make South Africa comply with the obligations of its United Nations membership. The Security Council should further emphasize that continued refusal by South Africa to implement the resolution of the Security Council would oblige the latter to take more drastic steps envisaged in the Charter in order to secure compliance. To this end, the Secretary-General should

⁵⁹⁸ S/8397, O R, 23rd yr., Suppl. for Jan.-Mar. 1968, pp. 177, 178.

⁵⁹⁹ S/8398.

⁶⁰⁰ S/8398 and Add.1/Rev.1 and Add.2, O R, 23rd yr., Suppl. for Jan.-Mar. 1968, pp. 178, 179.

⁶⁰¹ 1391st meeting (PV), p. 2.

⁶⁰² 1391st meeting (PV), pp. 3-5; 1392nd meeting (PV), pp. 3-5.

be requested to follow closely the implementation of any action the Council may take, and to report by a specified early date. The Council should remain actively seized of the matter. It was the view of the Government of Pakistan that the Government of South Africa would not see reason except by the adoption by the Council of enforcement measures envisaged in Chapter VII of the Charter.⁶⁰³

The representative of Senegal held that the sentence passed on the thirty-three South West African nationals by the Supreme Court of Pretoria amply proved that the South African authorities did not intend to honour their obligations under the Charter. This illegal sentence had quite rightly aroused the indignation of the international community. The Security Council, in the face of South African defiance, should act speedily and effectively. It should appeal to South Africa to set free the political prisoners. But it must go further and demand from the Government of South Africa that it heed United Nations decisions. If such demands were ignored, the Security Council should resort to enforcement measures under Chapter VII of the Charter. The great Powers, which have special responsibilities under the Charter, must co-operate in ensuring that the Council's decisions were respected. South Africa would then understand that Member States were prepared to act in unison to enable the United Nations to administer South West Africa effectively and to assist the people of that Territory to accede to independence.⁶⁰⁴

The representative of Ethiopia observed that it was obvious that in refusing to abide by Security Council resolution 245 (1968), the Government of South Africa had in fact refused to carry out a specific decision of the Security Council. Thus any action which the Council would contemplate should be based on the recognition of the fact that what was involved were the provisions of Article 25 of the Charter. The Council should therefore consider the possibility of invoking more effective action on the basis of Article 25 to ascertain that South Africa carried out the provisions of Security Council resolution 245 (1968).⁶⁰⁵

In the view of the representative of Algeria, an alternative open for the Council's future action was the adoption of provisional measures under Article 40 of the United Nations Charter. The Security Council should eventually make full use of the enforcement possibilities enshrined in the Charter. In this connexion, special attention should be paid to measures which, in the first stage, could support preventive action while contributing to the creation of conditions indispensable for long-term action. And as to the latter, it would be necessary to be mindful of the provisions of Article 5 of the Charter, whose long-term effects would enable the Organization to pave the way towards a solution by which direct responsibilities over the Territory of South West Africa would be assumed by the United Nations.⁶⁰⁶

At the 1394th meeting on 29 February 1968, the President (Paraguay) informed the Security Council that a draft resolution⁶⁰⁷ had been submitted by the delega-

tions of Algeria, Brazil, Ethiopia, India, Pakistan, Paraguay and Senegal. Under the seven-Power draft resolution, the Security Council would, *inter alia*, censure the Government of South Africa for its defiance of the Security Council resolution 245 (1968) and of the authority of the United Nations; demand that the Government of South Africa forthwith release and repatriate the South West Africans concerned; call upon Member States to co-operate with the Security Council, in fulfilment of their obligations under the Charter, to ensure compliance by the Government of South Africa with the present resolution; and decide that in the event of failure on the part of South Africa to comply with the present resolution, which "will be in violation of Article 25 of the Charter", it would meet immediately to decide on the application of effective measures as envisaged in the Charter.

The representative of the United Kingdom, after referring to the joint draft resolution and to previous discussions on the desirability of consultations, moved that the Council adjourn to allow for further consultations among members.⁶⁰⁸

In the absence of objection to the motion, the President adjourned the meeting⁶⁰⁹ with an appeal that the proposed informal consultations be undertaken with urgency.

When the Council met again at the 1395th meeting on 4 March 1968, the representative of Pakistan introduced the seven-Power draft resolution, and commented on its provisions, including that which envisaged more effective measures to be taken by the Council in case of failure by the Government of South Africa to implement the provisions of that joint resolution which, under the draft resolution, was a violation of Article 25 of the Charter. He noted in this connexion that it was obviously for the Security Council itself to decide what particular course of action to take under the Charter. The sponsors of the draft, however, were convinced that, in that event, the Council should not exclude from its consideration the application of appropriate measures under Chapter VII and other Articles of the Charter which were relevant to situations in which a Member State had persistently violated the principles of the Charter. The draft resolution was nevertheless couched in terms which its sponsors believed would not necessarily bind any member of the Security Council in advance to action under Chapter VII of the Charter.⁶¹⁰

At the 1397th meeting on 14 March 1968, the President (Senegal) stated that, after many consultations with Council members, he was in a position to put before it a text of a draft resolution⁶¹¹ on which he believed there could be a unanimous vote.⁶¹²

At the same meeting, the draft resolution was adopted unanimously.⁶¹³ The resolution⁶¹⁴ read:

"The Security Council,

"Recalling its resolution 245 (1968) of 25 January 1968, by which it unanimously condemned the refusal

⁶⁰³ 1391st meeting (PV), pp. 21-22.

⁶⁰⁴ 1391st meeting (PV), pp. 23-27.

⁶⁰⁵ 1392nd meeting (PV), pp. 23-26.

⁶⁰⁶ 1392nd meeting (PV), pp. 31-37.

⁶⁰⁷ S/8429, *OR*, 23rd yr., *Suppl. for Jan.-March 1968*, pp. 198 and 199.

⁶⁰⁸ 1394th meeting (PV), p. 6.

⁶⁰⁹ *Ibid.*, p. 7.

⁶¹⁰ 1395th meeting (PV), pp. 13 and 18-20.

⁶¹¹ S/8429, see footnote 607 above.

⁶¹² 1397th meeting (PV), p. 6.

⁶¹³ 1397th meeting (PV), p. 11.

⁶¹⁴ Resolution 246 (1968).

of the Government of South Africa to comply with the provisions of General Assembly resolution 2324 (XXII) of 16 December 1967 and further called upon the Government of South Africa to discontinue forthwith the illegal trial and to release and repatriate the South West Africans concerned,

"*Taking into account* General Assembly resolution 2145 (XXI) of 27 October 1966 by which the General Assembly of the United Nations terminated the Mandate of South Africa over South West Africa and assumed direct responsibility for the Territory until its independence,

"*Reaffirming* the inalienable right of the people and Territory of South West Africa to freedom and independence in accordance with the Charter of the United Nations and with the provisions of General Assembly resolution 1514 (XV) of 14 December 1960,

"*Mindful* that Member States shall fulfil all their obligations as set forth in the Charter,

"*Distressed* by the fact that the Government of South Africa has failed to comply with Security Council resolution 245 (1968),

"*Taking into account* the memorandum of the United Nations Council for South West Africa of 25 January 1968 on the illegal detention and trial of the South West Africans concerned and the letter of 10 February 1968 from the President of the United Nations Council for South West Africa,

"*Reaffirming* that the continued detention and trial and subsequent sentencing of the South West Africans constitute an illegal act and a flagrant violation of the rights of the South West Africans concerned, the Universal Declaration of Human Rights and the international status of the Territory now under direct United Nations responsibility,

"*Cognizant* of its special responsibility towards the people and the Territory of South West Africa,

"1. *Censures* the Government of South Africa for its flagrant defiance of Security Council resolution 245 (1968) as well as of the authority of the United Nations of which South Africa is a Member;

"2. *Demands* that the Government of South Africa forthwith release and repatriate the South West Africans concerned;

"3. *Calls upon* States Members of the United Nations to co-operate with the Security Council, in pursuance of their obligations under the Charter, in order to obtain compliance by the Government of South Africa with provisions of the present resolution;

"4. *Urges* Member States who are in a position to contribute to the implementation of the present resolution to assist the Security Council in order to obtain compliance by the Government of South Africa with the provisions of the present resolution;

"5. *Decides* that in the event of failure on the part of the Government of South Africa to comply with the provisions of the present resolution, the Security Council will meet immediately to determine upon effective steps or measures in conformity with the relevant provisions of the Charter of the United Nations;

"6. *Requests* the Secretary-General to follow closely the implementation of the present resolution and to

report thereon to the Security Council not later than 31 March 1968;

"7. *Decides* to remain actively seized of the matter."

COMPLAINT BY THE UNITED STATES

(*Pueblo incident*)

INITIAL PROCEEDINGS

By letter ⁶¹⁵ dated 25 January 1968 addressed to the President of the Security Council, the representative of the United States requested that a Council meeting be urgently convened to consider "the grave threat to peace which has been brought about by a series of increasingly dangerous and aggressive military actions by North Korean authorities in violation of the Armistice Agreement, of international law and of the Charter of the United Nations". In the letter, it was further stated that, on 23 January, North Korea had "wilfully committed an act of wanton lawlessness" against a naval vessel of the United States. The *USS Pueblo*, while operating in international waters, had been illegally seized by armed North Korean vessels, and the ship and crew were still under forcible detention by North Korean authorities. This North Korean action against a United States naval vessel on the high seas, and the series of North Korean armed raids across the demilitarized zone into the Republic of Korea had created a grave and dangerous situation which required the urgent consideration of the Security Council.

At the 1388th meeting on 26 January 1968, the Council decided, after objections had been made, to include the question in its agenda.⁶¹⁶ The question was considered by the Council at its 1388th and 1389th meetings, held on 26 and 27 January 1968, respectively.

Decision of 27 January 1968 (1389th meeting):

Adjournment

At the 1388th meeting on 26 January 1968, the representative of the United States stated that a virtually unarmed vessel of the United States, sailing on the high seas, had been seized on 23 January 1968 by armed North Korean patrol boats, and her crew forcibly detained. Such a "warlike action" carried an obvious danger to peace. Besides, a party of armed raiders infiltrated from North Korea had been intercepted when they invaded the South Korean capital city of Seoul with the admitted assignment of assassinating the President of the Republic of Korea. That event climaxed a campaign by the North Korean authorities, over the past eighteen months, of steadily growing infiltration, sabotage and terrorism in flagrant violation of the Korean Armistice Agreement of 1953. Both lines of action, which stemmed from North Korea, were aimed against peace and security in Korea, violating the United Nations Charter and international law. These grave developments were brought to the attention of the Security Council in the hope that the Council, which had the primary responsibility for the maintenance of international peace and security, would act promptly to remove the danger they constituted to international peace and security.

⁶¹⁵ S/8360, *OR*, 23rd yr., *Suppl. for Jan.-March 1968*, p. 140.

⁶¹⁶ 1388th meeting (PV), pp. 16-20.

This danger would be removed if action was taken forthwith to secure the release of the *USS Pueblo* and its eighty-three man crew, to bring to an end the pattern of armed transgressions by North Korea against the Republic of Korea and to restore to full vigour and effectiveness the Korean Armistice Agreement.⁶¹⁷

The representative of the USSR maintained that the charges levelled by the United States against the Democratic People's Republic of Korea were unfounded and that the aggressor in Korea was not the Democratic People's Republic but, rather, those who invaded the soil of the Korean people. The current aggravation of tension in Korea was a result of the aggressive acts undertaken by the United States and South Korean armed forces, on land and on the sea, against the Democratic People's Republic of Korea, the main source of tension in Korea being the continuing presence on the territory of South Korea of United States armed forces. It was well known that on the Demarcation Line in Korea, on the 38th parallel, there were systematic incidents and troubles. After citing a number of violations by the United States and South Korean armed forces of the Armistice Agreement from its conclusion in July 1953 to September 1967, the USSR representative stressed that it was necessary to withdraw all United States and other foreign forces from the territory of South Korea and to give the Korean people, at long last, the right to settle its own affairs by itself. Turning to the United States version of the events linked to the detention of the *USS Pueblo*, he remarked that the representative of the United States did not mention the statement of the captain of the vessel when it was detained by a North Korean ship. The captain left no doubt about the intrusion of the *Pueblo* into the territorial waters of the Democratic People's Republic of Korea, or about the hostile aims with which that vessel penetrated the territorial waters of the Republic in violation of its territorial integrity and sovereignty, and that it was engaged in espionage activities. It was obvious that the detention of a foreign military vessel in the territorial waters of any State came within the internal jurisdiction of that State. Consequently, it was not for the Security Council to consider such matters.⁶¹⁸

At the 1389th meeting on 27 January 1968, the representative of Ethiopia stated that the Council was at a great disadvantage for not having verified information on what actually happened, and suggested that it should initiate an investigation of the incident involved. To enable the Council to obtain first-hand submissions from all sides, he further suggested that an invitation be extended to North Korea, as a party to the dispute, to take its full part in the carrying out of the investigation and to appear and present its case before the Council while this item was being discussed.⁶¹⁹

The representative of Canada suggested that in order to bring the influence of diplomacy to bear in the grave situation considered by the Council, it would be advisable to undertake urgent consultations among the members of the Security Council before its next meeting.⁶²⁰

After further deliberation, the President (Pakistan) referred to the suggestion of the representative of Canada and stated that since there were no objections, he would adjourn the meeting until 29 January, in the afternoon, in order to permit consultations among the Council members.⁶²¹

The question remained on the list of matters of which the Security Council is seized.⁶²²

COMPLAINT BY HAITI

INITIAL PROCEEDINGS

By letter ⁶²³ dated 21 May 1968, the representative *ad interim* of Haiti requested the President of the Security Council to convene the Council, as soon as possible, to consider a situation created by an "armed aggression" against Haiti which threatened international peace and security, and that appropriate measures be taken in accordance with Article 39 of the Charter of the United Nations. In the letter, reference was made to an earlier letter ⁶²⁴ dated 20 May 1968 addressed to the Secretary-General, in which the latter had been requested, in pursuance of Articles 99 and 39 of the Charter of the United Nations, to draw the Security Council's attention to this situation which threatened not only Haiti's internal security but also international peace and security.

At the 1427th meeting on 27 May 1968, the Council, after including ⁶²⁵ the item on its agenda, invited ⁶²⁶ the representative of Haiti to participate in the discussion. The question was considered by the Council at that meeting.

Decision of 27 May 1968 (1427th meeting):

Adjournment

At the 1427th meeting, the representative of Haiti stated that over the years a series of repeated acts of aggression had been committed against his country, and that they had been carried out from outside creating a situation which might lead to international friction in the sense of Articles 34 and 35 of the Charter. These acts of aggression had reached their climax on 20 May and had been directed against the territorial integrity and political independence of Haiti, in violation of Article 2, paragraph 4, of the Charter. He maintained that this invasion of Haiti had been planned by exiles residing in the United States, and executed by American pilots living in the Bahamas. Furthermore, the invasion could not have been carried out without the tolerance of certain United Nations Members. Those acts of "international brigandage", coupled with the serious political crisis prevailing in the Caribbean area, constituted a threat to the peace of the hemisphere and the world. The Government of Haiti consequently requested the immediate cessation of activities infringing upon Haiti's territorial integrity and national sovereignty; the punishment of

⁶²¹ 1389th meeting (PV), p. 57.

⁶²² For retention of the item on the Secretary-General's summary statement on matters of which the Security Council is seized, see chapter II, p. 53, No. 153.

⁶²³ S/8593, *OR*, 23rd yr., *Suppl. for April-June 1968*, pp. 168-169.

⁶²⁴ S/8592, *OR*, 23rd yr., *Suppl. for April-June 1968*, pp. 167-168.

⁶²⁵ 1427th meeting (PV), p. 2.

⁶²⁶ 1427th meeting (PV), p. 2.

⁶¹⁷ 1388th meeting (PV): United States, pp. 23-41.

⁶¹⁸ 1388th meeting (PV): USSR, pp. 42-66.

⁶¹⁹ 1389th meeting, para. 22.

⁶²⁰ 1388th meeting (PV), p. 12; 1389th meeting (PV), pp. 23-25.

those who, contrary to international agreements and the Charters of the Organization of American States and the United Nations, used the territories of certain countries, principally the United States and some islands of the Caribbean, for their criminal actions; the necessary measures by the Council to prevent repetition of acts infringing upon the fundamental rights of the Republic of Haiti, its Government and its people, and impeding the development and progress of Haiti in the community of nations; and that the guilty parties be compelled to pay the Government of Haiti and its people equitable reparations for the loss of life and destruction of property.⁶²⁷

The representative of the United States stated that his Government was always ready to investigate all information indicating activities on its soil allegedly directed against the Government of Haiti and which might involve a violation of United States law. It had taken action in every case to punish any violation found. However, his Government could only proceed on the basis of established facts. Haiti's Government had been immediately requested to supply the maximum information available concerning the events of 20 May, but that request had remained unanswered. From information received and from statements made by the Government of Haiti, it was the United States Government's understanding that the situation was fully under control. In the circumstances, the most appropriate course would be for Haiti to pursue the matter with any Government it deemed necessary. The United States remained prepared to co-operate, as in the past, with the Government of Haiti in such an effort, and to take whatever action may be appropriate in the light of the facts that might be ascertained.⁶²⁸

The President (United Kingdom) drew the Council's attention to two communications received through the Secretary-General from the permanent representatives of Jamaica⁶²⁹ and the Dominican Republic,⁶³⁰ respectively. The letter of the representative of Jamaica stated that his country was not associated in any respect with aircraft that attacked the Republic of Haiti, while the letter from the representative of the Dominican Republic stated that his Government maintained a position of complete neutrality and non-intervention in the matter. The President, in his capacity as representative of the United Kingdom, also made a statement to the effect that after careful investigations, the Governor of the Bahamas had reported that there was no positive evidence of any flights to Haiti from the islands' territories such as had been alleged.⁶³¹

At the end of the 1427th meeting, the President (United Kingdom) adjourned the meeting after stating that he would, after consultation with members of the Council, announce the time of the next meeting on the question in due course.⁶³²

The question remained on the list of matters of which the Security Council is seized.⁶³³

QUESTION OF SAFEGUARDS TO NON-NUCLEAR-WEAPON STATES PARTIES TO THE NON-PROLIFERATION TREATY

INITIAL PROCEEDINGS

By letter⁶³⁴ dated 12 June 1968 addressed to the President of the Security Council, the representatives of the USSR, the United Kingdom and the United States requested an early meeting of the Council to consider a draft resolution jointly submitted by them in response "to the desire of many Members that appropriate measures be taken to safeguard their security in conjunction with their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons". In the letter, reference was also made to General Assembly resolution 2373 (XXII), adopted on the same date, commending the Treaty on the Non-Proliferation of Nuclear Weapons and expressing the hope for the widest possible adherence to the Treaty by both nuclear-weapon and non-nuclear-weapon States.

At the 1430th meeting on 17 June 1968, the Council included the item in its agenda,⁶³⁵ and considered it at the 1430th, 1431st and 1433rd meetings, held between 17 and 19 June 1968.

Decision of 19 June 1968 (1433rd meeting):

- (i) Recognizing *that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon States permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter;*
- (ii) Welcoming *the intention expressed by certain States that they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used;*
- (iii) Reaffirming *in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.*

At the 1430th meeting on 17 June 1968, the representatives of the USSR,⁶³⁶ the United Kingdom,⁶³⁷ and the United States⁶³⁸ made statements in the course of which they referred to a draft resolution⁶³⁹ jointly submitted on the question, and made identical declarations to the

⁶²⁷ 1427th meeting (PV), pp. 2-31.

⁶²⁸ 1427th meeting (PV), p. 32.

⁶²⁹ 1427th meeting (PV), p. 36.

⁶³⁰ 1427th meeting (PV), pp. 36-37.

⁶³¹ 1427th meeting (PV), pp. 37-38.

⁶³² 1427th meeting (PV), p. 38.

⁶³³ For retention of the item on the Secretary-General's summary statement on matters of which the Security Council is seized, see chapter II, p. 53, No. 155.

⁶³⁴ S/8630, *O.R.*, 23rd yr., *Suppl. for April-June 1968*, pp. 216-218.

⁶³⁵ 1430th meeting (PV), p. 6.

⁶³⁶ 1430th meeting (PV), pp. 11-15.

⁶³⁷ 1430th meeting (PV), pp. 17-20.

⁶³⁸ 1430th meeting (PV), pp. 22-25.

⁶³⁹ S/8631, same text as resolution 255 (1968).

effect that they, as permanent members of the Security Council, affirm their intention that in case of aggression with nuclear weapons or the threat of such aggression against a non-nuclear weapon State, party to the Non-Proliferation Treaty, they would seek immediate action through the Council to provide assistance, in accordance with the United Nations Charter, to such a State. The declarations also included a reaffirmation of the inherent right, recognized in Article 51 of the Charter, of individual and collective self-defence if an armed attack, including a nuclear attack, occurred against a Member of the United Nations, until the Security Council had taken measures necessary to maintain international peace and security.

At the end of the discussion,⁶⁴⁰ at the 1433rd meeting, the three-Power draft resolution was adopted by 10 votes to none with 5 abstentions.⁶⁴¹

The resolution⁶⁴² read as follows:

"The Security Council,

"Noting with appreciation the desire of a large number of States to subscribe to the Treaty on the Non-Proliferation of Nuclear Weapons, and thereby to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices,

"Taking into consideration the concern of certain of these States that, in conjunction with their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, appropriate measures be undertaken to safeguard their security,

"Bearing in mind that any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States,

"1. Recognizes that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter;

"2. Welcomes the intention expressed by certain States that they will provide or support immediate assistance in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used;

"3. Reaffirms in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council, has taken measures necessary to maintain international peace and security."

⁶⁴⁰ For the consideration of the provisions of Chapter VII in general, see chapter XI, Case 12; for the discussion of the provisions of Article 51, see *ibid.*, Case 11.

⁶⁴¹ 1433rd meeting (PV), p. 46.

⁶⁴² Resolution 255 (1968).

The question remained on the list of matters of which the Security Council is seized.⁶⁴³

SITUATION IN CZECHOSLOVAKIA

INITIAL PROCEEDINGS

By letter⁶⁴⁴ dated 21 August 1968, the permanent representatives of Canada, Denmark, France, Paraguay, the United Kingdom and the United States requested the President of the Security Council to convene an urgent meeting of the Council to consider "the present serious situation in the Czechoslovak Socialist Republic".

At the 1441st meeting on 21 August 1968, before the adoption of the agenda, the representative of the USSR, speaking on a point of order, read the text of a letter⁶⁴⁵ which he had addressed to the President of the Security Council opposing the consideration of the question by the Security Council.⁶⁴⁶

At the same meeting, the Council decided by 13 votes in favour and 2 against to include the question in its agenda.⁶⁴⁷

At the same meeting, the representative of Czechoslovakia was invited to take part in the discussion.⁶⁴⁸ At subsequent meetings, the Council also invited the representatives of Bulgaria,⁶⁴⁹ Poland⁶⁵⁰ and Yugoslavia⁶⁵¹ to participate in the debate. At the 1445th meeting, a proposal by the representative of the USSR that the representative of the German Democratic Republic be invited to participate in the debate was put to the vote and rejected.⁶⁵²

Decision of 22 August 1968 (1443rd meeting):

Rejection of the draft resolution submitted by Brazil, Canada, Denmark, France, Paraguay, Senegal, the United Kingdom and the United States

At the 1441st meeting, the representative of Czechoslovakia* quoted several messages from the Minister of Foreign Affairs of Czechoslovakia containing statements by various Czechoslovak Government and Communist Party organs, to the effect that on 20 August, troops of the USSR, Poland, Hungary, Bulgaria and the German Democratic Republic had crossed the borders of Czechoslovakia in contravention not only of principles of relations among socialist States and the Warsaw Treaty but also of the fundamental norms of international law. Accordingly, his Government had protested to the five aforementioned Governments and requested, among other things, that the armies of those Warsaw Treaty

⁶⁴³ For retention of the item on the Secretary-General's summary statement on matters of which the Security Council is seized, see chapter II, p. 54, No. 156.

⁶⁴⁴ S/8758, OR, 23rd yr., Suppl. for July-Sept. 1968, p. 136.

⁶⁴⁵ S/8759, OR, 23rd yr., Suppl. for July-Sept. 1968, p. 136.

⁶⁴⁶ For the discussion on the inclusion of the item on the agenda, see chapter II, Cases 2a, 3.

⁶⁴⁷ 1441st meeting (PV), pp. 58-60. For the question of circulation of communication in connexion with this question, see chapter II, Case 2.

⁶⁴⁸ 1441st meeting (PV), p. 66.

⁶⁴⁹ 1442nd meeting (PV), pp. 48-50.

⁶⁵⁰ 1443rd meeting (PV), pp. 2-5.

⁶⁵¹ 1444th meeting (PV), pp. 18-20.

⁶⁵² 1445th meeting (PV), p. 92. For discussion of the question of invitation, see chapter III, Case 5.

countries be withdrawn from the territory of Czechoslovakia, and that the members of the Government who were detained be set free.⁶⁵³

The representative of the United States noted that the statements of the representative of Czechoslovakia had demonstrated the need for the Security Council to take appropriate action to restore peace and to redress the violations of the United Nations Charter which had occurred. He also stated that the Council, which, under the Charter, was the body primarily responsible for the maintenance of international peace and security, should take immediate action in the interests of world peace, and call upon the USSR and its Warsaw Pact allies to remove their troops from Czechoslovak soil and to cease interfering in that country in a manner contrary to the principles of international law relating to sovereignty and self-determination of States.⁶⁵⁴

The representative of the USSR contended that the question of Czechoslovakia was an internal affair of that country and "the common cause and affair of its partners in the socialist community under the Warsaw Treaty". He further held that there was a dangerous conspiracy of the forces of internal and external reaction to restore the order in that country which had been brought down by the socialist revolution. In view of this direct threat, a group of members of the Central Committee of the Czechoslovak Communist Party, of the Government and of the National Assembly, had addressed an appeal to allied States, members of the Warsaw Treaty, for immediate assistance through armed force. After reading the text of the appeal, the representative of the USSR maintained that the decision of the Czechoslovak side and the actions of the Warsaw Pact nations were in full conformity with the right of States to individual and collective self-defence provided for in treaties of alliance concluded between the socialist countries, and also with the provisions of the United Nations Charter. He further noted that the Soviet Government had officially stated that Soviet troops would immediately be withdrawn from Czechoslovakia as soon as the existing threat to the achievements of socialism in that country, and to the security of the countries of the Socialist community, would be "dispelled", and as soon as the legitimate authorities would decide that the further presence of those armed forces in Czechoslovakia was not required. He asserted that those military measures were not directed against any State or against the independence and sovereignty of Czechoslovakia, or any other country. They served only the cause of peace and were directed towards the strengthening of peace. Therefore, in accordance with Article 2, paragraph 7, the Security Council should not interfere in the internal affairs of Czechoslovakia. Moreover, the representatives of Czechoslovakia had not appealed to the Council for such intervention.⁶⁵⁵

The representative of the United States disputed the contention of the USSR representative that the invasion of Czechoslovakia was an internal matter for Czechoslovakia, since there had not been any request or permission from the Government of Czechoslovakia for such interference. He added that the Soviet representative had not been able to document the fact that there was

any such request. The statement which he had read before the Council was from a nameless group, and he had not been able to disclose the signers of that statement who were certainly not the members of the Czechoslovak Government.⁶⁵⁶

At the 1442nd meeting on 22 August 1968, the representative of Denmark introduced a draft resolution⁶⁵⁷ which was jointly sponsored by Brazil, Canada, France, Paraguay, the United Kingdom and the United States. Senegal was later added⁶⁵⁸ to the list of co-sponsors of the draft resolution according to which the Security Council would: (1) affirm that the sovereignty, political independence and territorial integrity of the Czechoslovak Socialist Republic must be fully respected; (2) condemn the armed intervention of the USSR and other members of the Warsaw Pact in the internal affairs of Czechoslovakia, and call upon them to take no action of violence or reprisal that could result in further suffering or loss of life, forthwith to withdraw their forces, and to cease all other forms of intervention in Czechoslovakia's internal affairs; (3) call upon Member States of the United Nations to exercise their diplomatic influence upon the USSR and the other countries concerned with a view to bringing about prompt implementation of this resolution; and (4) request the Secretary-General to transmit this resolution to the countries concerned, to keep the situation under constant review, and to report to the Council on compliance with this resolution.

At the 1443rd meeting on 22/23 August 1968, the eight-Power draft resolution was voted upon and failed of adoption. The vote was 10 in favour, 2 against and 3 abstentions (one of the negative votes being that of a permanent member of the Council).⁶⁵⁹

At the same meeting, the representative of Canada submitted a draft resolution⁶⁶⁰ which was jointly sponsored with Brazil, Denmark, France, Paraguay, Senegal, United Kingdom and the United States. Under the terms of the draft resolution, the Security Council would request the Secretary-General of the United Nations to appoint and despatch immediately to Prague a Special Representative who would seek the release and ensure the personal safety of the Czechoslovak leaders under detention and who would report back to the Council urgently.

At the 1444th meeting on 23 August 1968, the representative of the USSR objected to the draft resolution on the ground that it was a direct intervention in the internal affairs of a Member State of the United Nations.⁶⁶¹

The joint draft resolution was further discussed but was not put to the vote.⁶⁶²

At the 1445th meeting on 24 August 1968, the representative of Czechoslovakia stated that "the act of use of force" by the Governments whose armed units had occupied his country could not be justified on any

⁶⁵³ 1441st meeting (PV), pp. 66-67.

⁶⁵⁴ 1441st meeting (PV), pp. 77-87.

⁶⁵⁵ 1441st meeting (PV), pp. 101-135.

⁶⁵⁶ 1441st meeting (PV), p. 136.

⁶⁵⁷ S/8761, 1442nd meeting (PV), p. 17.

⁶⁵⁸ S/8761/Add.1, *OR*, 23rd yr., *Suppl. for July-Sept. 1968*, p. XIV.

⁶⁵⁹ 1443rd meeting (PV), pp. 163-165.

⁶⁶⁰ S/8767, 1443rd meeting (PV), p. 168.

⁶⁶¹ 1444th meeting (PV), pp. 7-10.

⁶⁶² For discussion of the proposal, see chapter V, Case 3.

grounds. No request had been made by the Czechoslovak Government for the military occupation; neither could it be justified on the grounds of concern for Czechoslovak security or alleged danger of counter-revolution. He added that too much harm had been done already and it was an urgent responsibility to prevent further harm being done. He expressed the hope that the current negotiations undertaken by the Czechoslovak President and his delegation in Moscow might contribute to that end. In the meantime, notwithstanding the non-fulfilment by the five socialist countries concerned of their obligations towards Czechoslovakia, his country continued to abide by the principles, aims and objectives of its socialist foreign policy, including co-operation with socialist countries, peaceful coexistence, and support for the progressive efforts of people throughout the world against colonialism, imperialism and any aggression. That policy gave Czechoslovakia every right to oppose "such disrespect for international obligations where we ourselves are involved". On the basis of these principles, the Czechoslovak Government had demanded that the foreign troops leave its territory without delay and that its sovereignty be fully restored. It was the view of his Government that the functions of its constitutional and political organs must be fully respected and that all acts of occupation organs were illegal. The position he had set forth, he

added, could constitute a basis for a future solution. The reaching of that solution, his Government was fully aware, lay squarely with the Governments of the five socialist countries concerned, in negotiation with the constitutional authorities of Czechoslovakia. However, the Council, having discussed the problem, could contribute to its solution by creating the favourable atmosphere for reaching it and for creating a basis for a solution such as he had outlined.

At the conclusion of the 1445th meeting on 24 August 1968, the President (Brazil) after saying that a substantial number of delegations had indicated their desire that the Council should reconvene urgently to resume the consideration of the item, of which the Council remained seized, stated⁶⁶³ that, unless otherwise decided after informal consultations, the Council would meet on 26 August 1968. There being no objection, the meeting was adjourned.

The question remained on the list of matters of which the Security Council is seized.⁶⁶⁴

⁶⁶³ 1445th meeting (PV), p. 123.

⁶⁶⁴ S/8933, 16 December 1968, item 78. For a subsequent request by the Acting Permanent Representative of Czechoslovakia that the item be withdrawn from the Council's agenda, see chapter II, foot-note 41.

